

# Government of the District of Columbia

## ZONING COMMISSION



ZONING COMMISSION ORDER NO. 119

CASE NO. 75-4

October 9, 1975

Pursuant to notice, a public hearing of the Commission was held on July 2, 1975, to consider an amendment to the text of the Zoning Regulations. Subsequently, after having met in public meetings, the Commission adopted Emergency Order No. 117 on August 15, 1975, for a period not to exceed 120 days. Said Emergency Order having been referred to and reviewed by the National Capital Planning Commission and having solicited and received public comments, and having met in public meeting, the Commission hereby ORDERS the ADOPTION of the following amendment to the text of the Zoning Regulations:

### TEXT CHANGE INSTRUCTIONS

1. Remove the current use of "masseur" as contained in the Zoning Regulations. Delete Sub-paragraph 5102.32(1) as follows:

"Masseur"

2. Make massage establishments prohibited uses in W Districts by adding a new Paragraph 4402.416 to read as follows:

"Any establishment which has as a principal use the administration of massages."

3. Make massage establishments prohibited uses in the CR District by adding a new Paragraph 4502.416 to read as follows:

"Any establishment which has as a principal use the administration of massages."

4. Permit massage establishments as special exceptions in C-2 Districts by adding a new Paragraph 5102.46 to read as follows:

"Any establishment which has as a principal use the administration of massages, provided that:

- a. The establishment shall be compatible with other uses in the area.
- b. Such use will not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic or other conditions.
- c. The establishment will not have an adverse impact on religious, educational and other institutional facilities located in the area."

5. Permit massage establishments in the C-3-B and C-4 Districts as a matter of right by adding to Paragraph 5103.33 a new sub-paragraph "b" to read as follows:

"Any establishment which has as a principal use the administration of massages, only in C-3-B Districts, provided that no portion of such establishment is located within 200 feet of any Residential District."

(Paragraph 5104.31 automatically carries the above permitted use into the C-4 District).

6. Permit massage establishments in C-3-B and C-4 Districts as special exceptions when located within 200 feet of any Residential District by adding new Paragraphs 5103.46 and 5104.44 to read as follows:

"Any establishment which has as a principal use the administration of massages, may locate within 200 feet of any Residential District, provided that:

- a. The establishment shall be compatible with other uses in the area.
- b. Such use will not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic or other conditions.

c. The establishment will not have an adverse impact on religious, educational and other institutional facilities located in the area.

7. Remove massage establishments as a matter of right in the C-M and M Districts by modifying Paragraph 6101.31 to read as follows:

"Any commercial use permitted in the C-4 District under Paragraph 5104.3 except establishments which have as a principal use the administration of massages."

(The use will automatically be prohibited as a matter of right and becomes a special exception in the M District as provided for by Sub-section 6102.4).

8. Renumber: Sub-sections 6101.4 through 6101.7 to become 6101.5 through 6101.8, respectively.

Permit massage establishments as special exceptions in C-M Districts by adding a new Sub-section 6101.4 and Paragraph 6101.41 to read as follows:

"6101.4 The following uses are permitted if approved by the Board of Zoning Adjustment subject to the conditions specified in Section 8207 and below in each case:

6101.41 Any establishment which has as a principal use the administration of massages, provided that:

- a. The establishment shall be compatible with other uses in the area.
- b. Such use will not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic or other conditions.
- c. The establishment shall not have an adverse impact on religious, educational and other institutional facilities located in the area."

- 9. Change Paragraph 6102.32 to read as follows:

"Any other lawful use not regulated by Sub-sections 6102.4 or 6102.5, subject to the standards of external effects provided in Sub-section 6102.6."

- 10. Renumber: Sub-section 6102.4 through 6102.7 to become 6102.5 through 6102.8 respectively.

Permit massage establishments as special exceptions in M Districts by adding a new Sub-section 6102.4 and Paragraph 6102.41 to read as follows:

"6102.4 The following uses are permitted if approved by the Board of Zoning Adjustment to the subject conditions specified in Section 8207 and below in each case:

6102.41 Any establishment which has as a principal use the administration of massages, provided that:

- a. The establishment shall be compatible with other uses in the area.
- b. Such use will not be objectionable because of its effect on the character of the neighborhood or because of noise, traffic or other conditions.
- c. The establishment will not have an adverse impact on religious, educational and other institutional facilities located in the area."

- 11. Add to the table in Sub-section 8207.2 after "Light manufacturing, processing, fabricating" the following:

<u>Type of Special Exception</u>	<u>District</u>	<u>Section, Paragraph, Subparagraph.....</u>	
Massage establishment	c-2, c-3, C-4	5102.46	5103.46
	C-M and M Districts	5104.44	6101.41
		6102.41	

12. Delete from Appendix B, "Summary of Use Regulations", the following:

"Masseur"

13. Add to Appendix B, "Summary of Use Regulation" after Lunch counter...

"Massage establishment" with appropriate letters under the appropriate zone district columns.

\_\_\_\_\_  
WALTER B. LEWIS

*Ruby B. McZier*  
\_\_\_\_\_  
RUBY B. McZIER

*George M. White*  
\_\_\_\_\_  
GEORGE M. WHITE

*Richard L. Stanton*  
\_\_\_\_\_  
RICHARD L. STANTON

ATTEST:

*Martin Klauber*  
\_\_\_\_\_  
Martin Klauber  
Executive Secretary