

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 354
CASE NO. 81-10
October 8, 1981

EMERGENCY ORDER

Whereas, in 1956 through 1958, the Zoning Commission of the District of Columbia was considering comprehensive revisions to the Zoning Regulations and Zoning Maps which had been in effect since 1920; and

Whereas, at the same time, the first urban renewal plan for a portion of the District of Columbia was being prepared; and

Whereas, when the present Zoning Regulations became effective on May 12, 1958, for a variety of reasons, the Zoning Commission did not apply the new zoning regulations to that area in Southwest Washington which the urban renewal plan would control; and

Whereas, new public housing had been constructed in the early 1950's on four adjacent squares in that area of Southwest Washington; and

Whereas, the Zoning Commission recently determined that those four squares are not included in the urban renewal plan for Southwest; and

Whereas; private property in the District of Columbia, not covered by land use controls, can be used for any purpose; and

Whereas, Section 1 of the Zoning (Act of June 20, 1938, 52 Stat. 797, also cited as Section 5-413 of the D.C. Code) establishes the authority of the Zoning Commission "to promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia;" and

Whereas, on June 11, 1981, the Zoning Commission determined that an emergency existed and adopted Order No. 345, which amended the Zoning Maps on an emergency basis to zone all of Square 591, 592, and 594 in the R-5-A District, and that unzoned portion of Square 597 in the R-5-B District; and

Whereas, the amendments contained in Order No. 345 can remain in effect for no longer than 120 days, and will thus expire on October 9, 1981; and

Whereas, the Zoning Commission advertised notices of emergency and proposed rulemaking in the D.C. Register on July 17, 1981; and

Whereas, pursuant to notice, the Zoning Commission conducted a public hearing on the proposal to amend the Zoning Map on September 17, 1981; and

Whereas, on that same day following the hearing and consideration of the record, the Zoning Commission voted proposed action to amend the Zoning Map, as advertised; and

Whereas, the Zoning Commission has referred this case to the National Capital Planning Commission for its review and comments, as required under the terms of the District of Columbia Self Government and Governmental Reorganization Act and the NCPC reported that the proposed amendments to the the Zoning Map by the Zoning Commission has no adverse impact on the Federal interests of the National Capital; and

Whereas, the Zoning Commission adopted Order No. 352 as its final action on October 8, 1981; and

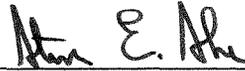
Whereas, the Rules of Practice and Procedure before the Zoning Commission require that a final action by the Zoning Commission does not become effective until a written order and notice of final rulemaking are published in the D.C. Register; and

Whereas, additional time is needed to preserve the status quo established by Emergency Order No. 345 until such time as the final action of the Zoning Commission becomes effective;

Now, Therefore, the Zoning Commission resolves that an emergency exists, that is necessary to take immediate action to continue to preserve the status quo until the Final Action adopted by the Commission becomes effective, it is therefore hereby ORDERED that all of Squares 591, 592, and 594 is zoned R-5-A and that that part of Square 597 that is not currently subject to the Zoning Regulations is zoned R-5-B.

This amendment shall take effect upon the expiration of Order No. 345 on October 9, 1981 and shall remain in effect for 120 days, or until the permanent amendments to the Zoning Map become effective, whichever comes first.

BY ORDER OF THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA



STEVEN E. SHER
Executive Director
Zoning Secretariat

This order was adopted by the Zoning Commission at its public meeting on October 8, 1981 by a vote of 3-0 (Lindsay Williams, Ruby B. McZier, and Walter B. Lewis, to adopt - John G. Parsons, not voting not having participated in the case and George M. White, not present not voting).