

DISTRICT OF COLUMBIA HOUSING AUTHORITY
NOTICE OF FINAL RULEMAKING

The Board of Commissioners of the District of Columbia Housing Authority (“DCHA”) at its regular board meeting held on December 13, 2006, took final action to adopt Chapter 95 of Title 14 DCMR, entitled the “Rent Subsidy Programs: Local Rent Supplement Program.”

No changes have been made to the text of the proposed rules, as published with the Notice of Proposed Rulemaking in the D.C. Register on November 11, 2006, 53 DCR 9226-9233 except clarification language of the proposed rulemaking found at 14 DCMR §9501.3 to specifically include a reference to “federal and District of Columbia HCVP rules and regulations, as amended,” rather than “DCHA HCVP rules and regulations, as amended.” The inclusion of this language is not substantive but of a technical nature and clarifies the original intent of the provision. These final rules will be effective upon publication of this notice in the D.C. Register.

DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS

TITLE 14

CHAPTER 95

RENT SUBSIDY PROGRAMS: LOCAL RENT SUPPLEMENT PROGRAM

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9500 INTRODUCTION

The District of Columbia Housing Authority’s (DCHA) Local Rent Supplement Program (LRSP) is authorized and funded with annual appropriations by the District of Columbia government. The intent of the LRSP is to increase the stock of permanent affordable housing units in the District of Columbia. It is designed to complement the Housing Choice Voucher Program (HCVP) which is funded by the federal government and administered by the

DCHA. Similar to HCVP, the LRSP is designed so that households contribute thirty percent (30%) of their adjusted annual income toward the cost for housing. The LRSP will pay the difference in the cost of housing. The LRSP has three types of housing assistance: Tenant-based, Project-based, and Sponsor-based. For the most part, and unless otherwise specified in this Chapter, the LRSP follows the rules and regulations of the HCVP program as may be amended from time to time. Some of the differences between LRSP and HCVP, as specified more fully herein, are that LRSP is not for housing outside of the District of Columbia and the preferences and priorities for the housing assistance are different than those specified in the HCVP rules and regulations.

9501**PURPOSE OF THE PROGRAM**

9501.1

This chapter of this title shall set forth the rules governing the operation of the Local Rent Supplement Program (LRSP) established under Title II of the Fiscal Year 2007 Budget Support Emergency Act of 2006, effective August 8, 2006 (D.C. Act A16-0476; 53 DCR 7068), which is the D.C. Housing Authority Rent Supplement Act of 2006, as amended or as provided in subsequent appropriation authority.

9501.2

LRSP is established to provide housing assistance to Extremely Low-Income Households in the District of Columbia, including, but not limited to, those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities.

9501.3

Unless provided otherwise in this Chapter, DCHA shall administer the LRSP in accordance with federal and District of Columbia HCVP rules and regulations, as amended.

9502**ELIGIBILITY GENERALLY**

9502.1

DCHA shall ensure that initial admission to the LRSP is limited to Extremely-Low Income Households (including 1 person households) and all households served by LRSP funding shall be located in the District of Columbia.

- 9503 **ADMISSIONS/PREFERENCES AND THE WAITING LIST**
- 9503.1 Generally, eligible households shall be selected and admitted from the DCHA's existing HCVP waiting list in accordance with the HCVP rules and regulations established by the DCHA for selection and admission for the Tenant-based, Project-based, and Sponsor-based housing assistance in the LRSP unless specified otherwise in this Chapter.
- 9503.2 DCHA shall provide preferences for the LRSP Tenant-based housing assistance according to the following:
- (a) District of Columbia residents who are homeless households with one or more children under 18 years of age shall have a preference. The percentage for this preference shall be determined each year, by DCHA, based on the total applicant number of homeless households with children on the HCVP Tenant-based wait list to the total number of applicants on the HCVP Tenant-based wait list at the end of each fiscal year.
 - (b) The remainder of the LRSP Tenant-based housing assistance not administered in accordance with §9503.2(a) shall be administered in accordance with the preferences and priorities established by the HCVP rules and regulations.
 - (c) The LRSP Tenant-based housing assistance preference percentages shall be published as a notice annually in the District of Columbia Register.
- 9503.3 DCHA shall give preferences in the selection of the Sponsor-based housing assistance to sponsors of supportive housing for individuals with special needs.
- 9503.4 DCHA shall be able to provide LRSP funding to Project-based and Sponsor-based housing assistance for Supportive Housing for otherwise eligible applicants not currently on the HCVP wait list in accordance with the following:
- (a) Residents of such rental units shall be eligible for assistance under the LRSP without being processed through the HCVP wait list but shall meet the eligibility requirements of this Chapter and HCVP as determined by DCHA; and
 - (b) The Housing Provider shall provide DCHA with written explanation for the selection of the otherwise eligible applicants not currently on the HCVP waiting list.

- 9504 PROJECT AND SPONSOR BASED HOUSING ASSISTANCE**
- 9504.1 Project-based and Sponsor-based housing shall be operated and administered in accordance with DCHA HCVP rules and regulations governing HCVP project based assistance and the Partnership Program for Affordable Housing described in Chapter 93 of Title 14 of the District of Columbia Municipal Regulations, including, but not limited to, the execution of Long Term Subsidy Contracts with the Housing Provider unless specified otherwise in this Chapter.
- 9504.2 Pending LRSP funding availability, Long Term Subsidy Contracts for Project-based and Sponsor-based rental units shall have an initial term of up to fifteen (15) years.
- 9504.3 Payments under a Long Term Subsidy Contract may be paid as each rental unit in a project is leased to an eligible household as opposed to waiting until the project is fully occupied.
- 9504.4 LRSP funding is available for up to one hundred percent (100%) of the eligible rental units in any Project-based or Sponsor-based housing or such lesser percentage as may be determined by DCHA without regard to the type of households being served.
- 9504.5 LRSP funding may be available for eligible rental units in any Project-based or Sponsor-based housing with some or all operating costs subsidized by some other source of funds besides the LRSP, but for which the other subsidy(s) alone does not make the rental units affordable to income-eligible households unless prohibited or determined by DCHA otherwise.
- 9504.6 To maintain consistency for households receiving the LRSP funding, the DCHA shall, to the extent possible given funding resources available in the LRSP, continue to fund Project-based and Sponsor-based Housing Providers at rent levels, with adjustments from year to year, in accordance with the procedures and the amount of adjustments authorized in the HCVP or as determined by DCHA. Such continued funding shall also be based on continued compliance by the Housing Provider with this Chapter and HCVP rules and regulations.
- 9504.7 Project-based and Sponsor-based funds left "unobligated" at the end of each DCHA fiscal year shall be added to the LRSP funding for next fiscal year. Funds are left unobligated when there are no applications pending and there are no outstanding Requests for

- Proposals (RFPs) in which the respondents could use LRSP funding.
- 9504.8 Dollars allocated to Project-based and Sponsor-based housing assistance shall be based on a sum of the new fiscal year funding plus any “unobligated” Project-based and Sponsor-based carryover funds from the previous fiscal year.
- 9504.9 Single Resident Occupancy (SROs) units are eligible for Project-based and Sponsor-based housing assistance.
- 9504.10 Long Term Subsidy Contracts for Project-based and Sponsor-based housing assistance shall be awarded on a competitive basis as currently provided in Chapter 93 of Title 14 of the District of Columbia Municipal Regulations, as amended, which identifies the HCVP Partnership Program for Affordable Housing application and award process. Also, in furtherance of providing Project-based and Sponsor-based housing assistance, DCHA shall coordinate with District of Columbia agencies and departments, including, but not limited to, the Department of Housing and Community Development, District of Columbia Housing Finance Agency, Department of Human Services, and Department of Mental Health.
- 9505 TENANT-BASED HOUSING ASSISTANCE**
- 9505.1 LRSP Tenant-based housing assistance shall be administered in accordance with the DCHA HCVP rules and regulations except as provided in this Chapter.
- 9505.2 Rent Supplement Voucher shall not be eligible for portability as such term is defined and utilized in 24 CFR §§ 982.351 and 982.353, as amended.
- 9505.3 LRSP Tenant-based funds left “unobligated” at the end of each DCHA fiscal year shall be added to the LRSP funding for the next fiscal year. Funds are left unobligated when there are no Extremely Low Income households who could use LRSP funding.
- 9505.4 Dollars allocated to Tenant-based housing assistance shall be based on a sum of the new fiscal year funding plus any “unobligated” carryover funds from the previous fiscal year.

9506 CONTINUING ELIGIBILITY FOR LRSP FUNDING

- 9506.1 Subject to availability of LRSP funds and the terms of the Long Term Subsidy Contract and any renewals thereof after the initial term, LRSP funds for Project-based and Sponsor-based housing assistance shall continue so long as the Housing Provider is in compliance with this Chapter and HCVP rules and regulations.
- 9506.2 Subject to availability of LRSP funds and the terms of the Rent Supplement Voucher, LRSP funds for Tenant-based housing assistance shall continue so long as the household is in compliance with this Chapter and the HCVP rules and regulations subject to §9506.3, as amended.
- 9506.3 Households assisted by LRSP funds shall be entitled to Title 14 of the District of Columbia Municipal Regulations Chapter 89, as amended, Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Programs as well as 24 CFR §982.555, as amended, as administered by DCHA.

9507 ALLOCATION OF ANNUAL FUNDING

- 9507.1 For each annual appropriation of funds for the LRSP from the Government of District of Columbia, DCHA is authorized to make LRSP housing assistance available.
- 9507.2 For the initial year of appropriation for LRSP, the annual percentage of LRSP funding that will be available for Tenant-based, Project-based, and Sponsor-based housing assistance shall be the following:
- (a) Tenant-based in an amount of sixty percent (60%); and
 - (b) Project-based and Sponsor-based in an amount of forty percent (40%).
- 9507.3 After the initial year of appropriation for LRSP, DCHA shall be able to annually amend §9507.2, through official action of its Board of Commissioners, subsequent publication of notice of such action in the District of Columbia Register, and submittal to the Council of the District of Columbia.

9599 DEFINITIONS

- 9599.1 Area Median Income -
- (a) For a household of 4 persons: the area median income for a household of 4 persons in the Washington Metropolitan Statistical

Area as set forth in the periodic calculation provided by the United States Department of Housing and Urban Development;

- (b) For a household of 3 persons: 90% of the area median income for a household of 4 persons;
- (d) For a household of 2 persons: 80% of the area median income for a household of 4 persons;
- (e) For a household of 1 person: 70% of the area median income for a household of 4 persons; and
- (f) For a household of more than 4 persons: the area median income for a household of 4 persons, increased by 10% of the area median income for a family of 4 persons for each household member exceeding 4 persons (e.g., the area median income for a family of 5 shall be 110% of the area median income for a family of 4; the area median income for a household of 6 shall be 120% of the area median income for a family of 4.

- 9599.2 Extremely Low Income Household - an individual or family whose gross income does not exceed 30% of the Area Median Income, as adjusted for size of household.
- 9599.3 Housing Choice Voucher Program - the federal housing program authorized by Section 8 of the United States Housing Act of 1937, approved September 1, 1937 (50 Stat. 888); 42 U.S.C. § 1737(f) et seq.; as administered by the District of Columbia Housing Authority.
- 9599.4 Housing Provider - an entity or its affiliate that owns and/or operates a unit receiving LRSP funds.
- 9599.5 Local Rent Supplement Program (LRSP) - the program established under Title II of the Fiscal Year 2007 Budget Support Emergency Act of 2006, effective August 8, 2006 (D.C. Act A16-0476; 53 DCR 7068), which is the D.C. Housing Authority Rent Supplement Act of 2006, to provide housing assistance to Extremely Low-Income residents in the District of Columbia, including, but not limited to, those who are homeless and those in need of supportive services, such as elderly individuals or those with disabilities.
- 9599.6 Long Term Subsidy Contract - a long term housing assistance payment contract between DCHA and the owner of building(s) or

- the Housing Provider receiving LRSP housing assistance; and shall mean the same as the Housing Assistance Payment contract under the HCVP rules and regulations unless specified otherwise in this Chapter.
- 9599.7 Project-Based Housing Assistance - LRSP funds allocated under a Long Term Subsidy Contract and attached to units in a particular building, or set of buildings, owned and operated by a private or non-profit Housing Provider; and shall have the same meaning as "Project-based assistance" under the HCVP rules and regulations unless specified otherwise in this Chapter.
- 9599.8 Rent Supplement Voucher - a document issued by DCHA to households selected for admission to LRSP and shall mean the same as the "Housing Choice Voucher" under the HCVP rules and regulations unless specified otherwise in this Chapter. This document describes the LRSP, the procedures for DCHA's approval of the dwelling unit selected by the household, and shall state the obligations of the household under the LRSP.
- 9599.9 Sponsor-Based Housing Assistance - LRSP funds allocated under a Long Term Subsidy Contract to a particular private or non-profit Housing Provider to subsidize the rent, in units owned and operated by the provider, for the number of households established by the contract.
- 9599.10 Supportive Housing - housing provided in connection with voluntary services designed primarily to help tenants maintain housing, including, but not limited to, coordination/case management, physical and mental health, substance use management and recovery support, job training, literacy, and education, youth and children's programs, and money management.
- 9599.11 Tenant-Based Housing Assistance - LRSP funds allocated for an individual or family holding a Rent Supplement Voucher issued by DCHA to the individual or family selected for admission by HCVP and shall have the same meaning as "Tenant-Based assistance" under the HCVP rules and regulations unless specified otherwise in this Chapter.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING**

and

Z.C. ORDER NO. 05-01

Z.C. Case No. 05-01

(Text Amendments – 11 DCMR)

(Adult day treatment Facilities)

March 13, 2006

The Zoning Commission for the District of Columbia (the "Commission"), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01); having held a public hearing as required by § 3 of the Act (D.C. Official Code § 6-641.03); and having referred the proposed amendments to the National Capital Planning Commission for a 30-day period of review pursuant to 11 DCMR §§ 3025.3 and 3028.1; hereby gives notice of the adoption of amendments to §§ 199, 205, 330, 350, 501, 601, 901, 2101, and 3104 of the Zoning Regulations (Title 11 DCMR). The rules recognize an "adult day treatment facility" as a use separate and distinct from the existing use known as "child/elderly development center," but treats all three types of facilities the same in terms of where they may be located.

A notice of proposed rulemaking was published in the December 23, 2005 edition of the *D.C. Register* at 51 DCR 11117. The proposed rules would have placed greater restrictions on the location of adult treatment facilities than on child/elderly development centers. Such facilities would have been disallowed in all Residence zones and in Neighborhood Shopping (C-1) districts. In addition, the proposed rules would have imposed a proximity limitation for this use in Mixed Use Commercial Residential (CR) Districts and subjected the use to special exception review in Commercial-Light Manufacturing (C-M) Districts. The Commission's subsequent decision to treat the three types of facilities in the same manner was based upon the advice of the Office of the Attorney General as will be discussed under the heading "Office of the Attorney General." Although this text differs from that proposed, it will have the same effect as the rule originally advertised for public hearing. Therefore, no republication of a proposed notice of rulemaking is required.

The Commission took final action to adopt the amendments at a public meeting held on March 13, 2006.

This final rulemaking is effective upon publication in the *D.C. Register*.

Set Down Proceeding

The Zoning Commission of the District of Columbia initiated this text amendment to address an issue that arose in Board of Zoning Adjustment (BZA) Appeal No. 16839. In that case, the BZA upheld the Zoning Administrator's (ZA) approval of a proposed "adult development center" (ADC) use, even though the use category did not appear in the Zoning Regulations. The Zoning Administrator concluded that the proposed ADC use was similar in function to a "child/elderly center" use and therefore could be issued a certificate of occupancy under that use category, notwithstanding the fact that a child/elderly development center was defined to include only the elderly and children of 15 years of age or less. The Board concurred with the ZA's analysis and denied the appeal.

The District of Columbia Court of Appeals (DCCA) rejected the BZA's reasoning and held that the ZA may not "interpret defined uses in the Zoning Regulations to encompass other uses that are functionally comparable ... if they are outside the definition," *Chagnon v. D.C. Bd. of Zoning Adjustment*, 844 A.2d 345, 348 (D.C. 2004). Nevertheless, the DCCA indicated that the Board could, on remand, explore whether an adult development center might "be eligible for a certificate of occupancy under a different use classification," *id.* at 349. As the BZA began to work its way through this process, the Zoning Commission representative on the panel concluded that a better approach would be for the Commission, through a rulemaking proceeding, to simply add the word "adult" to the child/elderly development center use and revise the definition of the use to include all ages. The Zoning Commission setdown such an amendment for hearing at its public meeting on January 13, 2005.

Existing Regulations

As a result of the DCCA ruling, it was unclear where adult day treatment facilities could be permitted. It is the intent of this rule to remove the uncertainty.

Relationship to the Comprehensive Plan

The Human Services Elements and several ward objectives of the Comprehensive Plan refer directly or indirectly to the need for development facilities to provide a variety of health and social services for the District's diverse population, including residents with disabilities. The Comprehensive Plan clearly expresses the need for these comparable services, which are independent of the client populations' ages. A main highlight of the objectives in support of the Human Services and the Ward Elements of the Comprehensive Plan is to promote the de-institutionalization of clients in a setting that will allow participants to reintegrate and fully participate in community life.

Public Hearing

As noted, the text set down by the Commission and advertised in a notice of public hearing expanded the child/elderly development center use to include adult day treatment facilities. Thus, all three uses would be treated alike.

The Commission held a public hearing on the advertised text on March 31, 2005. During the hearing, the Commission requested the Office of Planning to address the issues expressed by the community representatives who testified, including:

- How these facilities are currently regulated,
- Definition of adult day treatment facility,
- Distinction of the various populations for adult facilities,
- Inclusion of language to prohibit them as residential facilities,
- Proximity to other residential facilities, and
- Parking requirements.

The Commission also heard citizen testimony expressing concern over the impact of another non-residential use in predominantly residential areas.

Proposed Action

At the July 11, 2005 public meeting of the Zoning Commission, the Commission reviewed OP's June 27, 2005 supplemental report. The report analyzed the location of existing facilities in the District and determined that the majority of these facilities were located in the C-2-A and higher density zone districts. Although initially thought to be essentially similar to child or elderly development centers, the Commission learned that adult day treatment facilities are licensed by the District of Columbia government to provide medically-supervised day treatment services for adults with developmental disabilities or mental disorders. In contrast, persons attending child and elderly development centers receive "care, education, counseling, or training." 11 DCMR § 199.1. Nevertheless, the external impacts of all three uses are essentially the same. The OP report recommended:

- A separate definition of an adult day treatment center as an adult day treatment facility;
- Prohibition of these facilities in the Residential and C-1 Zone Districts, as well as the W-0 and W-1 Zone Districts, with a proximity requirement in the CR Zone District; and
- The inclusion of definitions for adult treatment facility, mental disorder, and mental retardation.

The Commission discussed the amendments and concluded that the text should be modified in the manner recommended by OP. In addition, the Commission decided to require special exception approval for facilities proposed for the CM and M Zone Districts.

Following discussion, the Commission took proposed action pursuant to 11 DCMR § 3027.2 to approve the advertised text, with the modification discussed above.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on December 23, 2005, at 51 DCR 11117, for a 30-day notice and comment period.

National Capital Planning Commission Referral

The proposed rulemaking was referred to the National Capital Planning Commission (NCPC) under the terms of § 492 of the District of Columbia Charter. NCPC's report found that the proposed text amendments would not adversely affect the federal interests or be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital.

Office of the Attorney General

The Office of the Attorney General for the District of Columbia advised the Commission, through a written memorandum, that because adult day treatment facilities provide services to persons with disabilities, the proposed radius restrictions and other location-related restrictions might violate the Americans with Disabilities Act. OAG noted that the record reflected no difference between the external impact of adult day treatment facilities and child/ elderly development centers. OAG, therefore, recommended against disallowing or restricting adult day treatment facilities where no similar prohibition or restriction applied to child/elderly development centers.

Final Action

The Commission took final action to adopt the rulemaking at its regularly scheduled public meeting on March 13, 2006 with the revisions suggested by OAG. Based on the above, the Commission finds that the proposed amendments to the Zoning Regulations are in the best interests of the District of Columbia, consistent with the purposes of the Zoning Regulations and Zoning Act, and not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth herein, the Zoning Commission hereby **APPROVES** the following amendments to Chapters 1, 2, 3, 5, 6, 9, 21, and 31 of the Zoning Regulations, Title 11 DCMR.

Title 11 DCMR (Zoning) is proposed to be amended as follows:

A. Section 199, DEFINITIONS, is amended as follows (new text is shown in **bold** and underline and deleted text is shown with ~~strikethrough~~):

1. By amending the definition of "Child/Elderly development center" to read as follows:

Child/Elderly development center - a building or part of a building, other than a child development home or elderly day care home, used for the non-residential licensed care, education, counseling, or training of individuals two (2) years old or older but under the age of fifteen (15) years of age ~~or less~~ and/or for the non-residential care of ~~elderly~~

individuals age 65 or older, totaling six (6) or more persons, who are not related by blood or marriage to the caregiver and who are present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as child care centers, pre-schools, nursery schools, before-and-after school programs, senior care centers, elder care programs, and similar programs and facilities. A child/elderly development center includes the following accessory uses: counseling; education, training, and health and social services for the ~~parents or principal guardians of children~~ person or persons with legal charge of individuals attending the center, including, but not limited to, any parent, spouse, sibling, child, or legal guardian of such individuals.

2. By inserting the following new definitions in alphabetical order:

Adult day treatment facility – a building or part of a building used for non-residential programs operated for the purpose of providing medically-supervised day treatment services for adults with a developmental disability or mental disorder, totaling six (6) or more persons who are present for fewer than twenty-four (24) hours per day. An adult day treatment facility includes the following accessory uses: counseling, education, training, health, and social services for the person or persons with legal charge of individuals attending the center, including but not limited to any parent, spouse, sibling, child, or legal guardian of such individuals. This definition does not encompass facilities that offer drug or alcohol abuse rehabilitation services. For the purposes of this definition, the following sub-definitions apply:

Mental disorder - an abnormal mental condition in an individual, who requires a comprehensive and relatively intensive range of mental health services in a therapeutic and structured environment, if he or she is to remain in the community or if he or she is to move from twenty-four (24) hour institutional care to the community.

Developmental disability – a severe, chronic disability of a person that is attributable to a mental or physical impairment, or both, that is manifested before the person attains the age of twenty-two (22) years and is likely to continue indefinitely. The person causes substantial functional limitations in three (3) or more areas of major life activity:

- (a) Self-care;
- (b) Receptive and expressive language;
- (c) Learning;
- (d) Mobility;
- (e) Self-direction;
- (f) Capacity for independent living; or
- (g) Economic sufficiency.

A developmental disability reflects the person's need for a combination and sequence of special, interdisciplinary or generic care, treatment, or other service, which are life-long or of extended duration, and are individually planned and coordinated.

B. Chapter 2, § 205; Child/Elderly Development Centers (R-1), is amended by:

1. Changing the section's title to: Child/Elderly Development Centers and Adult Day Treatment Facilities;

2. Striking the phrase "child/elderly development center" wherever it appears and inserting the phrase "child/elderly development center or adult day treatment facility" in its place;

3. Striking the phrase "the center" wherever it appears and inserting the phrase "center or facility" in its place; and

4. Subsection 205.3 is amended by striking the phrase "children or elderly persons" and inserting the phrase "persons in attendance" in its place.

C. Subsections 330.5(d), 350.4(g), 501.1(g), 601.2(c), and 901.1(t) are amended by inserting the phrase "or adult day treatment facility" after the phrase "Child/Elderly development center."

D. Chapter 21, OFF-STREET PARKING REQUIREMENTS, is amended by inserting, alphabetically, the following use and parking requirement in the parking schedule included in § 2101.1, under the general use category "Commercial Building."

Adult Day Treatment Facility

All Districts 1 for each employee.

E. Chapter 31, § 3104, Special Exceptions, is amended by inserting alphabetically, the following special exception in the table included in § 3104.1:

<u>Type of Special Exception</u>	<u>Zone District</u>	<u>Sections in Which the Conditions Are Specified</u>
Adult day treatment facility	R-1, R-2, and R-3 District	§ 205

Vote of the Zoning Commission taken at its public meeting on March 13, 2006 to **APPROVE** the proposed rulemaking: 3-1-1 (John G. Parsons, Michael G. Turnbull, and Carol J. Mitten to approve; Anthony J. Hood, opposed; and Gregory N. Jeffries not present, not voting).

This Order was **ADOPTED** by the Zoning Commission at its public meeting on March 13, 2006 by a vote of 3-1-1 (John G. Parsons, Michael G. Turnbull, and Carol J. Mitten to adopt; Anthony J. Hood, opposed; and Gregory N. Jeffries not present, not voting).

DISTRICT OF COLUMBIA REGISTER

DEC 29 2006

Z.C. NOTICE OF FINAL RULEMAKING & ORDER NO. 05-01

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In accordance with the provisions of 11 DCMR § 3028.9, this Order shall become effective upon publication in the *D.C. Register*; that is, on _____.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
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and

Z.C. ORDER NO. 05-01

Z.C. Case No. 05-01

(Text Amendments – 11 DCMR)

(Adult day treatment Facilities)

March 13, 2006

The full text of this Zoning Commission order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.