

Government of the District of Columbia

ZONING COMMISSION



Zoning Commission Order No. 314

Case No. 79-1

May 8, 1980

Pursuant to notice, public hearings of the Zoning Commission of the District of Columbia were held on April 2, May 7 and June 11, 1979 and January 17 and 21, 1980, to consider proposed amendments to the text of the Zoning Regulations. The first set of hearings held in 1979 was to consider generally the issues regarding hotels and motels in the District of Columbia. The second set of hearings held in January of 1980 was to consider a specific set of proposed text amendments.

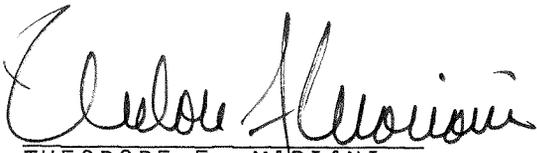
Following the lengthy hearings, and receipt and consideration of an extremely large amount of public testimony and evidence submitted for the record, the Commission held several discussions of the case. For the reasons set forth in the Statement of Reasons accompanying this order, the Commission has determined that it is appropriate to amend the Zoning Regulations regarding hotels.

The Commission believes that the amendments are in the best interests of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and the Zoning Act. The Commission therefore hereby orders that the Zoning Regulations of the District of Columbia shall be amended as set forth in the document entitled "Text Amendments Regarding Hotels," dated May 8, 1980, a copy of which is attached to and made a part of this order.

The Commission further notes that by Order No. 309, dated March 20, 1980, the Commission had enacted amendments to the Regulations on an emergency basis concerning hotels in residential districts. Order No. 309 provides that the amendment contained therein "shall take effect upon the expiration of Order No. 302 on April 1, 1980, and shall remain in effect for 120 days or until permanent amendments regarding

hotels are adopted by the Zoning Commission and become effective, whichever comes first." The Commission therefore hereby orders that the Regulations contained in Order No. 309 shall cease to be in effect at the same time as the Regulations adopted by this order become effective.

Vote of the Commission taken at the public meeting held on April 10, 1980: 5-0 (Ruby B. McZier, George M. White, Theodore F. Mariani and John G. Parsons to approve the amendments, Walter B. Lewis to approve by absentee ballot).



THEODORE F. MARIANI
Chairman



STEVEN E. SHER
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on May 8, 1980 by a vote of 5-0 (Walter B. Lewis, George M. White, Theodore F. Mariani, Ruby B. McZier and John G. Parsons to adopt)

In accordance with Section 3.62 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, the amendments to the Zoning Regulations are effective on 16 MAY 1980.

TEXT AMENDMENTS REGARDING HOTELS
May 8, 1980

1. Revise the definition of "hotel" and add a new definition for "Inn" in Section 1202, Definitions:

A. Amend the definition of hotel to read as follows:

"Hotel: A building or part thereof in which not less than 30 habitable rooms or suites are reserved exclusively for transient guests who rent such rooms or suites on a daily basis and where meals, prepared in a kitchen on the premises by the management or a concessionaire of the management may be eaten in a dining room accommodating simultaneously not less than thirty persons. Such dining room shall be internally accessible from the lobby. The term hotel shall not be interpreted to include apartment house or private club. It shall, however, include establishments defined as motel in these Regulations prior to 16 MAY 1980. All areas within a hotel shall be included in one of the following categories:

Guest room areas: Floor area within a hotel devoted to guest rooms or suites, including individual bathrooms, entrance foyers, corridors, elevators, stairs, floor pantries and other space directly supportive of guest rooms. The main lobby, front desk, and hotel administrative offices are also included in guest room areas for purposes of prorating floor area between residential and non-residential uses in applicable zones.

Function room: A room within a hotel used primarily to accommodate gatherings of hotel guests and visitors, such as meetings, banquets and other group events.

Exhibit Space: Floor area within a hotel primarily designed for the display and storage of exhibits for conferences, trade fairs, and similar group events.

Commercial adjuncts: Retail and service establishments customarily incidental and subordinate to hotel use, such as restaurant, dining room, cocktail lounge, coffee shop, dry cleaning, laundry, pressing, or tailoring establishment, florist shop, barber shop, beauty parlor, cigar or newstand, and other similar uses.

Service areas: Floor area within a hotel devoted to mechanical services and storage supportive of the hotel as a total entity, including boiler room, mechanical platforms, electrical switchboard, workshops and maintenance areas, storage areas, employee facilities (locker rooms, canteen, engineer's office), and similar uses."

B. Add a new definition of "Inn" to read as follows:

"Inn: A building or part thereof wherein habitable rooms or suites are reserved exclusively for transient guests who rent such rooms or suites on a daily basis. Guest rooms or suites may include kitchens, but central dining other than continental breakfast for guests is not allowed. Commercial adjuncts, function rooms, and exhibit space as permitted in hotels are not allowed. The term inn shall not be interpreted to include motel, hotel, private club or apartment house."

2. Permit existing hotels, and prohibit new or expanded hotels, in R-5-B, R-5-C and R-5-D Districts:

A. Amend Paragraph 3105.34 to read as follows:

3105.34 Hotel, only in R-5-B, R-5-C or R-5-D Districts, in existence as of 16 MAY 1980 with a valid Certificate of Occupancy or a valid application for a building permit, provided that the gross floor area of the hotel may not be increased and the total area within the hotel devoted to function rooms, exhibit space, and commercial adjuncts may not be increased. Any such existing hotel may be repaired renovated, remodelled or structurally altered.

B. Amend existing Paragraph 3105.45, authorizing BZA to approve commercial uses as adjuncts in hotels of less than 100 rooms, to read as follows:

"3105.45 Commercial adjuncts to a hotel containing less than 100 rooms or suites, provided that:

3105.451 The total area within the hotel devoted to function rooms, exhibit space and commercial adjuncts may not be increased.

3105.452 There is no direct entrance thereto from the outside of the building.

3105.453 No part of such adjunct or the entrance thereto is visible from a sidewalk.

3105.454 No sign or display indicating the existence of such adjunct is visible from the outside of the building.

3105.455 The hotel is of sufficient size and character so that the financial support of the requested adjunct may be expected to be furnished entirely or substantially by the hotel guests."

C. Amend existing Paragraph 3105.52, permitting accessory commercial adjuncts in hotels with 100 or more rooms, to read as follows:

"3105.52 Commercial adjuncts as accessory uses to a hotel containing 100 or more rooms or suites, provided that:

3105.521 The total area within the hotel devoted to function rooms, exhibit space and commercial adjuncts may not be increased.

3105.522 There is no direct entrance thereto from the outside of the building.

3105.523 No part of such adjunct or the entrance there to is visible from a sidewalk.

3105.524 No sign or display indicating the existence of such adjunct is visible from the outside of the building."

3. Permit hotels in SP Districts:

- A. Allow hotels or inns as a special exception by deleting "Hotel or" from Paragraph 4101.44 and adding a new paragraph 4101.48 to read as follows:

4101.48 Hotel or Inn provided that:

4101.481 The height, bulk and design of the hotel or inn are in harmony with existing uses and structures on neighboring property. For this purpose, the Board may require special treatment in the way of design, building setbacks, screening, landscaping, sign controls and other features as it shall deem necessary to protect neighboring property.

4101.482 Approval of the hotel or inn shall result in a balance of residential, office and hotel or inn uses in the SP District in the vicinity of the hotel or inn.

4101.483 The gross floor area devoted to function rooms and exhibit space shall not exceed fifteen per cent of the gross floor area of the hotel.

4101.484 The hotel or inn is located within 1,300 feet of the Central Employment Area or a Metrorail station. The 1,300 foot distance shall be measured from the entrance of the hotel or inn which is closest to the main lobby and guest registration desk to the edge of the Central Employment Area or the entrance to the Metrorail station, following public rights-of-way.

4101.485 The Board may require more or less off-street parking spaces and loading berths than required by Articles 72 and 73 of these Regulations to accommodate the activities of the hotel or inn, so as to avoid unduly impacting parking or traffic on surrounding streets.

4101.486 The location and design of driveways, access roads and other circulation elements of the hotel or inn are such as to avoid dangerous or other objectionable traffic conditions.

- B. Amend the floor area ratio requirements by deleting "Hotel or" from the table in Sub-section 4301.1 and adding new Sub-sections 4301.2 and 4301.3 to read as follows:

"4301.2 In the computation of gross floor area for a hotel, guest room areas and service areas are to be charged against the floor area ratio for "Apartment house or other residential use" as specified in Sub-section 4301.1. Function rooms, exhibit space and commercial adjuncts are to be charged against the floor area ratio for "other permitted use," as specified in Sub-section 4301.1.

4301.3 For the purposes of this section, an inn shall be charged against the floor area ratio for "Apartment house or other residential use," as specified in Sub-section 4301.1."

4. Permit Hotels and inns in Waterfront Districts and delete motels:
- A. Delete "motel" and add "inn" in Paragraph 4402.24 regarding permitted uses.
- B. Amend the floor area ratio requirement in Sub-section 4404.4 by deleting "hotels and motels" and adding "inns and guest room areas and service areas within hotels."
- C. Delete "motel" and add "inn" in the chart in Paragraph 4406.41 regarding courts, and Paragraph 4406.24, regarding rear yards.
5. Permit Hotels and Inns and delete motels in CR Districts:
- A. Delete "motel" and add "inn" in Paragraph 4502.24 regarding permitted uses.
- B. Amend the floor area ratio requirements by adding "inn and guest room areas and service areas within hotels" to Sub-section 4504.2.
- C. Delete "motel" and add "inn" in Paragraph 4506.45 regarding rear yard.
- D. Add "and inn" following "hotel" in the tables in Sub-sections 4506.6 and 4506.7, regarding courts.

6. Permit hotels and inns and delete motels in Commercial Districts:

- A. Allow hotels and inns as a matter of right in all Commercial Districts by adding a new Paragraph 5101.312 to read as follows:

"5101.312 Hotel or Inn."

- B. Delete existing Paragraph 5103.36 "Motel", and renumber, existing Paragraph 5103.37 to 5103.36.

- C. Amend the floor area ratio requirements by deleting "Hotel or" from the table in Sub-section and adding new Sub-sections 5301.3 and 5301.4 to read as follows:

"5301.3 In the computation of gross floor area for a hotel, guest room areas and service areas are to be charged against the floor area ratio for "Apartment house or other residential use," as specified in Sub-section 5301.1.1. Function rooms, exhibit space and commercial adjuncts are to be charged against the floor area ratio for "Other permitted uses," as specified in Sub-section 5301.1.

5301.4 For the purposes of this section an inn shall be charged against the floor area ratio for "Apartment house or other residential use," as specified in Sub-section 5301.1."

7. Permit hotels and inns as a matter-of-right in Industrial Districts by adding a new Paragraph 6101.38 to read as

"6101.38 Hotel or Inn."

8. Amend the table of special exceptions in Sub-section 8207.2 by adding "or inn" after "hotel" and changing the paragraph number for "hotel or inn" from "4101.44" to 4101.48"

9. Amend the parking requirement for hotels and inns:

- A. Delete all existing references to "motels" in Sub-sections 7202.1, 4405.1 and 4505.1.

- B. Add "or inn" after "hotel" and amend the requirements for "hotel or inn" in the table in Sub-section 7202.1 to read as follows:

SP, C-3-B

One for each four sleeping rooms or suites plus one for each 300 square feet of floor area in the largest function room.

C-1, C-2, C-3-A	One for each two sleeping rooms or suites, plus one for each 150 square feet of floor area in the largest <u>function room</u> .
C-4, C-5 (PAD)	No requirements
M, C-M	One for each sleeping room or suite plus one for each 150 square feet of floor area in the largest <u>function room</u> .

C. Add "or inn" after "hotel" and amend the requirements for "Hotel or Inn" in the W Districts in the table in Sub-section 4405.1 to read as follows:

<u>Hotel</u> or <u>Inn</u>	1/2 sleeping rooms or suites plus one space for each 150 square feet of floor area in the largest <u>function room</u> .
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D. Add "or inn" after "hotel" and amend the requirements for "Hotel or Inn" in CR Districts in the table in Sub-section 4505.1 to read as follows:

<u>Hotel</u> or <u>Inn</u>	1/4 sleeping rooms or suites plus one space for each 300 square feet of floor area in the largest <u>function room</u> .	1/2 sleeping rooms or suites plus one space for each 300 square feet of floor area in the largest <u>function room</u> .
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10. Amend the loading requirements for hotels and inns:

A. Amend the table in Sub-section 7302.1 regarding "Hotel" to read as follows:

"Hotel

All Districts....For guest room areas:

With 30 to 200 sleeping rooms or suites	1
With more than 200 sleeping rooms or suites	2

All Districts.....For Function Rooms:

With a total of 10,000 to 50,000 square feet of floor area	1
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With over 50,000 square feet of floor area, for
each additional 50,000 square feet of floor
area 1

- B. Amend the table in Sub-section 7302.1 regarding "inn"
to read as follows:

"Inn

All Districts....With 30 to 200 sleeping rooms
or suites 1

All Districts....With more than 200 sleeping
rooms or suites 2

- C. Amend the size of loading berth requirements by adding
a new Sub-section 7303.2 to read as follows:

"7303.2 For hotels or inns, the size of the required
loading berths shall be as follows:

7303.21 for guest room areas, the first required
loading berth shall be 25 feet deep, and the second
required loading berth shall be 55 feet deep.

7301.22 For function rooms, all required loading
berths shall be 55 feet deep."

- D. Renumber existing Sub-sections 7303.2 through 7303.5 to
be 7303.3 through 7303.6, respectively

- E. Amend new Paragraph 7303.62 regarding size of loading
platforms by adding "or 55" after "45".