

***District of Columbia***

**REGISTER**

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**HIGHLIGHTS**

- D.C. Council enacts Act 23-613, Initiative Measure 81 - Entheogenic Plant and Fungus Policy Act of 2020
- D.C. Council schedules a public hearing on the “Fiscal Year 2020 Comprehensive Annual Financial Report”
- D.C. Council schedules a public oversight roundtable on “The District's COVID-19 Vaccination Process”
- D.C. Council schedules a public roundtable on “Student Learning Loss: Widening the Achievement Gap During the COVID-19 Pandemic”
- Department of Energy and Environment announces funding availability for the DC High Water Mark Project
- Department of Health Care Finance adds Licensed Independent Clinical Social Worker (LICSW) as a provider type allowed to conduct face-to-face long-term care services and supports
- Department of Health (DC Health) announces funding availability for the Ending the HIV Epidemic Program
- Department of Motor Vehicles revises calculations for motor vehicle excise taxes to take into account the fuel efficiency of motor vehicles
- Office of the Deputy Mayor for Planning and Economic Development announces funding availability for the FY2021 DC Local Equity, Access and Preservation Funds (DC LEAF)

# DISTRICT OF COLUMBIA REGISTER

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MURIEL E. BOWSER  
MAYOR

VICTOR L. REID, ESQ.  
ADMINISTRATOR

CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. ACTS

A23-611 Advisory Neighborhood Commissions  
Participation in Planning and Development  
Amendment Act of 2020 (B23-245) .....001371 - 001373

A23-612 UDC PR Harris Exclusive Use Repeal Emergency  
Amendment Act of 2020 (B23-1019) .....001374 - 001375

A23-613 Initiative No. 81 - Entheogenic Plant and Fungus  
Policy Act of 2020 (B23-1033).....001376 - 001377

RESOLUTIONS

Res 24-14 January 2021 Public Emergency Extension  
Authorization Emergency Declaration  
Resolution of 2021 .....001378 - 001379

Res 24-15 Homeland Security Fusion Center and Law  
Enforcement Authority Emergency Declaration  
Resolution of 2021 .....001380 - 001381

BILLS INTRODUCED AND PROPOSED RESOLUTIONS

**Notice of Intent to Act on New Legislation -**  
Bills B24-0022 through B24-0029 and Proposed  
Resolutions PR24-0046 and PR24-0047 .....001382 - 001384

COUNCIL HEARINGS

**Notice of Public Hearing -**  
Fiscal Year 2020 Comprehensive Annual Financial  
Report (Abbreviated) ..... 001385

**Notice of Public Oversight Roundtable -**  
The District's COVID-19 Vaccination Process .....001386 - 001387

**Notice of Public Roundtables -**  
PR 24-21 Board of Zoning Adjustment Carl Blake  
Confirmation Resolution of 2020 .....001388

Student Learning Loss: Widening the Achievement Gap  
During the COVID-19 Pandemic ..... 001389

**ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D**

**OTHER COUNCIL ACTIONS**

**Notice of Grant Budget Modification -**

GBM 24-0008 FY 2020 Grant Budget Modifications  
as of January 4, 2020 ..... 001390

**Notice of Intent to Consider Legislation (Abbreviated) -**

PR 24-47 Local Rent Supplement Program Contract No.  
2019-LRSP-07A Approval Resolution of 2021 ..... 001391

**Notice of Reprogramming Requests -**

24-0001 Request to reprogram \$6,891,697.03 of  
Fiscal Year 2021 Capital Funding within  
the Department of Public Works ..... 001392

24-0002 Request to reprogram \$14,000,000 of Fiscal  
Year 2021 capital budget from the Department  
of Employment Services Paid Family Leave  
Capital Project to the Department of Employment  
Services UI Modernization Capital Project ..... 001392

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES**

**PUBLIC HEARINGS**

**Alcoholic Beverage Regulation Administration -**

3321 Bistro DC Restaurant - ANC 3C - New ..... 001393  
Next Door - ANC 1B - Sports Wagering Substantial Change ..... 001394  
Scissors and Scotch - ANC 6D - New ..... 001395  
Signature Lounge - ANC 2B - New ..... 001396  
Uncorked - ANC 6C - Transfer to New Location ..... 001397

**Zoning Adjustment, Board of - April 21, 2021 - Virtual Hearing Via WebEx**

20402 The Chain Bridge Road University Terrace  
Preservation Committee - ANC 3D (Appeal) ..... 001398 - 001401  
20435 2015 Jackson St 2019, LLC - ANC 5C ..... 001398 - 001401  
20438 David Bland & Marianne Roos - ANC 2E ..... 001398 - 001401  
20445 106 13th Street, LLC - ANC 6B ..... 001398 - 001401  
20446 Cayre Jemal’s Nick, LLC - ANC 5E ..... 001398 - 001401

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**FINAL RULEMAKING**

Health Care Finance, Department of -  
 Amend 29 DCMR (Public Welfare),  
 Ch. 50 (Medicaid Reimbursement for Personal Care Aide Services),  
 Sec. 5003 (PCA Service Authorization Request and Submission) and  
 Sec. 5006 (Program Requirements), to add Licensed Independent  
 Clinical Social Worker (LICSW) as a provider type allowed to  
 conduct the face-to-face Long-Term Care Services and Supports  
 (LTCSS) assessment ..... 001402 - 001403

Motor Vehicles, Department of -  
 Amend 18 DCMR (Vehicles and Traffic),  
 Ch. 4 (Motor Vehicle Title and Registration),  
 Sec. 401 (Application for a Certificate of Title),  
 Ch. 6 (Inspection of Motor Vehicles),  
 Sec. 601 (Inspection Requirements), to revise the  
 calculations for motor vehicle excise taxes to take into  
 account the fuel efficiency of motor vehicles as mandated  
 by Title V of the CleanEnergy DC Omnibus Amendment  
 Act of 2018 ..... 001404 - 001405

Zoning Commission, DC - Z.C. Case No. 20-15  
 Amend 11 DCMR (Zoning Regulations of 2016),  
 Subtitle C (General Rules), Ch. 6 (Green Area Ratio),  
 Sec. 604 (Submittal Requirements for Green Area Ratio),  
 to recognize D.C.-certified landscape architects as “Certified  
 Landscape Experts” and limit recognition of Maryland- and  
 Virginia-certified landscape architects until September 1, 2021 ..... 001406 - 001408

**PROPOSED RULEMAKING**

Energy and Environment, Department of -  
 Amend 20 DCMR (Environment),  
 Ch. 35 (Green Building Requirements),  
 to add Sections 3517 - 3521, and to amend Sec. 3599 (Definitions),  
 to implement provisions of the CleanEnergy DC Omnibus  
 Amendment Act of 2018 and to set forth Department of Energy  
 and Environment’s implementation and enforcement of the  
 Building Energy Performance Standards requirements;  
 to extend public comment period until March 4, 2021 from  
 Proposed Rulemaking published on December 4, 2020 at  
 67 DCR 014269 .....001409

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**PROPOSED RULEMAKING**

Transportation, District Department of -  
 Amend 24 DCMR (Public Space and Safety),  
 Ch. 33 (Public Right-of-Way Occupancy Permits),  
 Sec. 3314 (Dockless Sharing Vehicle) and  
 Sec. 3399 (Definitions), to increase the per vehicle  
 fee for the Shared Dockless Vehicle Program ..... 001410 - 001419

Zoning Commission, DC - Z.C. Case No. 18-04A  
 Amend 11 DCMR (Zoning Regulations of 2016),  
 Subtitle A (Authority and Applicability),  
 Ch. 2 (Administrative and Zoning Regulations),  
 Sec. 209 (Restrictions on Unzoned Land),  
 to authorize construction of playing fields and  
 accessory structures on unzoned land ..... 001420 - 001422

**EMERGENCY RULEMAKING**

For-Hire Vehicles, Department of -  
 Amend 31 DCMR (Taxicabs and Public Vehicles for Hire),  
 Ch. 6 (Taxicab Parts and Equipment),  
 Sec. 601 (Taxicab Vehicle Partition), to allow the Department  
 of For-Hire Vehicles to reinstate the requirement of a safety  
 partition in taxicabs to minimize the spread of infectious disease,  
 particularly COVID-19, which necessitated a global pandemic  
 and Public Health Emergency; Second Emergency Rulemaking  
 to extend rules from Emergency Rulemaking published on  
 September 18, 2020 at 67 DCR 11145 ..... 001423 - 001424

**NOTICES, OPINIONS, AND ORDERS**

**MAYOR’S ORDERS**

2021-008 Delegations – Authority to the Deputy Mayor for  
 Planning and Economic Development to Solicit Offers,  
 Accept Unsolicited Offers, and Execute Certain Documents  
 and to the Director of the Department of Parks and  
 Recreation to Establish Interim Use Public Recreation  
 Amenities with Respect to the Crummell School.....001425 - 001426

2021-009 Delegation of Authority – Healthy Hearts of Babies  
 Act of 2015 and Title III of the Community Health  
 Omnibus Amendment Act of 2018.....001427 - 001428

2021-010 Reappointment – Board of Audiology and Speech-Language  
 Pathology (Angela Grice)..... 001429

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**NOTICES, OPINIONS, AND ORDERS  
MAYOR’S ORDERS**

2021-011	Reappointments and Appointments – Commission on Out of School Time Grants and Youth Outcomes (Burnell Holland, Heather Peeler, Jason Spector, and Dr. Kenneth Taylor) .....	001430 - 001431
----------	--	-----------------

**NOTICES, OPINIONS, AND ORDERS CONT'D  
BOARDS, COMMISSIONS, AND AGENCIES**

Capital City Public Charter School - Request for Proposals - Phone & Intercom Systems .....	001432
Projectors.....	001433

Clemency Board, Office of the District of Columbia - Notice of Public Meeting - January 29, 2021 .....	001434
---	--------

Energy and Environment, Department of - Intent to Issue Air Quality Permits - #6903-R1 The Smithsonian Institution, National Museum of Natural History, 10th Street and Constitution Avenue NW, Washington DC .....	001435 - 001436
#6904-R1 The Smithsonian Institution, The National Museum of American History, 12th Street and Constitution Avenue NW, Washington DC .....	001437 - 001438
#6906-R1 The Smithsonian Institution, Donald W. Reynolds Center for American Art and Portraiture, 8th Street and G Street NW, Washington DC .....	001439 - 001440
#6907-R1 The Smithsonian Institution, National Museum of African Art, 950 Independence Avenue SW, Washington DC.....	001441 - 001442

Notice of Extension of Public Comment Period .....	001443
--	--------

Notice of Filing of a Voluntary Cleanup Action Plan - 1325-1329 5th Street NE - No. VCP2017-051 .....	001444
--	--------

Notice of Filing of Voluntary Cleanup Certificate of Completion - 5119-5131 Nannie Helen Burroughs Ave. NE and 612 Division Ave. NE - No. VCP2017-054.....	001445
--	--------

Notice of Funding Availability - DC High Water Mark Project .....	001446
---	--------

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**NOTICES, OPINIONS, AND ORDERS CONT'D  
BOARDS, COMMISSIONS, AND AGENCIES CONT'D**

General Services, Department of -  
 Acquisition of Leasehold Interest at  
 2501 Martin Luther King Jr. Avenue, S.E.,  
 Washington, D.C. .... 001447

Health, Department of (DC Health) -  
 Notice of Funding Availability - Ending the HIV Epidemic .....001448 - 001449

Planning and Economic Development, Office of the Deputy Mayor for -  
 Notice of Funding Availability - FY2021 DC Local  
 Equity, Access and Preservation Funds (DC LEAF) -  
 January 29, 2021 ..... 001450 - 001457

Secretary, Office of the -  
 Recommendations for Appointments as DC Notaries Public -  
 Effective March 1, 2021 ..... 001458 - 001463

Sentencing Commission, DC -  
 Notice of Meeting Cancellation - January 19, 2021 .....001464

Washington Yu Ying Public Charter School -  
 Request for Proposals -  
 Asphalt and Retaining Wall Repair .....001465  
 Outdoor Sails .....001466

Water and Sewer Authority, DC -  
 Environmental Quality and Operations Committee Meeting -  
 February 18, 2021 .....001467

Zoning Adjustment, Board of - April 14, 2021 - (Virtual Meeting Via WebEx)  
 20444 Nicole Dillard - ANC 5B .....001468 - 001470

Zoning Adjustment, Board of - Cases  
 20328 Madison Heights, LLC - ANC 4C - Order .....001471 - 001474  
 20344 Julie Straus & Adam Harris - ANC 1D - Order .....001475 - 001477  
 20350 Mary's House for Older Adults, Inc. - ANC 7F - Order .....001478 - 001481



ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-611**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JANUARY 14, 2021**

To amend the Advisory Neighborhood Commissions Act of 1975 to ensure that Advisory Neighborhood Commissions are provided adequate notice and an opportunity to provide recommendations on comprehensive plans, including amendments to, or elements of, a comprehensive plan prior to the transmission of such plans to the Council for approval and to require the Office of Advisory Neighborhood Commissions to provide counseling, advice, resources, and staff support to address zoning, development, and planned unit development negotiations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Advisory Neighborhood Commissions Participation in Planning and Development Amendment Act of 2020".

Sec. 2. The Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.01 *et seq.*) is amended as follows:

(a) Section 13(c)(1) (D.C. Official Code § 1-309.10(c)(1)), is amended to read as follows:

“(c)(1)(A) In addition to those notices required in subsection (b) of this section, each agency, board, and commission shall provide to each affected Commission notice of the proposed action as required by subsection (b) of this section before:

“(i) The award of any grant funds to a citizen organization or group;

“(ii) The transmission to the Council of a proposed revenue bond issuance, comprehensive plan, amendment to a comprehensive plan, or element of a comprehensive plan; or

“(iii) The formulation of any final policy decision or guideline with respect to grant applications, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting the Commission area, the District budget and city goals and priorities, proposed changes in District government service delivery, and the opening of any proposed facility systems.

“(B) Each District of Columbia government entity shall maintain a record of the notices sent to each Commission pursuant to subsection (b) of this section.”.

## ENROLLED ORIGINAL

(b) Section 18(c) (D.C. Official Code § 1-309.15(c)) is amended as follows:

(1) Paragraph (15) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (16) is amended by striking the period and inserting a semicolon in its place.

(3) New paragraphs (17), (18), (19), and (20) are added to read as follows:

“(17) Advising Commissioners on issues including zoning, planning, design, development, and negotiations related to Planned Unit Developments as defined in 11-B DCMR § 100.2, or successor regulations;

“(18) Coordinating with other agencies to provide training and guidance on zoning, planning, and development issues to Commissions upon request;

“(19) Providing resources, analyses, and support to Commissions upon request, subject to availability, to support their work on issues including zoning, development, and negotiations on Planned United Developments as defined in 11-B DCMR § 119.1; and,

“(20) Maintaining a publicly accessible database of all community benefit agreements negotiated by Commissions and concluded after the applicability date of the Advisory Neighborhood Commissions Participation in Planning and Development Amendment Act of 2020, passed on 2nd reading on December 1, 2020 (Enrolled version of Bill 23-245).”

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

The act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973, (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



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Chairman  
Council of the District of Columbia

UNSIGNED

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Mayor  
District of Columbia  
January 11, 2021

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-612**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JANUARY 14, 2021**

To amend, on an emergency basis, University of the District of Columbia Expansion Act of 2010 to limit the University of the District of Columbia’s permitted use of the Patricia R. Harris Facility.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “UDC PR Harris Exclusive Use Repeal Emergency Amendment Act of 2020”.

Sec. 2. Section 422 of the University of the District of Columbia Expansion Act of 2010, effective April 8, 2011 (D.C. Law 18-370; D.C. Official Code § 10-507.01, note), is amended as follows:

(a) Subsection (a) is amended to read as follows:

“(a)(1)(A) The University of the District of Columbia may maintain a Ward 8 food hub and sufficient office space at the closed Patricia R. Harris Educational Center school building and site (“PR Harris”).

“(B) For purposes of this paragraph, the term:

“(i) “Sufficient office space” means office space sufficient for the purposes of the University of the District of Columbia, as agreed upon by the Mayor and the University of the District of Columbia no later than 45 days after the effective date of this act.

“(ii) “Ward 8 food hub” means food production and distribution operations similar in scope to those engaged in by the University of the District of Columbia as of the effective date of this act, or of a different scope as agreed upon by the Mayor and the University of the District of Columbia no later than 45 days after the effective date of this act.

“(2) The District of Columbia shall assume any rights and obligations of the University of the District of Columbia as lessor under any existing lease or leases for PR Harris.

“(3) If the Mayor leases or subleases PR Harris in accordance with An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et. seq.*),

ENROLLED ORIGINAL

the University of the District of Columbia shall retain the right to maintain a Ward 8 food hub and sufficient space at PR Harris.”.

(b) Subsection (b) is repealed.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia

UNSIGNED

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Mayor  
District of Columbia  
January 11, 2021

**ENROLLED ORIGINAL**

**D.C. ACT 23-613**

**DECEMBER 2, 2020**

**INITIATIVE MEASURE**

**NO. 81**

**SHORT TITLE**

“Initiative No. 81 - Entheogenic Plant and Fungus Policy Act of 2020”

**SUMMARY STATEMENT**

This Initiative will:

- Make the investigation and arrest of adults for non-commercial planting, cultivating, purchasing, transporting, distributing, possessing, and/or engaging in practices with entheogenic plants and fungi among the Metropolitan Police Department’s lowest law enforcement priorities; and
- Codify that the people of the District of Columbia call upon the Attorney General for the District of Columbia and the United States Attorney for the District of Columbia to cease prosecution of residents of the District of Columbia for these activities.

**LEGISLATIVE TEXT**

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Entheogenic Plant and Fungus Policy Act of 2020”.

Sec 2. Findings and Declaration of Policy.

(a) The people of the District of Columbia find that use of entheogenic plants and fungi have been demonstrated, through scientific studies, to be beneficial in addressing a variety of afflictions, including substance abuse, addiction, trauma, post-traumatic stress syndrome, chronic depression, anxiety, diabetes, cluster headaches, and other conditions; and that practices with entheogenic plants and fungi have long existed, have been considered sacred to a number of cultures and religions for millennia, and continue to be enhanced and improved. Citizens of the

## ENROLLED ORIGINAL

District of Columbia seeking to improve their health and well-being through the use of entheogenic plants and fungi currently use them in fear of arrest and prosecution.

(b) It is declared that the policy of this act is to make investigation and arrest of adults for non-commercial planting, cultivating, purchasing, transporting, distributing, possessing, or engaging in practices with entheogenic plants and fungi among the lowest law enforcement priorities for the District of Columbia.

Sec 3. Policy Regarding Investigation and Arrest for Offenses Involving Entheogenic Plants and Fungi.

(a) For purposes of this section, the term “entheogenic plant and fungus” means any plant or fungus of any species in which there is naturally occurring any of the following substances in any form, which would cause such plant or fungus to be described in section 204(3) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-902.04(3)): ibogaine, dimethyltryptamine, mescaline, psilocybin, or psilocyn.

(b) The Metropolitan Police Department shall make the investigation and arrest of persons 18 years of age or older for non-commercial planting, cultivating, purchasing, transporting, distributing, engaging in practices with, and/or possessing entheogenic plants and fungi that are listed in Schedule I of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-902.04), as among its lowest enforcement priorities.

(c) Nothing in this section shall affect the priority of enforcing any provision of Title I of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2206.01 *et seq.*), or of section 407a of District of Columbia Uniform Controlled Substances Act of 1981, effective March 21, 1995 (D.C. Law 10-229; D.C. Official Code § 48-904.07a).

Sec 4. The people of the District of Columbia call upon the Attorney General of the District of Columbia and the United States Attorney for the District of Columbia to cease prosecution of residents of the District of Columbia for non-commercial planting, non-commercial cultivating, purchasing, transporting, distributing, engaging in practices with, and/or possessing entheogenic plants and fungi as defined in section 3.

Sec. 5. Effective date.

This act shall take effect after a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

## ENROLLED ORIGINAL

## A RESOLUTION

24-14

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 15, 2021

To declare the existence of an emergency with respect to the need to amend the District of Columbia Public Emergency Act of 1980 to authorize the Executive to extend the declaration of a public emergency.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “January 2021 Public Emergency Extension Authorization Emergency Declaration Resolution of 2021”.

See. 2. (a) On January 6, 2021 a large group of insurrectionists stormed and breached the United States Capitol – an unprecedented attack on our democratic government that was fulfilling its Constitutionally mandated responsibilities.

(b) Their insurrection has resulted in the loss of lives, including those of sworn law enforcement officers. Bombs were planted. Insurrectionists briefly seized control of the Senate chambers. They were hunting for elected officials; they erected a makeshift gallows; they brought and wielded weapons, and many wore racist insignia. Many persons came to the District armed and for the purpose of engaging in violence and destruction. They have fired chemical irritants and assaulted persons with bricks, bottles, and guns.

(c) The events on January 6, 2021, and the reasonable apprehension of an ongoing public emergency represent an immediate threat to the health, safety, and welfare of District residents that requires emergency protective actions.

(d) In partial response, on January 6, 2021, Mayor Bowser issued Mayor's Order 2021-003 extending the declaration of a public emergency made earlier in the day for an additional 15 days to January 21, 2021.

(e) We are in reasonable apprehension that persons who disbelieve the results of the November election of Joe Biden and Kamala Harris to be the President and Vice President plan to return to Washington, D.C. to cause further disruption, damage, and violence, and that their actions — necessitating emergency preparedness and response — may not cease with the swearing-in ceremonies on January 20, 2021, as they dispute the validity of the election and the lawfulness of the next President of the United States.



**ENROLLED ORIGINAL**

(f) Without Council authorization, the state of emergency may not be extended beyond January 21, 2021, despite the potential for additional large-scale or violent events, which may present a threat to the safety of our residents and visitors.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the January 2021 Public Emergency Extension Authorization Emergency Amendment Act of 2021 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

24-15

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 15, 2021

To declare the existence of an emergency with respect to the need to amend An Act To authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes to formalize the establishment of the fusion center within the Homeland Security and Emergency Management Agency, to designate the primary mission of the fusion center, and to designate the Homeland Security and Emergency Management Agency and the fusion center as law enforcement entities for the purpose of carrying out the mission of the fusion center.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Homeland Security Fusion Center and Law Enforcement Authority Emergency Declaration Resolution of 2021”.

Sec. 2. (a) The District of Columbia’s fusion center operates 24 hours a day, 7 days a week, while serving a wide customer set of local, regional, and federal partners, and is based in the Homeland Security and Emergency Management Agency (“HSEMA”).

(b) The primary mission of the fusion center of the District is to coordinate and facilitate the sharing of resources, expertise, and information, including criminal history record information and law enforcement intelligence information, among law enforcement, first responder, and criminal justice agencies, and to coordinate and integrate information from such agencies, with the goal of detecting and preventing criminal and terrorist activity, such as criminal conspiracy, bomb threats, possession of illegal firearms and explosives, identity theft, money laundering, burglary, and organized crime, and for the purpose of investigating and responding to such activity.

(c) The District’s fusion center is one component of the national network of fusion centers, which the Department of Homeland Security has sanctioned as a critical strategic initiative for sharing information across a range of natural and manmade threats.

(d) On January 6, 2021, insurrectionists stormed and breached the United States Capitol – an unprecedented attack on our democratic government that was fulfilling its Constitutionally mandated responsibilities.

## ENROLLED ORIGINAL

(e) The District's fusion center, in support of local and federal law enforcement agencies, is assisting in the local and federal response for the purposes of collecting intelligence and information to bring the insurrectionists to justice and to assist in the detection and prevention of future insurrectionist activity and to investigate and respond to such activity if it should occur.

(f) Because of federal regulations and jurisdictional standards, the fact that the fusion center has not been statutorily established by the District government, and the fact that HSEMA and the fusion center have not formally been designated statutorily as law enforcement agencies for the purposes of the fusion center, there have been delays and difficulties in the District's fusion center receiving information from other fusion centers and from law enforcement and criminal justice agencies.

(g) Statutorily establishing the primary purpose of the fusion center and designating HSEMA as a law enforcement agency, and the fusion center as its designated a law enforcement unit, for the purposes of the fusion center, helps ensure the District can meet its purposes of receiving, analyzing, handling, investigating, and sharing criminal history record information and law enforcement intelligence information and assisting with criminal investigations.

(h) Because of the recent insurrectionist activity and the threat of future insurrectionist and other criminal activity, it is critical that, without delay, the primary purpose of the fusion center be established statutorily and that HSEMA and the fusion center be statutorily designated as law enforcement entities for the purpose of carrying out the mission of the fusion center.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that Homeland Security Fusion Center and Law Enforcement Authority Emergency Amendment Act of 2021 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**NOTICE OF INTENT TO ACT ON NEW LEGISLATION**

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than 15 days. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004, Telephone: 724-8050 or online at <http://www.dccouncil.us>.

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**COUNCIL OF THE DISTRICT OF COLUMBIA****PROPOSED LEGISLATION**

B24-0022     Jamal Khashoggi Way Designation Act of 2021

Intro. 01-15-2021 by Councilmembers Pinto, Allen, Cheh, Gray, Nadeau, Henderson, Silverman, and Chairman Mendelson and referred to the Committee of the Whole

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B24-0023     John Lewis Way Designation Act of 2021

Intro. 01-15-2021 by Councilmembers Pinto, R. White, Henderson, Cheh, Bonds, Allen, Gray, Nadeau, T. White, McDuffie, Silverman, Lewis George, and Chairman Mendelson and referred to the Committee of the Whole

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B24-0024     Ruth Bader Ginsburg Way Designation Act of 2021

Intro. 01-15-2021 by Councilmembers Pinto, Bonds, Lewis George, Allen, R. White, McDuffie, T. White, Nadeau, Henderson, Silverman, Gray, Cheh, and Chairman Mendelson and referred to the Committee of the Whole

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B24-0025 Medical Necessity Restroom Access Act of 2021

Intro. 01-15-2021 by Councilmembers Pinto, Gray, Bonds, Nadeau, Allen, and R. White and referred to the Committee on Health

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B24-0026 Maternal Health Resources and Access Act of 2021

Intro. 01-15-2021 by Councilmembers Henderson, R. White, Nadeau, Lewis George, Allen, Silverman, Gray, Cheh, and McDuffie and referred to the Committee on Health

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B24-0027 Closing of a Public Alley in Square 5051, S.O. 21-00136, Act of 2021

Intro. 01-15-2021 by Councilmember Gray and referred to the Committee of the Whole

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B24-0028 HIV In-home Test Tax Exemption Amendment Act of 2021

Intro. 01-15-2021 by Councilmembers Pinto, Lewis George, Gray, Cheh, Henderson, Nadeau, and Bonds and referred to the Committee on Business and Economic Development

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B24-0029 Minor Consent to Healthcare for HIV and AIDS Clarification Amendment Act of 2021

Intro. 01-15-2021 by Councilmembers Pinto, Cheh, Nadeau, Henderson, and Lewis George and referred to the Committee on Health

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PR24-0046 Executive Director of the District of Columbia Housing Finance Agency  
Christopher Donald Confirmation Resolution of 2021

Intro. 01-15-2021 by Chairman Mendelson and referred to the Committee on Housing and Executive Administration

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PR24-0047 Local Rent Supplement Program Contract No. 2019-LRSP-07A Approval  
Resolution of 2021

Intro. 01-15-2021 by Chairman Mendelson and referred to the Retained by the  
Council with comments from the Committee on Housing and Executive  
Administration

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COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
NOTICE OF PUBLIC HEARING

1350 Pennsylvania Avenue, NW, Washington, DC 20004

ABBREVIATED

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CHAIRMAN PHIL MENDELSON  
COMMITTEE OF THE WHOLE  
ANNOUNCES A PUBLIC HEARING

on

**“Fiscal Year 2020 Comprehensive Annual Financial Report”**

on

**Wednesday, February 3, 2021 at 1:30 p.m.**

**Live via Zoom Video Conference Broadcast**  
**Council Channel 13** (Cable Television Providers)  
**DC Council Website** ([www.dccouncil.us](http://www.dccouncil.us))

Council Chairman Phil Mendelson announces the scheduling of a public hearing of the Committee of the Whole on the Fiscal Year 2019 Comprehensive Annual Financial Report (CAFR). The public hearing will be held **Wednesday, February 3, 2021, at 1:30 p.m.** via Zoom video conference.

The purpose of this public hearing is to receive testimony from government witnesses, namely the Executive, Chief Financial Officer, and Inspector General, regarding the results of the Fiscal Year 2020 CAFR. By law, the CAFR must be released by January 31, 2021. This document, and this hearing, are important to understanding the financial health of the District government. Copies of the CAFR may be obtained, after it is released, from the Office of the Chief Financial Officer or the OCFO website.

This hearing is part of a series of hearings to be held this winter and spring by the Council and its committees in connection with its oversight of Fiscal Years 2020 and 2021 agency performance. The full schedule of is available on the Council’s website (<http://www.dccouncil.us>) and is published separately in the D.C. Register. Materials pertaining to this hearing, including a draft witness list, can be accessed 24 hours in advance of the hearing at <http://www.chairmanmendelson.com/circulation>.

While this hearing is *limited to testimony from specified government witnesses*, written statements from the public will be accepted and made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, February 17, 2021.

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON HEALTH  
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE  
1350 PENNSYLVANIA AVE., N.W., WASHINGTON, D.C. 20004**

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**COUNCILMEMBER VINCENT C. GRAY, CHAIRPERSON  
THE COMMITTEE ON HEALTH**

**ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE ON**

**“THE DISTRICT’S COVID-19 VACCINATION PROCESS”**

**FRIDAY, JANUARY 29, 2021, 10:00 AM – 6:00 PM**

**AND**

**MONDAY, FEBRUARY 1, 2021, 10:00 AM – 6:00 PM**

**REMOTE OVERSIGHT ROUNDTABLE VIA WEBEX  
BROADCAST LIVE ON DC COUNCIL CHANNEL 13  
STREAMED LIVE AT [WWW.DCCOUNCIL.US](http://WWW.DCCOUNCIL.US) AND ENTERTAINMENT.DC.GOV.**

Councilmember Vincent C. Gray, Chairperson of the Committee on Health, announces a Public Oversight Roundtable on “The District’s COVID-19 Vaccination Process.” The roundtable will be held on Friday, January 29, 2021, at 10:00 a.m., recess, and continue on Monday, February 1, 2021, at 10:00 a.m, via Webex.

This public oversight roundtable will examine the District’s COVID-19 vaccination process, and will be conducted over a two-day period. On the first day, January 29, 2021, the Committee will hear testimony from public witnesses, and welcomes feedback from the public regarding their experiences with the vaccination process and suggestions for improvements. On the second day, February 1, 2021, the Committee will hear testimony from government witnesses. Issues that will be discussed include: the effectiveness of the District's [vaccinate.dc.gov](http://vaccinate.dc.gov) enrollment portal and call-in number, the enrollment process, communication and outreach, and the equitable prioritization of vaccines.

Persons wishing to provide oral testimony on January 29<sup>th</sup> should contact Malcolm Cameron, Legislative Analyst of the Committee on Health by e-mail at [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us) or by phone at (202) 341-4425 before 6:00 p.m. on Thursday, January 28, 2021. When sending an e-mail or leaving a voicemail, please provide Mr. Cameron with the following information:

- Your first and last name;
- The name of the organization you are representing (if any);
- Your title with the organization;
- Your e-mail address;
- Your phone number; and



- The specific bill/s you will be testifying about.

Mr. Cameron will e-mail a confirmation of your attendance with an agenda, witness list, and attached instructions for accessing the virtual roundtable on the evening of January 28th. Oral testimony will be strictly limited to three minutes to allow everyone an opportunity to testify.

For accommodation requests, including spoken language or sign language interpretation, please inform the Committee office of the need as soon as possible but no later than five (5) business days before the proceeding. The Council will make every effort to fulfill timely requests, however requests received in less than five (5) business days may not be fulfilled and alternatives may be offered.

Persons wishing to provide written testimony should e-mail their written testimony to Malcolm Cameron, Legislative Analyst of the Committee on Health at [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us) before 6:00 p.m. on Monday, February 15, 2021. Please indicate that you are submitting testimony for this roundtable in the subject line of the e-mail.

COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
NOTICE OF PUBLIC ROUNDTABLE  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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CHAIRMAN PHIL MENDELSON  
COMMITTEE OF THE WHOLE  
ANNOUNCES A PUBLIC ROUNDTABLE

on

**PR 24-21, Board of Zoning Adjustment Carl Blake Confirmation Resolution of 2020**

on

**Thursday, February 4, 2021 at 10:00 a.m.**

**Chairman's Website** ([www.ChairmanMendelson.com/live](http://www.ChairmanMendelson.com/live))

**DC Council Website** ([www.dccouncil.us](http://www.dccouncil.us))

**Council Channel 13** (Cable Television Providers)

**Office of Cable Television Website** ([entertainment.dc.gov](http://entertainment.dc.gov))

Council Chairman Phil Mendelson announces the scheduling of a public roundtable of the Committee of the Whole on **PR 24-21**, the “Board of Zoning Adjustment Carl Blake Confirmation Resolution of 2020. The roundtable will be held on **Thursday February 4, 2021 at 10:00 a.m.** live via Zoom Video Conference Broadcast. The purpose of this roundtable is to receive testimony from the public as to the fitness of the nominees for appointment.

The stated purpose of PR 24-21 is to confirm the appointment of Mr. Carl Blake to the Board of Zoning Adjustment for a term to end on September 30, 2022. Mr. Blake would replace Lesyllee White, one of three Mayoral appointees on the five-member Board. The Board of Zoning Adjustment is an independent, quasi-judicial body with the ability to grant relief from the strict application of the District’s zoning regulations in the form of variances, to grant special exceptions where authorized under the Zoning Regulations, and to hear appeals from actions taken by the Zoning Administrator of the Department of Consumer and Regulatory Affairs.

Those who wish to testify must register at <http://www.ChairmanMendelson.com/testify> by the close of business on Tuesday, February 2, 2021. **Testimony is limited to four minutes.** Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding. We will make every effort to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled. If you have additional questions, please contact Destiny Riley, Committee Assistant, at (202) 724-8196.

Due to the COVID-19 public health emergency declaration, the roundtable will be conducted virtually on the Internet utilizing Zoom video conference technology. Because of this, written or transcribed testimony from the public is highly encouraged and will be taken by email or voicemail. Testimony may be submitted in writing to [cow@dccouncil.us](mailto:cow@dccouncil.us) or may be left by voicemail (up to 3 minutes – which will be transcribed – by calling (202) 430-6948. Testimony received by close of business on February 2, 2021 will be posted publicly to <http://www.chairmanmendelson.com/circulation> prior to the roundtable. If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to [cow@dccouncil.us](mailto:cow@dccouncil.us). The record will close at 5:00pm on February 18, 2021.

COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
NOTICE OF PUBLIC ROUNDTABLE  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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CHAIRMAN PHIL MENDELSON  
COMMITTEE OF THE WHOLE  
ANNOUNCES A PUBLIC ROUNDTABLE

on

Student Learning Loss: Widening the Achievement Gap During the COVID-19 Pandemic

On

Wednesday, February 10, 2021 at 3:00 p.m.  
Chairman's Website ([www.ChairmanMendelson.com/live](http://www.ChairmanMendelson.com/live))

Council Chairman Phil Mendelson announces the scheduling of a public roundtable of the Committee of the Whole on *Student Learning Loss: Widening the Achievement Gap During the COVID-19 Pandemic*. The roundtable will be held on **Wednesday, February 10, 2021 at 3:00 p.m.** Live via Zoom Video Conference Broadcast. The roundtable will only be broadcast live at <http://www.ChairmanMendelson.com/live>.

The purpose of this roundtable is to receive testimony from experts, District of Columbia Public Schools (DCPS), the Public Charter School Board (PCSB), and the Office of the State Superintendent of Education (OSSE) on the learning loss and resultant widening of the achievement gap that has occurred during the COVID-19 pandemic, as well as solutions for mitigating the loss. Because the Committee is seeking testimony from particular education experts and the Executive, **this roundtable is limited to invited guests only.**

Testimony from each invited expert witness is limited to five minutes unless a longer time limit is arranged. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding. We will make every effort to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled. If you have additional questions, please contact Destiny Riley, Committee Assistant, at (202) 724-8196.

Due to the COVID-19 public health emergency declaration, the roundtable will be conducted virtually on the Internet utilizing Zoom video conference technology. Although this roundtable is limited to invited witnesses, written or transcribed statements from the public are highly encouraged and will be taken by email or voicemail. Testimony may be submitted in writing to [cow@dccouncil.us](mailto:cow@dccouncil.us) or may be left by voicemail (up to 3 minutes – which will be transcribed – by calling (202) 430-6948). Testimony received by close of business on February 8, 2021 will be posted publicly to <http://www.chairmanmendelson.com/circulation> prior to the roundtable. Written statements timely received will be made a part of the official record. Written statements should be submitted to [cow@dccouncil.us](mailto:cow@dccouncil.us). The record will close at 5:00 pm on February 24, 2021.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Notice of Grant Budget Modifications**

Pursuant to the Consolidated Appropriations Act of 2017, approved May 5, 2017 (P.L. 115-31), the Council of the District of Columbia gives notice that the Mayor has transmitted the following Grant Budget Modification (GBM).

A GBM will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a GBM will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 5 Washington, D.C. 20004. Copies of the GBMs are available in the Legislative Services Division, Room 10.  
Telephone: 724-8050

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**GBM 24-0008**

**FY 2020 Grant Budget Modifications as of January 4, 2020**

RECEIVED: 2-day review begins January 21, 2021

COUNCIL OF THE DISTRICT OF COLUMBIA  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

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ABBREVIATED NOTICE OF INTENT TO CONSIDER LEGISLATION

The Council of the District of Columbia hereby gives notice of its intention to take action in less than fifteen days on PR 24-47, the “Local Rent Supplement Program Contract No. 2019-LRSP-07A Approval Resolution of 2021”, to allow for the proposed resolutions to be considered at a regular legislative meeting on February 2, 2021.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Notice of Reprogramming Requests**

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s).

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Room 5 Washington, D.C. 20004. Copies of reprogramming's are available in Legislative Services, Room 10.  
Telephone: 724-8050

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**Reprog. 24-0001:** Request to reprogram \$6,891,697.03 of Fiscal Year 2021 Capital Funding within the Department of Public Works was filed in the Office of the Secretary on January 22, 2021. This reprogramming is needed to cover the cost of purchasing equipment and vehicles.

RECEIVED: 14-day review begins January 25, 2021

**Reprog. 24-0002:** Request to reprogram \$14,000,000 of Fiscal Year 2021 capital budget from the Department of Employment Services Paid Family Leave Capital Project to the Department of Employment Services UI Modernization Capital Project was filed in the Office of the Secretary on January 22, 2021. This reprogramming is needed to cover the cost of the UI Benefits contract.

RECEIVED: 14-day review begins January 25, 2021

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 29, 2021
Protest Petition Deadline: April 5, 2021
Roll Call Hearing Date: April 26, 2021
Protest Hearing Date: June 30, 2021

License No.: ABRA-117625
Licensee: 3321 Bistro Tex Mex and International Latin Cuisine, Inc.
Trade Name: 3321 Bistro DC Restaurant
License Class: Retailer's Class "C" Restaurant
Address: 3321 Connecticut Avenue, N.W.
Contact: Jury Meneses: (301) 613-4763

WARD 3

ANC 3C

SMD 3C04

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on April 26, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on June 30, 2021 at 1:30 p.m.

NATURE OF OPERATION

A new Retailer's Class C Restaurant with a seating capacity of 78 and Total Occupancy Load of 82. Live Entertainment with Dancing will be offered.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday through Wednesday 11am - 10pm, Thursday 11am - 2am
Friday and Saturday 11am - 3am

HOURS OF LIVE ENTERTAINMENT

Thursday 10pm - 2am, Friday and Saturday 10pm - 3am
(No Entertainment Sunday through Wednesday)

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 29, 2021
Protest Petition Deadline: April 5, 2021
Roll Call Hearing Date: April 26, 2021

License No.: ABRA-077567
Licensee: Knz, LLC
Trade Name: Next Door
License Class: Retailer’s Class “C” Tavern
Address: 1211 U Street, N.W
Contact: Kamal Ali: (202) 420-0453

WARD 1

ANC 1B

SMD 1B12

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on April 26, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF SUBSTANTIAL CHANGE

Licensee is requesting to add a Sports Wagering endorsement to their operations. Licensee requests to add betting machines, the number pending approval by DC Lottery.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday through Thursday 10am – 2am, Friday and Saturday 10am – 3am

CURRENT HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 6pm – 2am, Friday and Saturday 6pm – 3am



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 29, 2021
Protest Petition Deadline: April 5, 2021
Roll Call Hearing Date: April 26, 2021
Protest Hearing Date: June 30, 2021

License No.: ABRA-117631
Licensee: Scissors and Scotch Navy Yard, LLC
Trade Name: Scissors and Scotch
License Class: Retailer’s Class “C” Tavern
Address: 1 M Street S.E., Ste. 100
Contact: William Brammer, Esq.: (202) 670-1684

WARD 6 ANC 6D SMD 6D02

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on April 26, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on June 30, 2021 at 1:30 p.m.

NATURE OF OPERATION

New Retailer’s Class “C” Tavern featuring an upscale men’s grooming hair salon with a retail bar attached. Total Occupancy Load of 21 with seating for 21 patrons. Applicant is also applying for a Sidewalk Café Endorsement of 22 seats.

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (INSIDE PREMISES)

Sunday through Saturday 10am – 12am

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION (SIDEWALK CAFE)

Sunday through Saturday 12pm – 12am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 29, 2021
Protest Petition Deadline: April 5, 2021
Roll Call Hearing Date: April 26, 2021
Protest Hearing Date: June 30, 2021

License No.: ABRA-117485
Licensee: Aberash, LLC
Trade Name: Signature Lounge
License Class: Retailer's Class "C" Tavern
Address: 1727 Connecticut Avenue, N.W.
Contact: Adanech Gebremeskel: (240) 491-1145

WARD 2

ANC 2B

SMD 2B01

Notice is hereby given that this licensee has applied for a new license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on April 26, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The Protest Hearing date is scheduled on June 30, 2021 at 4:30 p.m.

NATURE OF OPERATION

A new Retailer's Class C Tavern with a seating capacity of 267 and Total Occupancy Load of 277. Licensee will offer Live Entertainment with Dancing and Cover Charge.

HOURS OF OPERATION

Sunday through Thursday 7am - 2am, Friday and Saturday 7am - 3am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION

Sunday through Thursday 9am - 2am, Friday and Saturday 7am - 3am

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 9am - 2am, Friday and Saturday 7am - 3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date: January 29, 2021
Protest Petition Deadline: April 5, 2021
Roll Call Hearing Date: April 26, 2021

License No.: ABRA-108135
Licensee: SLK6, LLC
Trade Name: Uncorked
License Class: Retailer's Class "A" Liquor Store
Address: 22 M Street, N.E.
Contact: Chrissie Chang: (703) 992-3994

WARD 6 ANC 6C SMD 6C06

Notice is hereby given that this licensee has requested to transfer their license to a new location with a Substantial Change under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing date on April 26, 2021 at 10 a.m., 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

NATURE OF OPERATION/SUBSTANTIAL CHANGE

Applicant requests to transfer license from Safekeeping to a new location at 22 M Street, N.E. Licensee is a Class "A" Liquor Store. Applicant is also requesting to change hours of operation and to add a Tasting Permit to the license.

APPROVED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday 10am - 9pm, Monday through Thursday 9am - 9pm, Friday and Saturday 9am - 10pm

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 10am - 10pm

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
WEDNESDAY, APRIL 21, 2021  
VIRTUAL HEARING via WEBEX**

**TO CONSIDER THE FOLLOWING:** The Board of Zoning Adjustment will adhere to the following schedule but reserves the right to hear items on the agenda out of turn.

**TIME: 9:30 A.M.**

**WARD THREE**

<b>Appeal of:</b>	<b>The Chain Bridge Road University Terrace Preservation Committee</b>
<b>Appeal No.:</b>	<b>20402</b>
<b>Address:</b>	2750-2762 Chain Bridge Road N.W. (Square 1425, Lots 841-847)
<b>ANC:</b>	<b>3D</b>
<b>Relief:</b>	Appeal pursuant to: <ul style="list-style-type: none"> <li>• The provisions of Subtitle Y § 302</li> </ul>
<b>Appeal from:</b>	The decisions made on August 25, 2020, September 4, 2020, September 15, 2020 and October 21, 2020 by the Zoning Administrator, Department of Consumer and Regulatory Affairs to issue building permits B2000096, B2010618, B2010621, B2010623, B2010625, B2010627, B2010628, B2010871, issued on August 25, 2020, to construct eight apiaries, on existing vacant lots in the R-21 Zone.

**WARD FIVE**

<b>Application of:</b>	<b>2015 Jackson St 2019, LLC</b>
<b>Case No.:</b>	<b>20435</b>
<b>Address:</b>	2015 Jackson Street N.E. (Square 4219, Lot 812)
<b>ANC:</b>	<b>5C</b>
<b>Relief:</b>	Special Exceptions under: <ul style="list-style-type: none"> <li>• the minimum vehicle parking requirements of Subtitle C § 701.5 (pursuant to Subtitle C § 703.5 and Subtitle X § 901.2)</li> <li>• the rear yard requirements of Subtitle G § 405.2 (pursuant to Subtitle G § 1201 and Subtitle X § 901.2)</li> </ul>
<b>Project:</b>	To raze the existing principal dwelling unit, and to construct a new, five-story, 12-unit residential building in the MU-4 Zone.

BZA PUBLIC HEARING NOTICE  
 APRIL 21, 2021  
 PAGE NO. 2

**WARD EIGHT**

<b>Application of:</b>	<b>David Bland &amp; Marianne Roos</b>
<b>Case No.:</b>	<b>20438</b>
<b>Address:</b>	3216 Reservoir Road N.W. (Square 1280, Lot 929)
<b>ANC:</b>	<b>2E</b>
<b>Relief:</b>	Area Variance from: <ul style="list-style-type: none"> <li>• the lot occupancy requirements of Subtitle D § 1204.1 (pursuant to Subtitle X, Chapter 10)</li> </ul>
<b>Project:</b>	To construct a second-story addition to an existing, nonconforming, semi-detached principal dwelling unit, in the R-20 Zone.

**WARD SIX**

<b>Application of:</b>	<b>106 13<sup>th</sup> Street, LLC</b>
<b>Case No.:</b>	<b>20445</b>
<b>Address:</b>	106 13th Street S.E. (Square 1036, Lot 60)
<b>ANC:</b>	<b>6B</b>
<b>Relief:</b>	Use Variance from: <ul style="list-style-type: none"> <li>• The use provisions of Subtitle U § 301 (pursuant to Subtitle X, Chapter 10)</li> </ul>
<b>Project:</b>	To expand the existing restaurant use to the cellar level and second floor of an existing semi-detached, two-story with cellar, commercial building in the RF-1 Zone.

BZA PUBLIC HEARING NOTICE  
 APRIL 21, 2021  
 PAGE NO. 3

**WARD FIVE**

<b>Application of:</b>	Cayre Jemal’s Nick, LLC
<b>Case No.:</b>	20446
<b>Address:</b>	New York Avenue and 1 <sup>st</sup> Street N.E. (Squares 670, Lots 1-9, 13-28, 53-62, 64-70, 80, 811, and Square 699, Lot 855)
<b>ANC:</b>	5E
<b>Relief:</b>	Special Exception under: <ul style="list-style-type: none"> <li>the penthouse requirements of Subtitle C § 1500.3(c) (pursuant to Subtitle X § 901.2)</li> </ul>
<b>Project:</b>	To permit a bar/restaurant use within the penthouse of a proposed residential building to be constructed on the site of an existing parking lot in the D-5 Zone.

**PLEASE NOTE:**

This public hearing will be held virtually through WebEx. Information for parties and the public to participate, view, or listen to the public hearing will be provided on the Office of Zoning website and in the case record for each application or appeal by the Friday before the hearing date.

The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11, including the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Zoning Commission on May 11, 2020, in Z.C. Case No. 20-11.

Individuals and organizations interested in any application may testify at the public hearing via WebEx or by phone and are strongly encouraged to sign up to testify 24 hours prior to the start of the hearing on OZ’s website at <https://dcoz.dc.gov/> or by calling Robert Reid at 202-727-5471. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board may impose time limits on the testimony of all individuals and organizations.

Individuals and organization may also submit written comments to the Board by uploading submissions via IZIS or by email to [bzasubmissions@dc.gov](mailto:bzasubmissions@dc.gov). Submissions are strongly encouraged to be sent at least 24 hours prior to the start of the hearing.

**Do you need assistance to participate?**

*\*Note that party status is not permitted in Foreign Missions cases.*

**Do you need assistance to participate?**

Amharic

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BZA PUBLIC HEARING NOTICE

APRIL 21, 2021

PAGE NO. 4

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Chinese

您需要有人帮助参加活动吗？

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov)。这些是免费提供的服务。

French

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**FREDERICK L. HILL, CHAIRPERSON**  
**LORNA L. JOHN, VICE-CHAIRPERSON**  
**VACANT, MEMBER**  
**CHRISHAUN SMITH, MEMBER,**  
**NATIONAL CAPITAL PLANNING COMMISSION**  
**A PARTICIPATING MEMBER OF THE ZONING COMMISSION**  
**CLIFFORD W. MOY, SECRETARY TO THE BZA**  
**SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

## DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia (District) to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2016 Repl. & 2019 Supp.)) and the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2018 Repl.)), hereby gives notice of the adoption of an amendment to Section 5003 (PCA Service Authorization Request and Submission) and Section 5006 (Program Requirements) of Chapter 50 (Medicaid Reimbursements for Personal Care Aide Services) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

In these rules, DHCF amends Subsection 5003.11 by adding Licensed Independent Clinical Social Worker (LICSW) as a provider type allowed to conduct the Long-Term Care Services and Supports (LTCSS) face-to-face assessment. This rulemaking also amends Subsections 5003.9 and 5006.2 to clarify that LTCSS reassessments for beneficiaries receiving State Plan PCA services are conducted in accordance with the requirements set forth in the LTCSS Assessment Process rules at 29 DCMR § 989.

To be eligible to receive State Plan Personal Care Aide (PCA) services, beneficiaries are required to receive an initial LTCSS face-to-face assessment, as well as subsequent reassessments upon any significant change in health status. Under the previous rules, Registered Nurses (RNs) were the sole provider type allowed to conduct the LTCSS assessments; similarly authorizing LICSWs will improve the ability of beneficiaries to receive assessments in the timely manner required to obtain or retain eligibility for necessary services. DHCF does not anticipate any fiscal impact resulting from the implementation of these rules.

An initial Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on March 29, 2019 at 66 DCR 003900. No comments were received, but substantive changes were proposed by DHCF. A Second Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on August 21, 2020 at 67 DCR 010016. No comments were received and DHCF made no changes to the rule.

The initial emergency and proposed rules corresponded to a related State Plan Amendment (SPA), which was approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) on May 21, 2019 with an effective date of April 1, 2019. The corresponding SPA has been added to the District's Medicaid State Plan, which can be found on DHCF's website at <https://dhcf.dc.gov/page/medicaid-state-plan>. Subsections 5003.9 and 503.11 of this second emergency and proposed rulemaking correspond to a subsequent related SPA, which was approved by CMS on August 14, 2020 with an effective date of July 1, 2020.

The Director adopted these rules as final on January 19, 2021 and they shall become effective on the date of publication of this rulemaking in the *D.C. Register*.



**Chapter 50, MEDICAID REIMBURSEMENT FOR PERSONAL CARE AIDE SERVICES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:**

**Subsection 5003.9 of Section 5003, PCA SERVICE AUTHORIZATION REQUEST AND SUBMISSION, is amended to read as follows:**

5003.9       The supervisory nurse employed by the home health agency shall conduct an evaluation of each beneficiary's need for the continued receipt of State Plan PCA services at least once every twelve (12) months or upon a significant change in the beneficiary's health status, and submit requests for face-to-face reassessments, in accordance with the requirements set forth in 29 DCMR 989.16.

**Subsection 5003.11 of Section 5003, PCA SERVICE AUTHORIZATION REQUEST AND SUBMISSION, is amended to read as follows:**

5003.11       An R.N. or Licensed Independent Clinical Social Worker (LICSW) employed by DHCF or its agent shall conduct a face-to-face reassessment, in accordance with the requirements of Subsection 5003.3, of each beneficiary referred by the supervisory nurse as described in Subsection 5003.9 and for whom a reassessment is requested pursuant to Subsection 5003.10 to determine PCA service needs.

**Subsection 5006.2 of Section 5006, PROGRAM REQUIREMENTS, is amended to read as follows:**

5006.2       A written order for PCA services issued in accordance with Section 5006.1 shall be renewed every twelve (12) months.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles, pursuant to the authority set forth in Sections 1825 and 1826 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 50-904 and 905 (2014 Repl.)), Section 6 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-2201.03 (2014 Repl.)), Section 7 of An Act to provide for annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1107 (2014 Repl.)), Mayor’s Order 94-176, dated August 2, 1994, and Mayor’s Order 2016-077, dated May 2, 2016, hereby gives notice of the adoption of the following rulemaking that amends Chapter 4 (Motor Vehicle Title and Registration) and Chapter 6 (Inspection of Motor Vehicles) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (DCMR).

The rules revise the calculations for motor vehicle excise taxes. The updated excise tax rates will take into account the fuel efficiency of motor vehicles as mandated by Title V of the CleanEnergy DC Omnibus Amendment Act of 2018, effective March 22, 2019 (D.C. Law 22-257; D.C. Official Code §§ 50–2201.03 *et seq.* (2014 Repl.)). The rules also repeal the requirement that pre-1965 model year motor vehicles be emission tested.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on September 25, 2020 at 67 DCR 011242. No comments were received. No changes were made to the text of the proposed rules, except that “effective January 1, 2021” was deleted wherever found. These final rules will become effective on February 1, 2021.

**Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:**

**Chapter 4, MOTOR VEHICLE TITLE AND REGISTRATION, is amended as follows:**

**Section 401, APPLICATION FOR A CERTIFICATE OF TITLE, is amended as follows:**

**New Subsections 401.19-401.20 are added to read as follows:**

401.19

- (a) Except as set forth in D.C. Official Code § 50-2201.03(j)(1A)(G), the excise tax rate on motor vehicles shall be as follows based on vehicle weight class and miles per gallon (“mpg”) city driving, rounded down to the nearest whole number:

<u>Weight</u> <u>Class</u>	<u>20 mpg</u> <u>or less</u>	<u>21 mpg-</u> <u>25 mpg</u>	<u>26 mpg-</u> <u>30 mpg</u>	<u>31 mpg-</u> <u>39 mpg</u>	<u>40 mpg</u> <u>or more</u>
3,499 lbs or less	8.1%	4.4%	3.1%	2.2%	1.0%

3,500 lbs- 4,999 lbs	9.1%	5.4%	4.1%	3.2%	2.0%
5,000 lbs or more	10.1%	6.4%	5.1%	4.2%	3.0%

(b) Motor vehicles that do not have a separate and distinct mpg for city driving shall be charged the excise fee as set forth in D.C. Official Code § 50-2201.03(j)(1).

401.20 The excise tax on a motor vehicle owned by an individual who demonstrates that they claimed and received the District Earned Income Tax Credit for the tax period closest in time (for which a return could be due) to the date the vehicle excise tax is to be levied, shall be the lesser of:

- (a) The amount calculated under Subsection 401.19; and
- (b) The amount calculated under D.C. Official Code § 50-2201.03(j)(1).

**Chapter 6, INSPECTION OF MOTOR VEHICLES, is amended as follows:**

**Section 601, INSPECTION REQUIREMENTS, is amended as follows:**

**Subsection 601.4(l) is amended by adding the term “pre-1968 model year motor vehicles” after the term “electric engines,” so that it reads as follows:**

- (l) All other motor vehicles: every two (2) years; except that autocycles, motorcycles, motor-driven cycles, vehicles weighing twenty-six thousand (26,000) pounds or more, motor vehicles with diesel or electric engines, pre-1968 model year motor vehicles, and trailers do not need to be inspected.

## ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

**NOTICE OF FINAL RULEMAKING**Z.C. Case No. 20-15<sup>1</sup>

Office of Planning

(Text Amendment to Subtitle C for Green Area Ratio Requirements for Certified Landscape Expert Requirements)

December 17, 2020

The Zoning Commission for the District of Columbia (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 (2018 Repl.), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its amendment of the following section of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified), with the specific text at end of this notice: Subtitle C: General Rules - § 604.2.

**Setdown**

On July 17, 2020, the Office of Planning (OP) filed a petition (Petition) to the Commission proposing to amend Subtitle C § 604.2 to recognize D.C.-certified landscape architects as “Certified Landscape Experts” and limit recognition of Maryland- and Virginia-certified landscape architects until September 1, 2021. (Exhibits [Ex] 1-2.)

At its July 27, 2020, public meeting, the Commission voted to grant OP’s request to set down the Petition for a public hearing and authorized flexibility for OP to work with the Office of the Attorney General to refine the proposed text and add any conforming language as necessary.

**Public Hearing**

OP submitted an October 23, 2020, Hearing Report that reiterated OP’s support of the Petition. (Ex. 6.) At its November 2, 2020, public hearing, the Commission heard testimony from OP in support of the Petition.

**Proposed Action**

At the close of its November 2, 2020, public hearing, the Commission voted to take **PROPOSED ACTION** to grant OP’s petition to authorize the publication of a Notice of Proposed Rulemaking:

**VOTE (November 2, 2020): 5-0-0** (Michael G. Turnbull, Peter A. Shapiro, Anthony J. Hood, Robert E. Miller, and Peter G. May to **APPROVE**)

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<sup>1</sup> For Office of Zoning tracking purposes only, this Notice of Final Rulemaking shall also be known as Z.C. Order No. 20-15.

**Notice of Proposed Rulemaking**

The Commission published a Notice of Proposed Rulemaking (NOPR) in the November 13, 2020, *D.C. Register* (67 DCR 13363, *et seq.*).

No comments to the NOPR were received in the thirty- (30) day period required by Section 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968. (82 Stat. 1206, as amended; D.C. Official Code § 2-505 (2013 Repl.).

**National Capital Planning Commission (“NCPC”)**

The Commission referred the proposed amendment to the National Capital Planning Commission (NCPC) on November 3, 2020, for the thirty- (30) day review period required by § 492 of the District Charter.

NCPC filed a November 24, 2020, report stating that NCPC had determined that the Petition is exempt from NCPC review. (Ex. 10.)

**Final Action****“Great Weight” to the Recommendations of OP**

The Commission must give “great weight” to the recommendations of OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.), and Subtitle Z § 405.8. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).)

The Commission finds persuasive OP’s recommendation that the Commission adopt the Petition and concurs in that judgment.

**“Great Weight” to the Written Report of the ANCs**

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)), and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass’n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted).)

As no ANC has filed a report in response to the Petition, there is nothing to which the Commission can give “great weight.”

At its December 17, 2020, public meeting, the Commission voted to take **FINAL ACTION** to grant the Petition and to authorize the publication of a Notice of Final Rulemaking:

**VOTE (December 17, 2020): 5-0-0** (Michael G. Turnbull, Peter A. Shapiro, Anthony J. Hood, Robert E. Miller, and Peter G. May to **APPROVE**)

The complete record in the case can be viewed online through the Office of Zoning's Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

**Amendment to Subtitle C, GENERAL RULES**

**Subsection 604.2 of § 604, SUBMITTAL REQUIREMENTS FOR GREEN AREA RATIO, of Chapter 6, GREEN AREA RATIO, of Subtitle C, GENERAL RULES, is revised and reorganized in alphabetical order to read as follows:**

- 604.2 For the purposes of this section, the term "Certified Landscape Expert" means a person who holds one of the following licenses or certifications that is current, valid, and in good standing:
- (a) Landscape Architect licensed by the District of Columbia or, until September 1, 2021, by either the Commonwealth of Virginia or the State of Maryland;
  - (b) International Society of Arboriculture Certified Arborist;
  - (c) Maryland Certified Professional Horticulturist; or
  - (d) Landscape Contractors Association MD-DC-VA Landscape Industry Certified Technician.

In accordance with the provisions of Subtitle Z § 604.9, this Notice of Final Rulemaking shall become final and effective upon publication in the *D.C. Register*; that is, on January 29, 2021.

**BY THE ORDER OF THE D.C. ZONING COMMISSION**

A majority of the Commission members approved the issuance of this Order.

## DEPARTMENT OF ENERGY AND ENVIRONMENT

**NOTICE OF EXTENSION OF PUBLIC COMMENT PERIOD**

The Department of Energy and Environment (DOEE) is extending the public comment period on the proposed rulemaking to implement provisions of the CleanEnergy DC Omnibus Amendment Act of 2018 that mandate that every six (6) years, DOEE establish property types and Building Energy Performance Standards (BEPS) by property type for the properties covered by the benchmarking requirements of the Clean and Affordable Energy Act of 2008 and that, for any building identified as below the performance threshold set by DOEE, the building owner be required to implement lasting energy efficiency measures in their buildings over a five (5)-year compliance cycle. The proposed rules also set forth DOEE's implementation and enforcement of the BEPS requirements. The proposed rules add new sections to Chapter 35 (Green Building Requirements) of Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR). The original sixty (60) day public comment period, scheduled to end on February 2, 2021, is being extended until March 4, 2021.

The proposed rules were published in the *D.C. Register* at 67 DCR 014269 on December 4, 2020. A copy of the proposed rulemaking is available at the following link: <https://www.dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N100436>.

**Comment Submission:**

All persons desiring to comment on the proposed rulemaking should file comments in writing by March 4, 2021. Comments should be clearly marked "Public Comments: BEPS" and filed with DOEE, Benchmarking, 1200 First Street, N.E., 5th Floor, Washington, DC 20002, Attention: Building Performance and Enforcement Branch, or e-mailed to [info.BEPS@dc.gov](mailto:info.BEPS@dc.gov). All comments will be treated as public documents and will be made available for public viewing on the Department's website at [www.doe.dc.gov](http://www.doe.dc.gov). If a comment is sent by e-mail, the e-mail address will automatically be captured and included as part of the comment that is placed in the public record and made available on the Department's website.

## DISTRICT DEPARTMENT OF TRANSPORTATION

NOTICE OF PROPOSED RULEMAKING

The Director of the District Department of Transportation (“DDOT”), pursuant to the authority set forth in Sections 3(b), 5(4)(A), 6(b), and 7 of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code §§ 50-921.02(b), 50-921.04(a)(3)(E), 50-921.05(b), and 50-921.06 (2014 Repl. & 2019 Supp.); Section 604 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198, D.C. Official Code § 10-1141.04 (2013 Repl.)); and Mayor’s Order 2018-075, dated October 2, 2018, hereby gives notice of the intent to adopt the following rulemaking to amend Chapter 33 (Public Right-Of-Way Occupancy Permits) of Title 24 (Public Space and Safety) of the District of Columbia Municipal Regulations (DCMR).

The proposed rulemaking amends Title 24 to increase the per vehicle fee for the Shared Dockless Vehicle Program (Program). Since 2019, the total number of permitted dockless bicycles and dockless electric scooters in the Program has nearly tripled to 15,000 vehicles. The per vehicle fee increase addresses the program management constraint due to the recent expansion.

The rulemaking adds specific requirements for the dockless vehicle operating companies including: setting a maximum of 1,000 dockless sharing vehicles in the Central Business District (CBD) per dockless vehicle operating company; clarifying rider education requirements; increasing the minimum dockless sharing vehicle deployment in each Ward; and requiring a low-income customer plan.

Effective program management and public space regulation of dockless sharing vehicles has been a challenge with the increasing use of this form of mobility. The agency received complaints from Advisory Neighborhood Commissioners predominantly in the CBD, the Multimodal Accessibility Advisory Council (MAAC) and the Pedestrian Advisory Council (PAC), among other residents of the District. Receiving accurate data in a timely fashion is critical to managing the Program and ensuring the right-of-way remains accessible. The current General Bikeshare Feed Specification (GBFS) is limited because it does not provide vehicle status changes or timestamps. This places significant time and labor burdens on DDOT to know when a vehicle has changed its status in public space and for how long. In response, the rulemaking requires submitting vehicle data and trip records in a format that provides more accurate information to achieve Program goals.

The rulemaking also clarifies DDOT’s authority to limit the number of permitted dockless sharing vehicles and dockless vehicle operating companies; the criteria for how such decisions will be made; and establishes an appeal process for public occupancy permit applicants who are denied a permit. Clarifying DDOT’s authority to limit the number of operators will assist in the agency’s responsible management of the public space. In addition, the proposed rules establish Program requirements regarding public space management during large and special events when public space is at a premium and there is a high demand for dockless vehicles.



Finally, the rulemaking defines the following terms: deep link; deployment; dockless vehicle staging; electric mobility device; geofence; Maintenance Management System; Mobile application; and rebalancing.

Final rulemaking action may be taken thirty (30) days after the date of publication of this notice in the *D.C. Register*.

**Chapter 33, PUBLIC RIGHT-OF-WAY OCCUPANCY PERMITS, of Title 24, DOCKLESS SHARING VEHICLE, of the DCMR is amended as follows:**

**Section 3314, DOCKLESS SHARING VEHICLE, is amended as follows:**

**Subsection 3314.1 is amended to read as follows:**

3314.1 No person shall use the public right-of-way to offer dockless sharing vehicles, or any similar mobility device, for rental in the public right-of-way without a permit issued by the Director.

**Subsection 3314.2 is amended to read as follows:**

3314.2 The Director may issue a Public Right-of-Way Occupancy Permit for a publicly accessible dockless vehicle sharing system only to a dockless vehicle operating company with a basic business license to operate in the District.

**Subsections 3314.3(b)(5) is amended to read as follows:**

3314.3

...

(b) Effective January 1, 2021:

...

(5) The annual fee for each dockless sharing vehicle that will begin operation in the District before or during the beginning month of a permit period is \$120.

**A new Subsection 3314.3(b)(7) and (8) are added to read as follows:**

(7) The fee for each dockless sharing vehicle that will begin operation in the District after the beginning month of a permit period will be pro-rated at \$10 per month for the remainder of the permit period.

(8) Dockless vehicle operators must pay the vehicle fees described in paragraphs (5) and (7) to the Department on an annual or semi-annual basis.

**Subsection 3314.5 is amended to read as follows:**

- 3314.5 A Public Right-of-Way Occupancy Permit issued pursuant to this section shall be subject to the following conditions, in addition to such other conditions as may be imposed by law, regulation, or the Director:
- (a) The dockless vehicle operating company shall indemnify the District against all liabilities associated with the use of the public right-of-way by the dockless vehicle operating company's vehicles;
  - (b) The dockless vehicle operating company shall ensure that each dockless sharing vehicle in its fleet has a clearly displayed unique identifier;
  - (c) The dockless vehicle operating company shall deploy at minimum 20 dockless sharing vehicles in each ward between 5:00 a.m. and 7:00 a.m. daily. The Director may waive this requirement when:
    - (1) The Director notifies the dockless vehicle operating company that it is unsafe or undesirable to deploy vehicles;
    - (2) The Director notifies the dockless vehicle operating company that its permit has been suspended or revoked; or
    - (3) The dockless vehicle operating company notifies the Director, in writing, that inclement weather or other emergency events make it unsafe to deploy dockless vehicles on that day;
  - (d) The dockless vehicle operating company shall equip each dockless vehicle with on-board GPS technology that does not obtain spatial information by relying on a customer's smart phone;
  - (e) The dockless vehicle operating company shall provide the Department or its designee with data to help evaluate the impact of the operator's publicly accessible dockless vehicle sharing system and the District's Publicly Accessible Dockless Vehicle Sharing Program.
  - (f) The dockless vehicle operating company shall provide a publicly accessible program interface, clearly posted on the operating company's website, that provides, at minimum, the current location of any dockless vehicles available for rental at all times. Data shall be provided in the General Bikeshare Feed Specification (GBFS) format or an alternative format acceptable to the Director;
  - (g) The dockless vehicle operating company shall electronically report to the Department or its designee, the origin, destination, route traveled, and vehicle type for each trip completed, and any anonymous ridership data requested by the Department for each dockless sharing vehicle, on a monthly basis;

- (h) The dockless vehicle operating company shall provide a toll-free telephone number for reporting incorrectly parked vehicles and other customer service purposes, the vehicle ID, website address, and information on how to report an incorrectly parked vehicle to the District's 311 Call Center on each dockless sharing vehicle;
- (i) The dockless vehicle operating company shall make dockless sharing vehicles available to all members of the public who comply with the operating company's terms and conditions for use;
- (j) The dockless vehicle operating company shall make dockless sharing vehicles available for use via a non-smart phone option to all members of the public;
- (k) No dockless vehicle operating company shall have more than 1,000 dockless sharing vehicles per permit deployed in the Central Business District at any time;
- (l) The dockless vehicle operating company shall educate their riders on District of Columbia traffic laws to increase safety;
- (m) The Director shall cap the maximum number of vehicles each dockless vehicle operating company has in the public space within each Ward at 400 vehicles. If a dockless vehicle operating company is permitted to have more than 2,000 vehicles, the Director may increase the maximum number of vehicles in public space to 600 vehicles per ward.
- (n) The dockless vehicle operating company shall offer a low-income customer plan that waives any applicable vehicle deposit and unlimited trips under thirty (30) minutes to any customer with an income level at or below two hundred percent (200%) of the federal poverty guidelines;
- (o) The dockless vehicle operating company shall offer an affordable cash payment option which allows any customer to pay using cash;
- (p) The dockless vehicle operating company shall maintain maintenance records for each dockless sharing vehicle and ensure each dockless sharing vehicle is in working order, safe, well-maintained, and clean;
- (q) The dockless vehicle operating company shall provide the Department or its designee with data to help evaluate the impact of the operator's publicly accessible dockless vehicle sharing system and the District's Publicly Accessible Dockless Vehicle Sharing Program through a privately available Application Programming Interface. Data shall be provided in a format acceptable to the Director that allows real-time program review;

- (r) The dockless vehicle operating company shall not deploy, on one block face, more than five (5) dockless sharing vehicles per permit that have not been locked to a fixed object separate from the vehicle; and
- (s) When locking dockless vehicles to fixed objects during dockless vehicle staging, the dockless vehicle operating company shall lock the dockless vehicles to bicycle racks or public street signs.

**Subsection 3314.6 is amended to read as follows:**

3314.6 The permit shall be for a period of one year and may be renewed on an annual basis. The Director may issue permits of a duration of greater than or less than twelve (12) months if the Director finds that doing so would promote public access to the Publicly Accessible Dockless Vehicle Sharing Program, and in such cases the date of renewal, if any, shall be stated on the permit.

**A new Subsection 3314.19 is added to read as follows:**

3314.19 The Publicly Accessible Dockless Vehicle Sharing Program shall be for bicycles, personal mobility devices, and motorized bicycles as defined in 18 DCMR 9901, and dockless electric scooters and electric mobility devices as defined in 24 DCMR 3399.

**A new Subsection 3314.20 is added to read as follows:**

3314.20 The Director may, by administrative issuance, determine required safety and performance standards and specifications for a vehicle to be eligible for the publicly accessible dockless vehicle sharing system. Such standards and specification may include, but are not limited to weight, dimensions, and number of wheels.

**A new Subsection is 3314.21 is added to read as follows:**

3314.21 A dockless vehicle operating company shall resolve any public complaint made to the District's 311 call center through the District's Maintenance Management System for tracking purposes.

**A new Subsection 3314.22 is added to read as follows:**

3314.22 To promote public access and preserve the safe use of public space, the Department may issue an administrative issuance requiring, with 24-hour minimum notice to a dockless vehicle operating company, a geofence during special events with a minimum expected attendance of 10,000 people. A temporary geofence restriction may be in place for a minimum of two hours and may be extended to a maximum of thirty (30) calendar days upon reasonable

determination by the Director. When the Department requires a geofence under these circumstances, the following conditions apply:

- (a) A dockless vehicle operating company's mobile application must display the geofence on the user's mobile device and notify the user through image and/or text notification of the limitation of the geofence.

**A new Subsection 3314.23 is added to read as follows:**

3314.23 The Department may require dockless vehicle operating companies to use a geofence to limit use within privately owned commercial districts or restrict access to federally owned property. Limitations may include vehicle speed reductions and parking restrictions.

**A new Subsection 3314.24 is added to read as follows:**

3314.24 The appeal process for applicants to challenge the Department's decision to either not review an operator application for a permit or deny a permit shall be as follows:

- (a) The applicant shall submit a written appeal within fifteen (15) calendar days of the Department's written notice to the operator that their application will not be reviewed or their application for a permit is denied.
- (b) The Director shall render a final decision within forty-five (45) calendar days of a written appeal.

**A new Subsection 3314.25 is added to read as follows:**

3314.25 The Director may limit the number of permitted dockless sharing vehicles and permitted dockless vehicle operating companies during a permit period, upon reasonable determination that such limits would be in the interest of protecting public safety, preventing negative transportation impacts, or ensuring reasonable enjoyment of the public space. Notice of the limit and the criteria for selecting a dockless vehicle operating company for a permit must be published on DDOT's website at least thirty (30) calendar days before the beginning of a permit period. When determining whether to issue a permit, the Department will consider, at least, the following criteria:

- (a) Sound Equipment Design: Allow only vehicles that are designed to be safely stored and safely function in public space;
- (b) Innovation: Successfully manage public space while encouraging permit holders to offer innovative solutions to problems, exceptional equipment, and smart education practices;

- (c) Safety: Support user safety through education, vehicle monitoring, and vehicle maintenance;
- (d) Accountability: Minimize adverse impact on residents and ensure transparency about operators' strengths and weaknesses;
- (e) Equitable Access: Promote equity among vehicle users including geography and income;
- (f) Sustainability: Support sustainability initiatives including but not limited to battery safety practices, vehicle lifecycle, and vehicle recycling;
- (g) Labor: Ensure that operators offer meaningful employment and enough labor to be accountable and safe, and provide ability to deploy and remove vehicles from public space when needed;
- (h) Data: Ensure the provision of data sufficient for the operator and the Department to monitor operator and program performance, and to plan for program improvements; and
- (i) Any other criteria the Department deems necessary to protect public safety, prevent negative transportation impacts, or ensure reasonable enjoyment of the public space.

**A new Subsection 3314.26 is added to read as follows:**

3314.26 The dockless vehicle operating company must provide a mobile application which allows users to rent only the dockless sharing vehicles of their company.

**A new Subsection 3314.27 is added to read as follows:**

3314.27 In order to promote the purpose of the publicly available feed described in § 3314.5(g), the dockless vehicle operating company will provide Deep Links that transfer the user to the company's mobile application or the application store where the user can complete the rental of the specific vehicle the user is requesting.

**A new Subsection 3314.28 is added to read as follows:**

3314.28 Providers of mobile applications that allow users to rent, for payment, the dockless sharing vehicles of one or more dockless vehicle operating companies shall, consistent with § 3314.5(m), educate users on District of Columbia traffic laws to increase safety.

**A new Subsection 3314.29 is added to read as follows:**

3314.29 The Director, in his or her discretion, may permit the transfer of a permit pursuant to the procedures set forth in 24 DCMR § 3310.5.

**A new Subsection 3314.30 is added to read as follows:**

3314.30 A dockless vehicle operating company shall submit vehicle data and records generated by vehicles to the Department when operating pursuant to an active permit. Data required for determining compliance shall be delivered at no greater than a 5 (five) minute delay. Data required for planning purposes shall be delivered within no greater than a 5 (five) day delay. The Director shall specify which data are to be used for compliance purposes and which data are to be used for planning purposes.

**A new Subsection 3314.31 is added to read as follows:**

3314.31 All dockless vehicle operating company data submitted to DDOT shall be used for management of the Shared Dockless Vehicle Program, regulation of the public space, and related planning purposes.

**Section 3399, DEFINITIONS is amended to read as follows:**

**The following definition is added after the term “Act”:**

**Administrative issuance** – A statement of general applicability developed by the Department and published on its website, and at its discretion in the *D.C. Register*, which lacks the force of law but states the agency’s current approach to, or interpretation of, law or regulation, or describes how and when the agency will exercise discretionary functions. Such issuance may include the permit application and the terms and conditions of the permit. The Department may rely on an administrative issuance against a person in any administrative proceeding but shall afford the person an adequate opportunity to contest the legality or wisdom of a position taken in the document.

**The following definition is added after the term “Component device”:**

**Deep link** – A type of link available in a publicly available application program interface (API) feed that formulates a request to a mobile application for renting dockless sharing vehicles that communicates data about the user that the mobile application uses to display and allow the user to rent the vehicle the user is requesting. If the user has not yet downloaded the mobile application, the link will transfer the user to the application store where the user may download the mobile application.

**The following definition is added after the term “Department”:**

**Deployment** – The movement of a dockless sharing vehicle by a dockless vehicle operating company to a location in the public right-of-way.

**The following definitions are added after the term “Dockless vehicle operating company”:**

**Dockless vehicle staging** – The deployment or rebalancing of dockless sharing vehicles by the dockless vehicle operating company in the public right-of-way. Vehicles can be staged attached to fixed objects or freestanding.

**Electric mobility device** – a device that is designed to transport one person, weighs less than 75 pounds, has handlebars and an electric motor, is powered by the electric motor and/or human power, and has a maximum speed that does not exceed 15 miles per hour on a paved level surface when powered by the electric motor. The device may have a seat and two or more wheels.

**Geofence** – A virtual geographic boundary that enables software to trigger a response in the dockless sharing vehicle whenever a mobile device enters or leaves a defined area or border where the use of dockless sharing vehicles is subject to limitations imposed by law or regulation or that the Department deems appropriate to preserve the safe use of public space. The triggered response may cause the vehicle to slow, prevent the rider from ending a trip within the defined area or border, or otherwise limit the user’s ability to use the vehicle within the defined area or border.

**Maintenance Management System** – The District’s Maintenance Management System (MMS) used to formally receive, record, and resolve complaints of public space concerns. The MMS may provide tickets that allow the Department to track parking and moving violations of the Permit holder’s vehicle.

**Mobile application (App)** –A type of application software designed to run on a mobile device, such as a smartphone or tablet computer, that provides limited and isolated functionality.

**The following definitions are added after the term “Publicly accessible dockless vehicle sharing system”:**

**Rebalancing** – A non-customer vehicle movement from one place in the public right-of-way to another.

All persons interested in commenting on the subject matter in this proposed rulemaking may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Dan Emerine, Policy Manager, Policy and Legislative Affairs Division, Office of the Director, District Department of Transportation, 55 M Street, S.E., 7th Floor, Washington D.C.



20003. An interested person may also send comments electronically to [publicspace.policy@dc.gov](mailto:publicspace.policy@dc.gov). Copies of this proposed rulemaking are available, at cost, by writing to the above address, and are also available electronically, at no cost, on the District Department of Transportation's website at [www.ddot.dc.gov](http://www.ddot.dc.gov).

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA****NOTICE OF PROPOSED RULEMAKING****Z.C. Case No. 18-04A****Office of Planning****(Text Amendment to Subtitle A to Authorize Construction of Playing Fields and Accessory Structures on Unzoned Land (Parcel 149, Lots 65-66))**

The Zoning Commission for the District of Columbia (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 (2018 Repl.), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c) (2016 Repl.)), hereby gives notice of its intent to amend the following sections of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified), with the specific text at end of this notice: Subtitle A, Authority and Applicability - § 209.2.

**Setdown**

On October 19, 2020, the Office of Planning (OP) filed a petition (Petition) to the Commission proposing the text amendment to authorize a second restroom to support the playing fields authorized at land adjacent to the Robert F. Kennedy Stadium by the text amendment in Z.C. Case No. 18-04.

At its October 29, 2020, public meeting, the Commission voted to grant OP's request to set down the proposed text amendment for a public hearing and authorized flexibility for OP to work with the Office of the Attorney General to refine the proposed text and add any conforming language as necessary.

**Public Hearing**

OP filed a January 1, 2021 report in support of the Petition.

At its January 11, 2021 public hearing, the Commission heard testimony from OP in support of the Petition.

**“Great Weight” to the Recommendations of OP**

The Commission must give “great weight” to the recommendations of OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.) and Subtitle Z § 405.8. (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).)

The Commission finds persuasive OP's recommendation that the Commission take proposed action to adopt the Petition and concurs in that judgment.

**“Great Weight” to the Written Report of the ANCs**

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting

pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2016 Repl.) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase “issues and concerns” to “encompass only legally relevant issues and concerns.” (*Wheeler v. District of Columbia Board of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (1978) (citation omitted).)

As no ANC filed a written report in response to the Petition, there is nothing to which the Commission can give “great weight.”

### **Proposed Action**

At its January 11, 2021, public hearing, the Commission heard testimony from OP in favor of the Petition. No other testimony was presented.

At the close of the public hearing, the Commission voted to take **PROPOSED ACTION** to adopt the Petition to authorize the publication of a Notice of Proposed Rulemaking:

**VOTE (January 11, 2021): 5-0-0** (Michael G. Turnbull, Peter A. Shapiro, Anthony J. Hood, Robert E. Miller, and Peter G. May to **APPROVE**)

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by e-mail at [Sharon.Schellin@dc.gov](mailto:Sharon.Schellin@dc.gov). Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice of proposed rulemaking in the *D.C. Register*.

The complete record in the case can be viewed online at the Office of Zoning’s Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

### **PROPOSED TEXT AMENDMENT**

The proposed amendments to the text of the Zoning Regulations are as follows (text to be deleted is marked in **~~bold and strikethrough~~** text; new text is shown in **bold and underline** text).

Amendments to Subtitle A, AUTHORITY AND APPLICABILITY

**Section 209, RESTRICTIONS ON UNZONED LAND, of Chapter 2, ADMINISTRATIVE AND ZONING REGULATIONS, of Subtitle A, AUTHORITY AND APPLICABILITY, is proposed to be amended by amending paragraph (c) of § 209.2, to read as follows:**

- 209.1 No building permit or certificate of occupancy shall be issued nor proceeding instituted before the Board of Zoning Adjustment, nor shall any property in private ownership be used for any purpose until after the Zoning Commission has designated zoning for the property, except as may otherwise be authorized by the Zoning Commission as a map or text amendment.
- 209.2 Nothing in this chapter shall prevent ~~either~~ any of the following:
- (a) Minor repairs and alterations to buildings and structures ...<sup>1</sup>
  - (b) A caretaker from residing on property ...
  - (c) Installation and use of playing fields and associated accessory structures to support such fields on the unzoned property comprising and abutting the Robert F. Kennedy Memorial Stadium, more specifically known as Parcel 149, Lots 65 and 66, subject to the following:
    - (i) ~~(1) Three (3)~~ Four (4) accessory structures shall be permitted: a visitor building, a storage building, and two (2) restroom facilities. Each permitted accessory structure shall not exceed a maximum height of twenty feet (20 ft.) and one (1) story, and a maximum gross floor area of one thousand square feet (1,000 sq. ft.);
    - (ii) ~~(2)~~ Three (3) shade structures ...
    - (iii) ~~(3)~~ In addition to the ~~three~~ four (4) accessory structures listed in subparagraph 209.2(e)(i1) of this paragraph, and the shade structures listed in subparagraph 209.2(e)(ii2) of this paragraph, an unenclosed pavilion shall be permitted and used provided the Zoning Commission finds that said structure, as designed, meets the standard of Subtitle X, Chapter 6, other than Subtitle X § 604.8. The pavilion shall be either covered or uncovered, and shall have a footprint no greater than ~~a~~ six thousand square feet (6,000 sq. ft.) ~~footprint~~. If covered, a canopy no greater than thirty feet (30 ft.) in height may be installed.

<sup>1</sup> The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

## DEPARTMENT OF FOR-HIRE VEHICLES

**NOTICE OF SECOND EMERGENCY RULEMAKING**

The Director of the Department of For-Hire Vehicles, pursuant to the authority set forth in Sections 8(c)(3), (4), and (19) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-301.07 (c)(3), (4), and (19) (2014 Repl. & 2019 Supp.)), and in furtherance of the District of Columbia's response to the public emergency and public health emergency originally declared by Mayor's Order 2020-45, dated March 11, 2020, and Mayor's Order 2020-46, dated March 11, 2020, Mayor's Order 2020-79, dated July 24, 2020, Mayor's Order 2020-103, dated October 7, 2020, and Mayor's Order 2020-127, dated December 18, 2020, hereby gives notice of the emergency amendments to Chapter 6 (Taxicab Parts and Equipment) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This second emergency rulemaking amends Chapter 6 to allow the Department of For-Hire Vehicles ("Department") to reinstate the requirement of a safety partition in taxicabs to minimize the spread of infectious disease, particularly COVID-19, which necessitated a global pandemic and public health emergency. This emergency rulemaking is necessary to protect the health, safety, and well-being of taxicab drivers and passengers in the District of Columbia.

Due to the continuing public health emergency, the Department has determined that it is necessary to extend the emergency rulemaking. This first Notice of Emergency Rulemaking was published in the *D.C. Register* on September 18, 2020 at 67 DCR 11145 and expired on January 8, 2021. The renewal of this emergency rulemaking was adopted on January 15, 2021, took effect immediately, and will remain in effect for one hundred twenty (120) days after the date of its adoption (expiring May 15, 2021) unless earlier superseded by an amendment or repeal by the Department.

**Chapter 6, TAXICAB PARTS AND EQUIPMENT, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:**

**Section 601, TAXICAB VEHICLE PARTITION, is amended as follows:**

**Subsection 601.9 is amended to read as follows:**

601.9 Effective October 19, 2020, each taxicab shall be equipped with a safety partition between the front and rear seats for the purpose of minimizing the spread of infectious diseases. The partition may be temporary or permanent and can be hard or flexible. The partition shall be installed so that it:

- (a) Does not obstruct the vision of the driver to the rear or the vision of the passengers to the meter;

- (b) Includes an opening that allows the driver and passenger to transact payment and receipt exchange;
- (c) Does not impede entering into and exiting from the taxicab;
- (d) Is not a hazard to passengers in the rear seat in case of an accident;
- (e) Provides coverage between the front and rear seats with gaps no larger than four (4) inches at the edges;
- (f) Can be easily cleaned;
- (g) Can withstand air flow if the windows are open while the vehicle is in motion;
- (h) Does not hinder passenger access to use of the passenger console, if applicable; and
- (i) Meets all standards that the Department may issue in an administrative issuance.

Copies of this emergency rulemaking can be obtained at [www.dcregs.dc.gov](http://www.dcregs.dc.gov) or by contacting the Department of For-Hire Vehicles, 2235 Shannon Place, S.E., Suite 3001, Washington, D.C. 20020.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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## ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2021-008  
January 22, 2021

**SUBJECT:** Delegations – Authority to the Deputy Mayor for Planning and Economic Development to Solicit Offers, Accept Unsolicited Offers, and Execute Certain Documents and to the Director of the Department of Parks and Recreation to Establish Interim Use Public Recreation Amenities with Respect to the Crummell School

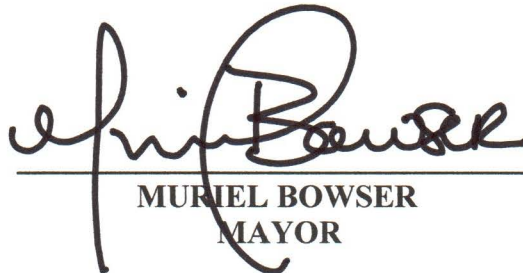
**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2016 Repl.); and section 1(c) of An Act to grant additional powers to the Commissioners of the District of Columbia and for other purposes, approved December 20, 1944, 58 Stat. 819, D.C. Official Code § 1-301.01(c) (2016 Repl.), it is hereby **ORDERED** that:

1. The Deputy Mayor for Planning and Economic Development (“Deputy Mayor”) is delegated the authority vested by sections 1 through 3 of An Act authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939, 53 Stat. 1211, D.C. Official Code §§ 10-801 *et seq.* and section 1(c) of An Act to grant additional powers to the Commissioners of the District of Columbia and for other purposes, approved December 20, 1944, 58 Stat. 819, D.C. Official Code § 1-301.01(c), to solicit offers, accept unsolicited offers, and execute on behalf of the District of Columbia any and all documents related to the disposition, development, or use of the District-owned real property known as the Crummell School, located at 1900 Gallaudet Street, NE, and known for tax and assessment purposes as Lot 22 in Square 142 (the “Property”), including but not limited to easements, license agreements, use agreements, lease agreements, right of entry agreements, covenants, and other associated documents, and to take all other actions necessary or useful for or incidental to the solicitation, disposition, and development of the Property.
2. The authority delegated herein to the Deputy Mayor may be further delegated by the Deputy Mayor to subordinates under his or her jurisdiction.
3. The Director of the Department of Parks and Recreation (“DPR Director”) may establish, construct, and operate interim use public recreation amenities on the Property, with the agreement of the Deputy Mayor.
4. During the period, if any, in which interim use public recreation amenities are available for use on the Property, all applicable Department of Parks and Recreation rules and

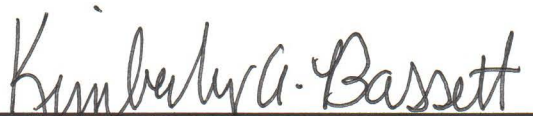
regulations shall apply to the portion of the Property where the interim use public recreation amenities are available.

- 5. The Deputy Mayor or DPR Director shall publish a notice on the website of the Office of the Deputy Mayor for Planning and Economic Development or Department of Parks and Recreation at least thirty (30) days before the construction or operation of interim use public recreation amenities on the Property and at least thirty (30) days before the permanent closure of interim use recreation amenities on the Property.
- 6. This Order supersedes Mayor's Order 2012-14, dated January 25, 2012.
- 7. **EFFECTIVE DATE:** This Order shall become effective immediately.




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MURIEL BOWSER  
MAYOR

ATTEST:   
 \_\_\_\_\_  
 KIMBERLY A. BASSETT  
 SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA



**GOVERNMENT OF THE DISTRICT OF COLUMBIA****ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2021-009  
January 22, 2021

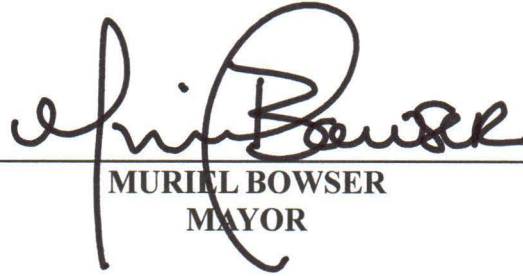
**SUBJECT:** Delegation of Authority — Healthy Hearts of Babies Act of 2015 and Title III of the Community Health Omnibus Amendment Act of 2018

**ORIGINATING AGENCY:** Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2016 Repl.), it is hereby **ORDERED** that:

1. The Director of the Department of Health is delegated the Mayor's authority to implement the Healthy Hearts of Babies Act of 2015 ("Healthy Hearts of Babies Act"), effective September 17, 2015, D.C. Law 21-20, D.C. Official Code § 7-857.01 *et seq.*, and Title III of the Community Health Omnibus Amendment Act of 2018 ("CHOA Act"), effective April 11, 2019, D.C. Law 22-290, D.C. Official Code § 7-858.01 *et seq.*, except for the authority to appoint non-government members to the Perinatal and Infant Health Advisory Committee pursuant to Section 305(c) of the CHOA Act (D.C. Official Code § 7-858.05).
2. The Director of the Department of Health may further delegate the authority delegated to him or her pursuant to this Order to subordinates under his or her jurisdiction, except for the authority to issue rules pursuant to Section 5 of the Healthy Hearts of Babies Act (D.C. Official Code § 7-857.04) and Section 308 of the CHOA Act (D.C. Official Code § 7-858.08).
3. This Order supersedes Mayor's Order 2002-12, dated January 25, 2002 and Mayor's Order 2004-172, dated October 20, 2004.

4. EFFECTIVE DATE: This Order shall become effective immediately.



MURIEL BOWSER  
MAYOR

ATTEST:   
KIMBERLY A. BASSETT  
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

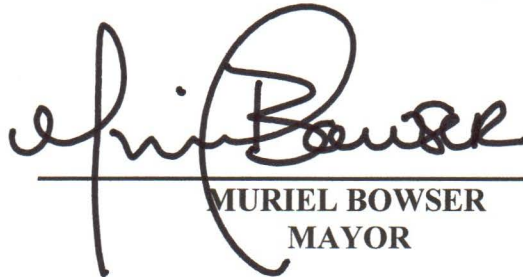
Mayor's Order 2021-010  
January 22, 2021

**SUBJECT:** Reappointment — Board of Audiology and Speech-Language Pathology

**ORIGINATING AGENCY:** Office of the Mayor

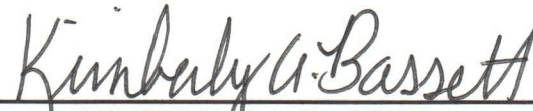
By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), and in accordance with section 218 of the District of Columbia Health Occupations Revision Act of 1985, effective March 6, 2007, D.C. Law 16-219, D.C. Official Code § 3-1202.18 (2016 Repl.), it is hereby **ORDERED** that:

1. **ANGELA GRICE**, is reappointed as a practicing speech-language pathologist member of the Board of Audiology and Speech-Language Pathology, for a term to end September 15, 2024.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.




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MURIEL BOWSER  
MAYOR

ATTEST:   


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 KIMBERLY A. BASSETT  
 SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2021-011  
January 22, 2021

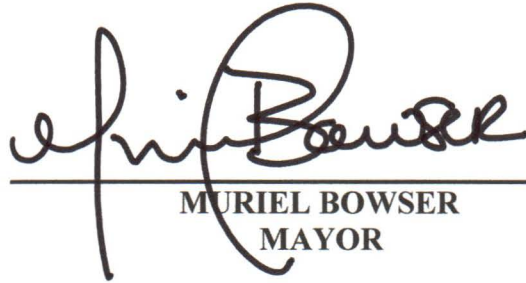
**SUBJECT:** Reappointments and Appointments — Commission on Out of School Time Grants and Youth Outcomes

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), pursuant to section 7 of the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017, D.C. Law 21-261, D.C. Official Code § 2-1555.06 (2016 Repl.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01 (2016 Repl. and 2019 Supp.), it is hereby **ORDERED** that:

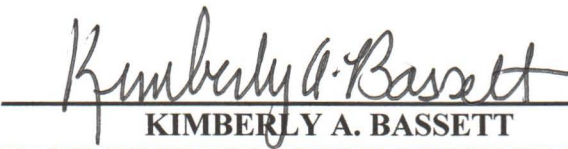
1. **BURNELL HOLLAND**, pursuant to the Commission on Out of School Time Grants and Youth Outcomes Burnell Holland Confirmation Resolution of 2020, effective April 27, 2020, Resolution 23-0708, is reappointed as a nongovernmental member of the Commission on Out of School Time Grants and Youth Outcomes, for a term to end November 7, 2022.
2. **HEATHER PEELER**, pursuant to the Commission on Out of School Time Grants and Youth Outcomes Heather Peeler Confirmation Resolution of 2020, effective April 27, 2020, Resolution 23-0709, is reappointed as a nongovernmental member of the Commission on Out of School Time Grants and Youth Outcomes, for a term to end November 7, 2022.
3. **JASON SPECTOR**, pursuant to the Commission on Out of School Time Grants and Youth Outcomes Jason Spector Confirmation Resolution of 2020, effective April 27, 2020, Resolution 23-0707, is appointed as a provider of youth development programs member, replacing Margaret Riden, for a term to end November 7, 2022.
4. **DR. KENNETH TAYLOR**, pursuant to the Commission on Out of School Time Grants and Youth Outcomes Dr. Kenneth Taylor Confirmation Resolution of 2020, effective April 27, 2020, Resolution 23-0706, is appointed as a nongovernmental member of the Commission on Out of School Time Grants and Youth Outcomes, replacing Travaughn Kinney, for a term to end November 7, 2020.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.



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MURIEL BOWSER  
MAYOR

ATTEST: 

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KIMBERLY A. BASSETT  
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

**CAPITAL CITY PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Phone & Intercom Systems**

Capital City Public Charter School invites all interested and qualified vendors to submit proposals for installation and configuration of phone and intercom systems, potentially replacing, modernizing or upgrading existing infrastructure. Solution can be cloud-hosted, on premises, or a combination. **Proposal due 5 PM, February 25, 2021.** An RFP with bidding requirements and supporting documentation can be obtained by contacting [jcruz@ccpcs.org](mailto:jcruz@ccpcs.org).

## CAPITAL CITY PUBLIC CHARTER SCHOOL

## REQUEST FOR PROPOSALS

Projectors

Capital City Public Charter School invites all interested and qualified vendors to submit proposals for installation and configuration of classroom video projectors, replacing existing units, calibrating, routing cable and finishing for wall mounts/connectors. **Proposal due 5 PM, February 25, 2021.** An RFP with bidding requirements and supporting documentation can be obtained by contacting [jcruz@ccpcs.org](mailto:jcruz@ccpcs.org).

## OFFICE OF THE DISTRICT OF COLUMBIA CLEMENCY BOARD

## NOTICE OF PUBLIC MEETING

The Clemency Board will be holding its meeting on Friday, January 29, 2021 at 10:30 a.m. The meeting will be held via WebEx at the link (and numbers) below. Below is the agenda for this meeting.

## AGENDA

1. Welcome and Call to Order
2. Old Business
  - a. None
3. New Business
  - a. Update on progress of rulemaking
4. Public Comments
5. Adjournment

**Meeting Link:**

<https://dcnet.webex.com/dcnet/onstage/g.php?MTID=e99cb42596da5eb6b9e3d879836f073d7>

**Registration:** Please press Ctrl and click the link above to pre-register for the meeting.

**Registration password:** This meeting does not require a password for registration.

**Event number (access code):** 180 129 1991

**Event password:** ptMeGJgm337 (not required)

**Join the audio conference only:** 1-650-479-3208 – Call-in toll number (US/Canada)

**Join from a video system or application:** Dial [1801291991@dcnet.webex.com](tel:1801291991)

**You can also dial:** 173.243.2.68 and enter meeting number.

For additional information, please contact **Lisa M. Wray, Executive Assistant** at (202) 724-7681 or [lisa.wray@dc.gov](mailto:lisa.wray@dc.gov).



**DEPARTMENT OF ENERGY AND ENVIRONMENT****PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit (No. 6903-R1) to the Smithsonian Institution to operate one (1) non-automotive paint spray booth at the National Museum of Natural History, located at 10th Street and Constitution Avenue NW, Washington, DC. The contact person for the applicant is Jacki Gubany, Exhibits Specialist, at (202) 633-1171.

The proposed overall emission limits for the equipment are as follows:

- a. No person shall discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from any combination of articles, machines, units, equipment, or other contrivances at a facility, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.2]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- c. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 102 and 606]

Maximum potential emissions from the unit are expected to be as follows:

<b>Pollutant</b>	<b>Estimated Maximum Annual Emissions (tons/yr)</b>
Volatile Organic Compounds (VOC)	0.04
Particulate Matter	<0.01

The permit application and supporting documentation, along with the draft permit is available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the draft permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No comments or hearing requests submitted after March 1, 2021 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DEPARTMENT OF ENERGY AND ENVIRONMENT****PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit (No. 6904-R1) to the Smithsonian Institution to operate one (1) non-automotive paint spray booth at the National Museum of American History, located at 12th Street and Constitution Avenue NW, Washington, DC. The contact person for the applicant is Mark T. Proctor, Building Manager, at (202) 633-2575.

The proposed overall emission limits for the equipment are as follows:

- a. No person shall discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from any combination of articles, machines, units, equipment, or other contrivances at a facility, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.2]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- c. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 102 and 606]

Maximum potential emissions from the unit are expected to be as follows:

<b>Pollutant</b>	<b>Estimated Maximum Annual Emissions (tons/yr)</b>
Volatile Organic Compounds (VOC)	0.98
Particulate Matter	0.04

The permit application and supporting documentation, along with the draft permit is available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

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Comments on the draft permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No comments or hearing requests submitted after March 1, 2021 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DEPARTMENT OF ENERGY AND ENVIRONMENT****PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit (No. 6906-R1) to the Smithsonian Institution to operate one (1) non-automotive paint spray booth at the Donald W. Reynolds Center for American Art and Portraiture, located at 8th Street and G Street NW, Washington, DC. The contact person for the applicant is Scott Lipscomb, Facility Building Manager, at (202) 633-1520.

The proposed overall emission limits for the equipment are as follows:

- a. No person shall discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from any combination of articles, machines, units, equipment, or other contrivances at a facility, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.2]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- c. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 102 and 606]

Maximum potential emissions from the unit are expected to be as follows:

<b>Pollutant</b>	<b>Estimated Maximum Annual Emissions (tons/yr)</b>
Volatile Organic Compounds (VOC)	0.001
Particulate Matter	<0.001

The permit application and supporting documentation, along with the draft permit is available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the draft permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No comments or hearing requests submitted after March 1, 2021 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**DEPARTMENT OF ENERGY AND ENVIRONMENT****PUBLIC NOTICE**

Notice is hereby given that, pursuant to 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit (No. 6907-R1) to the National Museum of African Art to operate one (1) Non-Auto Body Paint Spray Booth at the National Museum of African Art, located at 950 Independence Ave SW, Washington, DC. The contact person for the applicant is Andy Sutton, Exhibits Specialist, at (202) 633-4654.

The proposed overall emission limits for the equipment are as follows:

- a. No person shall discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from any combination of articles, machines, units, equipment, or other contrivances at a facility, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.2]
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
- c. Visible emissions shall not be emitted into the outdoor atmosphere from the paint spray booth. [20 DCMR 102 and 606]

Maximum potential emissions from the unit are expected to be as follows:

<b>Pollutant</b>	<b>Estimated Maximum Annual Emissions (tons/yr)</b>
Volatile Organic Compounds (VOC)	0.183
Particulate Matter	0.002

The permit application and supporting documentation, along with the draft permit is available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the draft permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No comments or hearing requests submitted after March 1, 2021 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.



## DEPARTMENT OF ENERGY AND ENVIRONMENT

## NOTICE OF EXTENSION OF PUBLIC COMMENT PERIOD

The Department of Energy and Environment (DOEE) is extending the public comment period on the proposed rulemaking to implement provisions of the CleanEnergy DC Omnibus Amendment Act of 2018 that mandate that every six (6) years, DOEE establish property types and Building Energy Performance Standards (BEPS) by property type for the properties covered by the benchmarking requirements of the Clean and Affordable Energy Act of 2008 and that, for any building identified as below the performance threshold set by DOEE, the building owner be required to implement lasting energy efficiency measures in their buildings over a five (5)-year compliance cycle. The proposed rules also set forth DOEE's implementation and enforcement of the BEPS requirements. The proposed rules add new sections to Chapter 35 (Green Building Requirements) of Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR). The original sixty (60) day public comment period, scheduled to end on February 2, 2021, is being extended until March 4, 2021.

The proposed rules were published in the *D.C. Register* at 67 DCR 014269 on December 4, 2020. A copy of the proposed rulemaking is available at the following link: <https://www.dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N100436>.

Comment Submission:

All persons desiring to comment on the proposed rulemaking should file comments in writing by March 4, 2021. Comments should be clearly marked "Public Comments: BEPS" and filed with DOEE, Benchmarking, 1200 First Street, N.E., 5th Floor, Washington, DC 20002, Attention: Building Performance and Enforcement Branch, or e-mailed to [info.BEPS@dc.gov](mailto:info.BEPS@dc.gov). All comments will be treated as public documents and will be made available for public viewing on the Department's website at [www.doe.dc.gov](http://www.doe.dc.gov). If a comment is sent by e-mail, the e-mail address will automatically be captured and included as part of the comment that is placed in the public record and made available on the Department's website.

## DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FILING OF A  
VOLUNTARY CLEANUP ACTION PLAN1325-1329 5th Street NE  
Case No. VCP2017-051

Pursuant to § 601 of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312, as amended April 8, 2011, D.C. Law 18-369; D.C. Official Code §§ 8-636.01), the Voluntary Cleanup Program in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch, is informing the public that it has received a Voluntary Cleanup Action Plan (VCAP) requesting to perform a remediation action. The applicant for the property located at 1325-1329 5th Street NE, Washington, DC 20002 is Clarion Gables Multifamily Trust, LP, 8300 Greensboro Drive, Suite 650, McLean, VA, 22102.

The application identifies the presence of solvents and other organics in soil and groundwater. The applicant intends to raze and redevelop the northern building on the subject property into an eleven story mixed use building with four level of underground parking

Pursuant to § 636.01(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-5D) for the area in which the property is located. The VCAP is available for public review at the following location:

Voluntary Cleanup Program  
Department of Energy and Environment (DOEE)  
1200 First Street, NE, 5<sup>th</sup> Floor  
Washington, DC 20002

Interested parties may also request a copy of the application by contacting the Voluntary Cleanup Program at the above address or by calling (202) 499-0437. An electronic copy of the application may be viewed at <http://doee.dc.gov/service/vcp-cleanup-sites>.

Written comments on the Voluntary Cleanup Action Plan must be received by the VCP at the address listed above within fourteen (14) days from the date of this publication. DOEE is required to consider all relevant public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

Please refer to Case No. **VCP2017-051** in any correspondence related to this application.

## DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FILING OF A REQUEST FOR A  
VOLUNTARY CLEANUP CERTIFICATE OF COMPLETION

5119-5131 Nannie Helen Burroughs Ave. NE and 612 Division Ave. NE  
Case No. VCP2017-054

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, D.C. Law 13-312, D.C. Official Code § 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (herein referred to as the “Act”), the Voluntary Cleanup Program (VCP) in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch (LRDB), is informing the public that it has received a Site Completion Report and a request for a Certificate of Completion to support a Voluntary Cleanup Program (VCP) project at real property addressed as 5119 – 5131 Nannie Helen Burroughs Ave NE and 612 Division Ave NE, consisting of square 5196 and lots 0037, 0805, 0804. The applicants are Nannie Helen Owners LLC, c/o NHP Foundation, 1090 Vermont Ave. NW, Washington, DC 20005.

The application identifies the presence of Volatile Organic Compounds (VOC) in soil and groundwater. The applicant intends to redevelop the property into a six-story multi-use building. A Cleanup Action Plan (CAP) for this site was approved by the Program on June 27, 2018. Based on the cleanup oversight and review of the Site Completion Report, the Voluntary Cleanup Program may issue a Certificate of Completion.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-7C) for the area in which the property is located. The Site Completion Report is available for public review at the following location:

Voluntary Cleanup Program  
Department of Energy and Environment (DOEE)  
1200 First Street NE, Fifth Floor  
Washington, DC 20002

Interested parties may also request a copy of the Site Completion Report and related documents for a charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address, calling (202) 535-2600, or by e-mailing [kokeb.tarekegn@dc.gov](mailto:kokeb.tarekegn@dc.gov).

Written comments on the proposed issuance of a Certificate of Completion must be received by the VCP at the address listed above within fourteen (14) days from the date of this publication. DOEE is required to consider all public comments it receives before acting on request for a Certificate of Completion.

Please refer to Case No. **VCP2017-054** in any correspondence related to this notice

**DEPARTMENT OF ENERGY AND ENVIRONMENT  
NOTICE OF FUNDING AVAILABILITY**

**DC High Water Mark Project**

(Short name: DC HWM)

RFA # 2021-2030-RRD

The Department of Energy and Environment (the Department) seeks eligible entities to provide a high quality, cost-effective and unique way to communicate instances of historic and projected flooding through the design, production, and installation of a High Water Mark visual presentation at The Wharf in the District of Columbia. The amount available for the project is \$30,000.

Beginning January 29, 2021 the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

**Download** from the Department's website, [www.doe.dc.gov](http://www.doe.dc.gov). Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

**Email** a request to [flood.risk@dc.gov](mailto:flood.risk@dc.gov) with "Request copy of RFA #2021-2030-RRD" in the subject line.

**The deadline for application submissions is March 01, 2021, at 11:59 p.m.** A complete electronic copy must be e-mailed to [flood.risk@dc.gov](mailto:flood.risk@dc.gov).

**Eligibility:** All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies
- Universities/educational institutions; and
- Private Enterprises.

For additional information regarding this RFA, write to: [flood.risk@dc.gov](mailto:flood.risk@dc.gov).

## DEPARTMENT OF GENERAL SERVICES

## Shortened Notice Pursuant to D.C. Official Code Section 1-309.10(b)

Acquisition of Leasehold Interest at 2501 Martin Luther King Jr. Avenue, S.E.,  
Washington, D.C.

Pursuant to D.C. Official Code Section 1-309.10(b), this letter shall serve as a shortened notice that the District of Columbia Department of General Services (“DGS”) intends to acquire a leasehold interest in real property and improvements, located at 2501 Martin Luther King Jr. Avenue, S.E. in Ward 8 (“Property”). Specifically, DGS *intends* to acquire a leasehold interest in the Property, which acquisition would have the effect of terminating an existing ground lease agreement between the District of Columbia and the Charter School Incubator Initiative. The District of Columbia Public Schools intends to continue its operation of Excel Academy at the Property after the execution of the ground lease termination agreement.

The notice period is being shortened for good cause on an emergency basis. The notice period is being reduced due to allow Advisory Neighborhood Commission 8C to provide recommendations prior to the closing of the transaction, which is intended to take place on February 26, 2021, just four (4) business days shy of the expiration of the original ANC notice period.

For consideration, DGS welcomes your comments to the above-proposed action by February 25, 2021 at 12:00pm. Please include a reference to the subject matter identified at the top of this notice in your response.

Please send any recommendations regarding the foregoing to the Department of General Services by email to Tiwana Hicks, Interim Portfolio Director, at [ANC.comments@dc.gov](mailto:ANC.comments@dc.gov) or by U.S. mail at 2000 14<sup>th</sup> Street, N.W., 8<sup>th</sup> Floor, Washington, D.C. 20009, Attention: Tiwana Hicks. Should you have any questions regarding this notice, please contact Tiwana Hicks at (202) 698-7762 or at the email address above.

**DEPARTMENT OF HEALTH (DC HEALTH)  
NOTICE OF FUNDING AVAILABILITY (NOFA)**

**Ending the HIV Epidemic**

The District of Columbia, Department of Health (DC Health) is soliciting applications from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of the DC Health’s intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

**General Information:**

Funding Opportunity Title:	FY2021 Ending the HIV Epidemic
Funding Opportunity Number:	FO-HAHSTA-PG-00005-004
Program RFA ID#:	HAHSTA_EtHE_02.12.21
Opportunity Category:	Competitive
DC Health Administrative Unit:	HIV/AIDS, Hepatitis, STD, Tuberculosis Administration
DC Health Program Bureau	Care and Treatment Division
Program Contact:	Avemaria Smith, RWHAP Program Manager, <a href="mailto:Avemaria.smith@dc.gov">Avemaria.smith@dc.gov</a> ; 202.671.4900
Program Description:	The HIV/AIDS, Hepatitis, STD, Tuberculosis Administration is soliciting applications from community providers to deliver the prescribed Wellness Support Services and Community-Based Disease Intervention Services (DIS) to residents of the Washington Eligible Metropolitan Area.
Eligible Applicants	Not-for-profit organizations, including healthcare entities and universities; government-operated health facilities; for-profit health and support service providers demonstrated to be the only entity able to provide the service. All Wellness Services applicants must have service locations within Washington, DC. Community-Based DIS applicants must meet the specific eligibility criteria specified in the funding announcement.
Anticipated # of Awards:	4
Anticipated Amount Available:	\$400,000
Floor Award Amount:	N/A

Ceiling Award Amount:	N/A
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**Funding Authorization**

Legislative Authorization	<p>Ryan White HIV/AIDS Treatment Extension Act of 2009; CDC HIV Prevention Activities Health Department Based.</p> <p>Section 318(b-c) of the Public Health Service Act (42 USC § 247c (b-c)), as amended, and the Consolidated Appropriation Act of 2016 (Pub. L. 114-113).</p> <p>Public Health Service Act, Section 311(c) (42 USC 243(c)) and title XXVI (42 U.S.C. §§ 300ff-11 et seq.</p>
Associated CFDA#	93.686; 93.940
Associated Federal Award ID#	UT8HA339320100; NU62PS924632
Cost Sharing / Match Required?	No
RFA Release Date:	February 12, 2021
Pre-Application Meeting (Date)	Wednesday, February 17, 2021
Pre-Application Meeting (Time)	1:00pm – 3:00pm
Pre-Application Meeting (Location/Conference Call Access)	<p>Microsoft Teams Meeting</p> <p><a href="#">Click here to join the meeting</a></p>
Letter of Intent Due date:	Not required
Application Deadline Date:	March 19, 2021
Application Deadline Time:	6:00 PM
Links to Additional Information about this Funding Opportunity	<p>DC Grants Clearing house</p> <p><a href="https://communityaffairs.dc.gov/content/community-grant-program">https://communityaffairs.dc.gov/content/community-grant-program</a></p> <p>DC Health EGMS</p> <p><a href="https://dcdoh.force.com/GO_ApplicantLogin2">https://dcdoh.force.com/GO_ApplicantLogin2</a></p>

**OFFICE OF THE DEPUTY MAYOR FOR  
PLANNING AND ECONOMIC DEVELOPMENT**

**NOTICE OF FUNDING AVAILABILITY**

**FY2021 DC Local Equity, Access and Preservation Funds (DC LEAF)**

The Office of the Deputy Mayor for Planning and Economic Development (DMPED) assists the Mayor in the coordination, planning, supervision, and execution of economic development efforts in the District of Columbia with the goal of creating and preserving affordable housing, creating jobs, and increasing tax revenue. DMPED pursues policies and programs that create strong neighborhoods, expand and diversify the local economy, and provide residents with pathways to the middle class.

In April 2020, Mayor Bowser charged DMPED with leading the District Economic Recovery Team (DERT), an interagency effort that coordinates new programs and strategies to implement over the short-, intermediate- and long-term to support DC's economic recovery from COVID-19. DMPED will continue to move its real estate development portfolio forward in ways that strengthen communities and underserved areas and will continue to leverage all available economic development tools to bring fresh food, community services and retail, affordable housing, jobs and recreational spaces to neighborhoods.

Through this Notice of Funding Availability, DMPED is announcing the availability of approximately \$5,185,000.00 in FY 2021 funding for its DC Local Equity, Access and Preservation Funds program (DC LEAF), contingent upon the availability of FY 2021 appropriations. DC LEAF incorporates three separate solicitations: (1) FY 2021 Neighborhood Prosperity Fund, (2) FY 2021 Nourish DC Fund, and (3) FY 2021 Locally Made Manufacturing Grant Program.

**FY 2021 NEIGHBORHOOD PROSPERITY FUND**

**Grant Identification No.: DMPED – FY21-02 NPFCOV**

The Deputy Mayor for Planning and Economic Development (DMPED) invites the submission of proposals for the Neighborhood Prosperity Fund (NPF) pursuant to DC Official Code §2-1210.71. DMPED will award up to a maximum of \$3,185,000.00 million in FY21 to grantees under this program.

**Purpose:** NPF incentivizes community development, economic growth, and job creation by leveraging local funds to provide financing for projects that attract private investment to distressed communities. Grant funds support architectural and engineering costs, construction costs, tenant improvements, historical preservation building improvements to maintain compliance with applicable laws, development analysis, rent abatement and/or tenant concessions for up to 3 years to stabilize market rent.



**Funding Priorities:** The FY21 Neighborhood Prosperity Fund Grant identified the following program funding priorities and three-pronged investments strategy to support our communities.

1. Economic Growth and Employment

In the DC Economic Strategy, the administration’s vision is to become the “global model for inclusive prosperity”. The administration is guided by two measurable primary goals: (1) Grow a vibrant and resilient economy driven by private sector expansion and (2) Reduce unemployment across wards, races and educational attainment levels, bringing rates below 10% in all segments of the District by the end of 2021. DMPED will fund projects to fill the gaps in non-residential components of a mixed used project or commercial development project in targeted census tracts greater than 10% unemployment.

2. Food Access and Security

Mayor Bowser released the “Food Access & Food Security in the District of Columbia: Responding to the COVID-19 Public Health Emergency” report<sup>1</sup> that outlined the current state of food security in the District. Food insecurity is a chronic condition that existed before the onset of the public health emergency, when 10.6% of District residents were food insecure. COVID-19 has exacerbated food insecurity in the District, and it is projected that the District’s food insecurity rate in 2020 will be at least 16%, with even higher rates among vulnerable populations, including the elderly, children, undocumented individuals, and unhoused individuals.

DMPED will seek to fund projects whose activities will provide healthy food-related goods and services in communities that: (1) lack access to healthy food options; (2) indicate patterns of non-healthy food consumption (such as low rates of fruit and vegetable consumption); (3) suffer from poor health indicators (such as high rates of obesity, diabetes and other diet-related chronic disease); (4) have high concentrations of persons participating in food assistance programs (for instance, Supplemental Nutrition Assistance Program; Women, Infants, and Children food packages; school lunch programs); or (5) demonstrate other indications of need for healthy food interventions

3. Healthcare Equity

The inaugural Health Equity Report for the District of Columbia (DC HER) 2018<sup>2</sup> provided a baseline assessment of health equity and opportunities for health in Washington DC. For Driver 7 – Medical Care, the report indicates that major investments over the past decade mean that

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<sup>1</sup> Food Security Report - Food Access & Food Security in the District of Columbia: Responding to the COVID-19 Public Health Emergency (September 2020).

<https://dcfoodpolicy.org/foodsecurity2020/>

<sup>2</sup> Health Equity Report for the District of Columbia (DC HER) 2018 (February 2019).

<https://app.box.com/s/yspij8v81cxqyeb17gj3uifjumb7ufsw>

primary care service supply and availability has expanded across the District, enough for the resident population. However, gaps persist, particularly in specialty services and urgent care. The March of Dimes issued its “Nowhere to Go: Maternity Care Deserts Across the U.S.” report<sup>3</sup> discussing the unequal access to maternity care found throughout the nation, highlight current research, and elevate its impact on maternal and baby health. Although the District is not considered a maternal health desert, Ward 7 and 8 lags the rest of city for services. Access to quality maternity care is a critical component of maternal health and positive birth outcomes. Here also, COVID-19 is influencing the District and its response to think more critically and holistically about improvements in maternal and infant care.

DMPED will seek to fund projects whose activities will provide investment in healthcare infrastructure, including the construction, renovation, or expansion of upcoming health center projects serving low-income people and communities lacking adequate access to affordable care and provision of urgent care and/or maternal health care services.

**Eligibility:** Eligible applicants include 501(c)(3) non-profit corporations, joint ventures, partnerships, cooperatives, and limited liability types of companies, corporations, and for-profit and non-profit developers.

Eligible Projects are defined as projects that combine two or more of the following types of development: mixed used (commercial portion only), retail, office, or special purpose developments limited to urgent care centers and other health or medical facilities. Projects must be within the statutory boundaries of the Neighborhood Prosperity Fund. Prospective applicants can verify their location eligibility via the interactive mapping tool found at <http://arcg.is/OLz80>. Projects located outside of a qualifying Neighborhood Prosperity Fund statutory boundary will not be considered.

**Award:** Based on the external and internal review panel recommendations, the Mayor’s budget priorities, the resources available, the goal of achieving a balance as to communities served, and the goals of the program, DMPED will make the final funding decision. DMPED will award up **\$3,185,000.00** total in grants to be disbursed to successful applicants of the FY21 Neighborhood Prosperity Fund. Minimum request per application is \$250,000.00.

**Ineligible businesses:** Adult entertainment, Auto body repair, Bank, Bar or Nightclub, as defined by an ABRA license, Construction/general contracting/architecture/design-build, E-commerce business, Financial services, Home-based, Hotel, Liquor store, Phone store, Professional services, Real estate development/property management/realtor, Seasonal (open only part of the year).

For additional eligibility requirements and exclusions, please review the Request for Application (RFA) which will be posted at <https://dmped.dc.gov/> by **Friday, February 12, 2021**.

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<sup>3</sup> March of Dimes Report - Nowhere to Go: Maternity Care Deserts Across the U.S. (September 2020) <https://www.marchofdimes.org/materials/2020-Maternity-Care-Report.pdf>

**Deadline for Electronic Submission:** Applicants must submit a completed online application to DMPED via the GIFTS Online no later than 4:00 PM ET on **Monday, March 15, 2021**.

**Award of Grants:** DMPED will award 1 or more grants for an aggregate total of \$3,185,000 million.

**Grant Information Sessions:** DMPED will host a virtual information and live web chat session on the Neighborhood Prosperity Fund. Once confirmed, details about the information sessions will be posted on the DMPED website at <https://dmped.dc.gov/>.

**Contact Name: DMPED Grants Team Phone: 202.724-8111 Email: [dmped.grants@dc.gov](mailto:dmped.grants@dc.gov)**

**For More Information:** Visit NPF's website at <https://greatstreets.dc.gov/page/neighborhood-prosperity-fund-npf>. Questions may be sent to DMPED's Grants Manager, Sandra Villarreal, via email to [dmped.grants@dc.gov](mailto:dmped.grants@dc.gov).

**Reservations:** DMPED reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or it may rescind the NOFA or RFA at any time in its sole discretion.

### FY 2021 NOURISH DC FUND

#### Grant Identification No.: DMPED – FY21-03 NRSHDC

The Deputy Mayor for Planning and Economic Development (DMPED) invites the submission of proposals for the Nourish DC Fund from qualified Community Development Financial Institutions (“CDFIs”) and/or Community Based Non-Profit Organizations (“CBOs”) to serve as the fund manager for the Nourish DC Fund (the “Fund”). This grant will be funded pursuant to DC Official Code §2-1225.21(d)(1). DMPED will award one grant of up to a maximum of \$1,000,000.00 to grantees under this program.

**Purpose:** The purpose of the Nourish DC Fund is to support a robust ecosystem of locally-owned small food businesses in communities in the District where decades of disinvestment have left such communities underserved by grocery and other food amenities. To achieve this goal, the District will award this grant to a fund manager that will provide flexible loans, catalytic grants, and technical assistance to emerging and existing locally-owned small food businesses in the District of Columbia with a preference for businesses located in and owned by residents of neighborhoods identified in the DC Food Access and Food Security Report<sup>4</sup> or the DC Health Equity Report<sup>5</sup> as having high rates of food insecurity, unemployment and poverty, and/or lower life expectancy. The Fund will promote an ecosystem of locally-owned small food businesses that generates ownership opportunities and high-quality jobs for residents in these neighborhoods

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<sup>4</sup> Food Security Report - Food Access & Food Security in the District of Columbia: Responding to the COVID-19 Public Health Emergency (September 2020). <https://dcfoodpolicy.org/foodsecurity2020/>

<sup>5</sup> Health Equity Report for the District of Columbia (DC HER) 2018 (February 2019). <https://app.box.com/s/yspij8v81cxqyeb17gj3uifjumb7ufsw>

while increasing the vibrancy, walkability, and economic vitality of commercial corridors in these communities. The Fund has been a top priority of the DC Food Policy Council to increase healthy food options and community owned food businesses and address historic disinvestment and structural racism in DC neighborhoods.

The Fund seeks to promote an equitable recovery by investing in small food businesses, particularly Black and Latinx-owned businesses that otherwise struggle to access capital, and to increase access to healthy food to promote health equity in the District. The Fund is also designed to support entrepreneurs and small business owners in becoming investment ready and competitive for other private investment opportunities and District grant programs, like the Neighborhood Prosperity Fund.

**Funding Priorities:** The Grant identified the following program funding priorities for the partnering fund manager:

- Provide catalytic grants to small food businesses owned by District residents and District entrepreneurs, predominantly located in the neighborhoods described above;
- Provide flexible loans to small food businesses owned by District residents and District entrepreneurs, predominantly located in the neighborhoods described above;
- Provide technical assistance to small food businesses owned by District residents and District entrepreneurs predominantly located in the neighborhoods described above on topics such as business planning, workforce development, communications, supply chain management, and other needs as identified by participants.

Applicant will have an existing infrastructure, including staff capacity, existing policies and procedures, and software and systems, necessary to administer the Fund. Applicant must evidence the capability of structuring, administering, funding and managing a public-private fund in Washington, DC.

**Eligible applicants:** Qualified Community Development Financial Institutions (“CDFIs”) and/or Community Based Non-Profit Organizations (“CBOs”).

**Award:** Based on the external and internal review panel recommendations, the Mayor’s budget priorities, the resources available, the goal of achieving a balance as to communities served, and the goals of the program, DMPED will make the final funding decision. DMPED will award one grant of up to **\$1,000,000.00 total**. Maximum request per application is **\$1,000,000.00**.

For additional eligibility requirements and exclusions, please review the Request for Application (RFA) which will be posted at <https://dmped.dc.gov/> by Friday, February 12, 2021.

**Period of Performance:** The Period of Performance under the Grant Agreement shall extend through one year after the execution of the grant agreement.

**Grant Information Sessions:** DMPED will host at least one virtual information session. Once confirmed, details about the information sessions will be posted on the DMPED website at <https://dmped.dc.gov/>.

**Contact Name:** DMPED Grants Team **Phone:** 202.724-8111 **Email:** [dmped.grants@dc.gov](mailto:dmped.grants@dc.gov)

**Deadline for Electronic Submission:** Applicants must submit a completed online application to DMPED via the GIFTS Online system no later than 4:00 PM ET on **Monday March 15, 2021.**

**FY 2021 DC LOCAL EQUITY, ACCESS AND PRESERVATION FUNDS – LOCALLY MADE MANUFACTURING GRANT**

**Grant Identification No.: DMPED – FY21-04 LCLMADE**

The Deputy Mayor for Planning and Economic Development (DMPED) invites the submission of proposals for the DC Local Equity, Access and Preservation Funds – Locally Made Manufacturing Grant Program (Locally Made) pursuant to the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Amendment Act 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 1-328.04); “Great Streets Neighborhood Retail Priority Area Amendment Act of 2013” effective October 1, 2013 (D.C. Code § 2-1217.73b); “New York Avenue, N.E., Retail Priority Area Expansion Emergency Amendment Act of 2020” effective October 1, 2020 (D.C. Act 23-404) which expanded the New York Avenue, N.E. Retail Priority Area to consist of the area beginning at the intersection of Montello Avenue, N.E., and Florida Avenue, N.E., continuing northeast along Montello Avenue, N.E., until Mt. Olivet Road, N.E. DMPED will award up to a maximum of \$1,000,000.00 to grantees under this program.

**Purpose:** The Office of the Deputy Mayor recognizes manufacturing supply chains have become more complicated due to multiple suppliers, challenging international trade and import and export regulations, and the rapid acceleration of e-commerce demands and absorption, and the exacerbation of the COVID-19 global pandemic and public health emergency. Supply chains were distressed and, in some cases, disrupted. There is increasing need to manufacture and procure consumer goods locally.

Locally Made incentivizes and bolsters the Great Streets initiative to grow the District’s local small business economy and bolster neighborhoods with inadequate access to retail opportunities. The purpose of the Great Streets Initiative is to transform certain designated emerging commercial corridors into thriving, walkable, shoppable and inviting neighborhood experiences. DMPED invests in 13 retail priority areas, “Great Streets Corridors,” with the goal of creating livable, walkable, shoppable, community-serving retail experiences across all eight wards. The Great Streets Initiative does this by supporting existing businesses, attracting new businesses, increasing the District’s tax base, and creating new job opportunities for District residents.

DMPED believes that the industrial sector can and will flourish in the District, increase employment opportunities for local residents, and offer light manufacturing opportunities that provide economic stability, mitigate blight, and add vibrancy to our designated Great Streets corridors. The DC LEAF-LM grant will support qualified small businesses for the capital or tenant improvements of commercial property with a designated industrial use.

**Funding Priorities:** The Grant identified the following program funding priorities.

1. The Great Streets program grows the District’s local small business economy and bolsters neighborhoods with inadequate access to retail opportunities. DMPED seeks to invest in 13 retail priority areas, “Great Streets Corridors,” with the goal of creating livable, walkable, shoppable, community-serving retail experiences across all eight wards.
2. DMPED seeks to invest in small businesses:
  - a. That are Local Business Enterprise (LBE) eligible;
  - b. Have core operations which align with small to medium light manufacturing of fast (quickly produced?) consumer goods (i.e., dry goods, processed foods, beverages, baby food, consumer electronics, frozen food) and/or consumer durables (appliances, furniture, equipment);
  - c. That currently operates or will operate within a designated Great Streets Corridor;
  - d. That maintain and/or create new jobs, with a commitment to hire District residents;
  - e. That serves or may serve a community anchor and impacts the Great Streets corridor and community by its presence, and
  - f. That can support existing retailers and the designated Great Streets corridor’s economic vitality by attracting new consumers and/or visitors to the area.

**Eligible businesses:** Existing small business whose core business aligns with light manufacturing and is located either within or plans to move to a Great Street Corridor are eligible (see map at: <http://ht.ly/m90F30cM0bz> ).

**Ineligible businesses:** Adult entertainment, Auto body repair, Bank, Bar or Nightclub, as defined by an ABRA license, Construction/general contracting/architecture/design-build, E-commerce business, Financial services, Home-based, Hotel, Liquor store, Phone store, Professional services, Real estate development/property management/realtor, Seasonal (open only part of the year).

**Award:** Based on the external and internal review panel recommendations, the Mayor's budget priorities, the resources available, the goal of achieving a balance as to communities served, and the goals of the program, DMPED will make the final funding decision. DMPED will award up to **\$1,000,000.00 total** in grants to be disbursed to successful applicants of the Grant. Maximum request per application is **\$1,000,000.00**.

Previously awarded businesses that received a total of \$150,000.00 or more of funding from the Great Streets or H Street Grants Programs are not eligible.

**List of the Great Street Corridors:**

- 7th Street/Georgia Ave NW
- Connecticut Avenue NW
- Georgia Avenue NW
- H Street – Bladensburg Road NE
- Minnesota/Benning Road NE
- Martin Luther King Jr. Avenue SE/ South Capitol Street SE/SW
- New York Avenue NE
- North Capitol Street NW/NE
- Pennsylvania Avenue SE
- Wisconsin Avenue NW
- Nannie Helen Burroughs Avenue NE
- Rhode Island Avenue NE
- 14th Street NW/U Street NW (Adams Morgan/Columbia Heights/Mt. Pleasant)

For additional eligibility requirements and exclusions, please review the Request for Application (RFA) which will be posted at <https://dmped.dc.gov/> by **Friday, February 12, 2021**.

**Period of Performance:** The Period of Performance under the Grant Agreement shall extend through September 30, 2021.

**Grant Information Sessions:** DMPED will host multiple virtual information and live web chat sessions on the Great Streets Corridors. Once confirmed, details about the information sessions will be posted on the Great Streets website at <https://greatstreets.dc.gov/>.

**Contact Name:** DMPED Grants Team **Phone:** 202.724-8111 **Email:** [dmped.grants@dc.gov](mailto:dmped.grants@dc.gov)

**Deadline for Electronic Submission:** Applicants must submit a completed online application to DMPED via the Gifts Online CHECK system no later than 4:00 PM ET on **Monday, March 15, 2021**.

**OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA**  
**RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC**

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after March 1, 2021.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4<sup>th</sup> Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on January 29, 2021. Additional copies of this list are available at the above address or the website of the Office of the Secretary at [www.os.dc.gov](http://www.os.dc.gov).



D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: March 1, 2021  
Page 2 of 3

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Akinleye	Monreti M.	Self (Dual) 1838 3rd Street, NE	20002
Akinwande	Olufemi	Micon Constructions, Inc. 1200 Perry Street, NE, #100	20002
Allen	John	Realty Solutions LLC 4301 50th Street, NW, #3002046	20016
Anderson	Kamilah	Danaher 2200 Pennsylvania Avenue, NW, Suite 800W	20037
Ashe	Caroline Marie	Self 1025 First Street, SE, #103	20003
Benefield	Ann C.	Self 2020 12th Street, NW, #616	20009
Bentley	Karen	Self 1852 Woodmont Place, SE	20020
Boadu	Priscilla	Justice Federal Credit Union 935 Pennsylvania Avenue, NW	20535
Bobbitt	Donald	American Council Education One Dupont Circle, NW, #1B- 30	20036
Bogovich	Michelle	Public Company Accounting Oversight Board 1666 K Street, NW, #PCAOB	20006
Brooks	Samuel	BNY Mellon 1250 H Street, NW, Suite 1100	20005
Brown	LaTasha	Self 770 Kenilworth Terrace, NE, #2	20003
Burton	Leland Nelson	Self 2422 Alabama Avenue, SE, #B	20020
Butler	Vanessa Nichelle	McKinsey and Company, Inc. 1200 19th Street, NW, Suite 1000	20036

D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: March 1, 2021  
Page 3 of 4

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Carter	Alisa C.	Self 1623 U Street, SE	20020
Chavis	Amanda Cierra	The UPS Store 6047 455 Massachusetts Avenue, NW, #150	20001
Cooper	Linda Ruth	Reserve Organization of America (ROA) 1 Constitution Avenue, NE	20002
Cormeny	Sara	Self 1614 T Street, NW	20009
Daguiar	Alicia	Cube Root Corporation 1100 H Street, NW, #805	20005
Diehl	Kareem Ali	Maxwell Jones 1717 Pennsylvania Avenue, NW, #1025	20006
Dunmore	Sharaine Latrese	Self 3153 Berry Road, NE	20018
Egbarin	Judith I.	Blue Ribbon Realty 1815 Upshur Street, NW	20011
Ellison	Rita M.	Winston & Strawn 1901 L Street, NW	20036
Everett	Ayana L.	Self (Dual) 2910 12th Street, NW	20017
Fearn	Michelle	Self 134 42nd Street, NE, #B13	20019
Ferssizidis	Constantine	TD Bank, N.A. 1611 Wisconsin Avenue, NW	20007
Garner	Keisha Ann	Garner Law PLLC 1717 K Street, NW, Suite 900	20006
Goodin	Larissa	10Square Development LLC 1701 Rhode Island Avenue, NW	20036

D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: March 1, 2021  
Page 4 of 5

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Hart	Angela Crystal	CulturalDC, (Cultural Development Corp) 1835 14th Street, NW	20009
Hidalgo	Flor D.	Goshen Corporation 1801 Columbia Road, NW, #103	20009
Hill	Jeremey	Self 1441 U Street, NW, #915	20009
Hinton	Sandra J.	Self 2735 31st Place, NE	20018
Hooper	Juliet Claire	Planet Depos 1100 Connecticut Avenue, NW, #950	20036
Jalbert	Linda M.	Self 510 N Street, SW, Unit N-434	20024
James	Jonathan Matthew	The Ups Store 611 Pennsylvania Avenue, SE	20003
Jolley	Dania M.	Self 700 7th Street, SW, Apartment 227	20024
Junious	Delores A.	Self 1401 New York Avenue, NE, #323	20002
Kabamba	Sarah	Self 315 Kennedy Street, NW, #2	20011
Kraus	Deshawn	Self 1025 First Street, SE, #103	20003
Lee	Laticia Denice	Self 2657 Birney Place, SE, #301	20020
Lewis	Chanan	US House of Representatives 15 Independence Avenue, SE, Longworth HOB B-227	20515
Lombardi	Raymond L	WaSHINGTON dOOR 5764 2nd Street, NE	20011

D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: March 1, 2021  
Page 5 of 6

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Lopez	Luiselle	CORE 1020 Bladensburg Road, NE	20002
Lucas	Patricia	National Committee to Preserve Social Security and Medicare 111 K Street, NE, Suite 700	20002
Lynn	Alicia C.	Winston & Strawn 1901 L Street, NW	20036
Marshall	Alicia L.	500 Incorporated 1215 Brentwood Road, NE	20018
Marshall-Harper	Lynette Cecilia	Telecommunications Development Corp. 1919 13th Street, NW	20009
May	Jennifer	Next Level Partners 80 M Street, SE, Suite 100	20003
Montenegro	Raquel D.	MANNA 6856 Eastern Avenue, NW, Suite100	20012
Moreland	Vera	Self 930 14th Street, SE	20003
Nettles	Theodore Lee	U.S. Army Corps of Engineers 441 G Street, NW	20314
Norwich	Heather Marie	Pier Associates 2132 Wisconsin Avenue, NW	20007
Perkins	Christopher Xavier	Self 4641 6th Street, SE, #A	20032
Richards	Ruth	Self (Dual) 400 K Street, NW, #401	20001
Schumach	Samuel Joseph	Self 70 N Street, SE, #806	20003
Simkins	Robert Moorman	Harris, Wiltshire & Grannis, LLP 1919 M Street, NW, 8th Floor	20036

D.C. Office of the Secretary  
Recommendations for Appointments as DC Notaries PublicEffective: March 1, 2021  
Page 6 of 6

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Simmons	Cynthia	Pepco 701 Ninth Street, NW	20068
Smith	Amber M.	Self 3146 16th Street, NW, #608	20010
Taylor	Teresa Elizabeth	Self 1932 2nd Street, NW	20001
Thomas	Joseph Arthur Lleweln	The Thomas Law Firm, PLLC 1629 K Street, NW, Suite 300	20006
Thomas	Tezrah	Self 624 49th Place, NE	20019
Thorpe	Carey K.	Self (Dual) 431 M Street, NW	20001
Trimble	Erin	American Farmland Trust 1150 Connecticut Avenue, NW, Suite 600	20036
Vitelli	Eileen E.	Self (Dual) 826 Otis Place, NW	20010
Warren	Georgina	Georgina Warren Enterprises 3331 Reservoir Road, NW	20007
White	Kiara	DT Global 1625 I Street, NW, Suite 200	20006

**D.C. SENTENCING COMMISSION****MEETING UPDATE**

The Sentencing Commission meeting scheduled on **January 19, 2021 is cancelled**. Inquiries concerning the meeting may be addressed to Mia Hebb, Staff Assistant, at (202) 727-8822 or [mia.hebb@dc.gov](mailto:mia.hebb@dc.gov).

**WASHINGTON YU YING PUBLIC CHARTER SCHOOL****REQUESTS FOR PROPOSALS****Asphalt and Retention Wall Repair**

**RFP for Asphalt Repair and Retention Wall:** Washington Yu Ying PCS is seeking competitive bids from qualified vendors to repair 185 feet of asphalt and retaining wall on the west side of our campus, bordering the nature center. The vendor will develop a plan:

- To address proper drainage for rainwater runoff
- Compact the earth underneath the sinking asphalt
- Reinforce the retaining wall
- Replace damaged asphalt

The vendor will provide all labor and materials. Bids must include evidence of experience in field, qualifications, and estimated fees.

Please contact Tasliym Lester, Director of Operations at [RFP@washingtoneyu.org](mailto:RFP@washingtoneyu.org) to arrange a time to visit Yu Ying's campus to further evaluate the project.

**Deadline for submissions is close of business on February 10, 2021. Please e-mail proposals and supporting documents to [RFP@washingtoneyu.org](mailto:RFP@washingtoneyu.org). Please specify "RFP for Asphalt Repair" in the subject line.**

**WASHINGTON YU YING PUBLIC CHARTER SCHOOL****REQUESTS FOR PROPOSALS****Outdoor Protective Sails**

**RFP for Outdoor Sails:** Washington Yu Ying PCS is seeking competitive bids from qualified vendors for the purchase and installation of outdoor sails - to provide both UV protection and coverage from the elements for an outdoor turf area, measuring 114'x 61'. The sails cannot be anchored directly to the turf area. The vendor should plan to anchor the sails outside of the dimensions provided.

The vendor will provide all labor and materials. Bids must include evidence of experience in field, qualifications, and estimated fees.

Please contact Tasliym Lester, Director of Operations at [RFP@washingtoneyu.org](mailto:RFP@washingtoneyu.org) to arrange a time to visit Yu Ying's campus for further evaluation of the project area, if necessary.

**Deadline for submissions is close of business on February 10, 2021. Please e-mail proposals and supporting documents to [RFP@washingtoneyu.org](mailto:RFP@washingtoneyu.org). Please specify "RFP for Outdoor Sails" in the subject line.**



## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

## BOARD OF DIRECTORS

## NOTICE OF PUBLIC MEETING

**Environmental Quality and Operations Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Operations Committee will be holding a meeting on Thursday, February 18, 2021 at 9:30 a.m. The meeting will be held in the Board Room (2<sup>nd</sup> floor) at 1385 Canal Street, S.E. (use 125 O Street, S.E. for directions), Washington, D.C. 20003. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dcwater.com](http://www.dcwater.com). Due to COVID-19, the General Manager has suspended public access to DC Water facilities. Please see the website for remote access information for the meetings.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dcwater.com](mailto:linda.manley@dcwater.com).

**DRAFT AGENDA**

- |     |  |  |
|-----|--|--|
| 1.  | Call to Order                                  | Committee Chairperson  |
| 2.  | AWTP Status Updates<br>1. BPAWTP Performance   | Vice-President, Wastewater Ops   |
| 3.  | Status Updates                                 | Senior VP, CIP Project Delivery  |
| 4.  | Project Status Updates                         | Director, Engineering &<br>Technical Services  |
| 5.  | Action Items<br>- Joint Use<br>- Non-Joint Use | Senior VP, CIP Project Delivery  |
| 6.  | Water Quality Monitoring                       | Senior Director, Water Ops   |
| 7.  | Action Items                                   | Senior VP, CIP Project Delivery<br>Senior Director, Water Ops<br>Director, Customer Care |
| 8.  | Emerging Items/Other Business                  |  |
| 9.  | Executive Session                              |  |
| 10. | Adjournment                                    | Committee Chairperson  |

**BOARD OF ZONING ADJUSTMENT  
PUBLIC MEETING NOTICE  
WEDNESDAY, APRIL 14, 2021  
VIRTUAL MEETING via WEBEX**

**TO CONSIDER THE FOLLOWING:** The Board of Zoning Adjustment will adhere to the following schedule but reserves the right to hear items on the agenda out of turn.

**TIME: 9:30 A.M.**

**FOR EXPEDITED REVIEW**

**WARD FIVE**

<b>Application of:</b>	<b>Nicole Dillard</b>
<b>Case No.:</b>	<b>20444</b>
<b>Address:</b>	4124 19th Street NE (Square 4192, Lot 803)
<b>ANC:</b>	<b>5B</b>
<b>Relief:</b>	Special Exception from: <ul style="list-style-type: none"> <li>• the rear yard requirements of Subtitle D § 306.1(pursuant to Subtitle D § 5201 and Subtitle X § 901.2)</li> </ul>
<b>Project:</b>	To construct a rear second-story addition to an existing, detached, two-story principal dwelling unit in the R-1-B Zone.

**PLEASE NOTE:**

This public hearing will be held virtually through WebEx. Information for parties and the public to participate, view, or listen to the public hearing will be provided on the Office of Zoning website and in the case record for each application or appeal by the Friday before the hearing date.

The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11, including the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Zoning Commission on May 11, 2020, in Z.C. Case No. 20-11.

Individuals and organizations interested in any application may testify at the public hearing via WebEx or by phone and are strongly encouraged to sign up to testify 24 hours prior to the start of the hearing on OZ’s website at <https://dcoz.dc.gov/> or by calling Robert Reid

BZA PUBLIC MEETING NOTICE

APRIL 14, 2021

PAGE NO. 2

at 202-727-5471. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board may impose time limits on the testimony of all individuals and organizations.

Individuals and organization may also submit written comments to the Board by uploading submissions via IZIS or by email to [bzasubmissions@dc.gov](mailto:bzasubmissions@dc.gov). Submissions are strongly encouraged to be sent at least 24 hours prior to the start of the hearing.

*\*Note that party status is not permitted in Foreign Missions cases.*

**Do you need assistance to participate?**

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም)

ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-

0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov)。这些是免费提供的服务。

French

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

## BZA PUBLIC MEETING NOTICE

APRIL 14, 2021

PAGE NO. 3

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**FREDERICK L. HILL, CHAIRPERSON**  
**LORNA L. JOHN, VICE-CHAIRPERSON**  
**VACANT, MEMBER**  
**CHRISHAUN SMITH, MEMBER,**  
**NATIONAL CAPITAL PLANNING COMMISSION**  
**A PARTICIPATING MEMBER OF THE ZONING COMMISSION**  
**CLIFFORD W. MOY, SECRETARY TO THE BZA**  
**SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 20328 of Madison Heights LLC**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the new residential development requirements of Subtitle U § 421.1, and under the Voluntary Inclusionary Zoning requirements pursuant to Subtitle F § 5206.1, to add 8 additional units to an existing principal dwelling unit in the RA-1 Zone at premises 1214 Madison Street N.W. (Square 2934, Lot 35).

**HEARING DATE:** December 9, 2020 and December 23, 2020<sup>1</sup>  
**DECISION DATE:** January 13, 2021

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 36D (Final Revised); Exhibit 4 (Original).)<sup>2</sup>

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant, Michael Yates, and Advisory Neighborhood Commission ("ANC") 4C. Although Mr. Yates was originally granted party status in opposition, (Exhibit 32,) on January 12, 2021, he submitted a letter withdrawing his opposition and therefore became a party in support of the application. (Exhibit 64A.)

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on November 10, 2020, at which a quorum was present, the ANC voted to support the application. (Exhibit 35.) The ANC's recommendation was conditioned on the Applicant's agreement to numerous conditions relating to affordable housing, construction, parking, and environmental issues. The Board did not adopt the proposed conditions, finding that these were outside of the Board's purview. The Board notes that the Applicant has nonetheless agreed to abide by these conditions.

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<sup>1</sup> At the December 23, 2020 Public Meeting, the Board, on its own motion, moved the case from the Public Meeting agenda to the December 23, 2020 Public Hearing agenda to hear testimony from the parties.

<sup>2</sup> The Application was amended to add an eighth dwelling unit and request additional relief under the Voluntary Inclusionary Zoning requirements of Subtitle F § 5206.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 40.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 39.)

Persons in Opposition. The Board received two letters from neighbors in opposition to the application. (Exhibits 43 and 47.) Benita Alvarez and Mia Bruner testified in opposition to the application at the December 9, 2020 hearing.

### **Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under the new residential development requirements of Subtitle U § 421.1, and under the Voluntary Inclusionary Zoning requirements pursuant to Subtitle F § 5206.1

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

It is therefore **ORDERED** that this application is hereby **GRANTED** and, pursuant to Subtitle Y § 604.10, subject to the **REVISED APPROVED PLANS<sup>3</sup>** at **EXHIBIT 61A** and **subject to the following CONDITIONS:**

1. The Applicant shall install a privacy film on the large middle windows and smaller windows facing 1216 Madison Street, N.W.
2. The Applicant shall install a wood or similar material fence to height of six feet running the length of the side yard.
3. The Applicant shall be prohibited from installing future windows on the side of the Applicant's structure facing 1216 Madison Street, N.W.

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<sup>3</sup> Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

**VOTE: 3-1-1** (Frederick L. Hill, Lorna L. John, and Chrishaun S. Smith to APPROVE, Anthony J. Hood to DENY; one Board seat vacant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** January 19, 2021

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

**BZA APPLICATION NO. 20328**

**PAGE NO. 3**

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.



**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 20344 of Julie Straus Harris and Adam Harris**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201, from the maximum lot occupancy of Subtitle E § 304.1, to construct a partial third story addition, and a two-story rear addition, to an existing attached principal dwelling unit in the RF-1 Zone at premises 1768 Kilbourne Place, N.W. (Square 2600, Lot 90).

**HEARING DATE:** January 13, 2021

**DECISION DATE:** January 13, 2021

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 4.)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 1D.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on November 17, 2020, at which a quorum was present, the ANC passed a resolution to support the application. (Exhibit 27.) The ANC raised no issues or concerns.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 30.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 31.)

Persons in Support. The Board received two letters from neighbors in support of the application. (Exhibits 25 and 32.)

Persons in Opposition. The Board received one letter from a neighbor in opposition to the application. (Exhibit 28.)

Other Public Input. At the public hearing, Henry Lesansky testified to request information on the timeline of the project's construction.

**Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under Subtitle E § 5201, from the maximum lot occupancy of Subtitle E § 304.1, to construct a partial third story addition, and a two-story rear addition, to an existing attached principal dwelling unit in the RF-1 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

It is therefore **ORDERED** that this application is hereby **GRANTED and pursuant to Subtitle Y § 604.10, subject to the approved plans<sup>1</sup> at EXHIBIT 29B.**

**VOTE:** 4-0-1 (Frederick L. Hill, Lorna L. John, and Chrishaun S. Smith, and Robert E. Miller to APPROVE; one Board seat vacant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** January 19, 2021

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE

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<sup>1</sup>Self-certification: In granting the self-certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 20350 of Mary's House for Older Adults, Inc.**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9 for a special exception under the use provisions of Subtitle U § 203.1(g), and pursuant to Subtitle X, Chapter 10, for a use variance from the use requirements of Subtitle U § 203.1(g)(2), and area variances from the driveway width requirements of Subtitle C § 711.6, the side yard requirements of Subtitle D § 206.2, and from the lot occupancy requirements of Subtitle D § 304.1, to replace an existing principal dwelling unit with a continuing care retirement community for 15 individuals in the R-3 Zone at premises 401 Anacostia Road, S.E. (Parcel 0203/0009).

**HEARING DATE:** January 13, 2021

**DECISION DATE:** January 13, 2021

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 29 (Final Revised); Exhibit 13 (Original)).<sup>1</sup>

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.<sup>2</sup>

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 7F.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 15, 2021, at which a quorum was present, the ANC voted to support the application. (Exhibit 16.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 46.)

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<sup>1</sup> The Applicant revised the self-certification to change the area variance from Subtitle U 203.1(g)(2) to a use variance.

<sup>2</sup> The Application was originally incorrectly noticed with the area variance relief from side yard and lot occupancy listed as special exceptions. The Application was re-noticed on December 17, 2020 with the correct relief. At the January 13, 2021 hearing, the Board waived the 40-day notice requirement of Subtitle Y § 402.1.

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 48.)

### **Variance Relief**

The Applicant seeks relief under Subtitle X § 1002.1 for a use variance from the use requirements of Subtitle U § 203.1(g)(2), and area variances from the driveway width requirements of Subtitle C § 711.6, the side yard requirements of Subtitle D § 206.2, and from the lot occupancy requirements of Subtitle D § 304.1.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty, in the case of an area variance, or an undue hardship, in the case of a use variance, in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

### **Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under the use provisions of Subtitle U § 203.1(g).

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

It is therefore **ORDERED** that this application is hereby **GRANTED** and, pursuant to Subtitle Y § 604.10, subject to the **REVISED APPROVED PLANS**<sup>3</sup> at **EXHIBIT 45**.

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<sup>3</sup> Self-certification: In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

**VOTE:** 4-0-1 (Frederick L. Hill, Lorna L. John, Chrishaun S. Smith, and Robert E. Miller to APPROVE; one Board seat vacant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

**FINAL DATE OF ORDER:** January 19, 2021

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION,

**BZA APPLICATION NO. 20350**

**PAGE NO. 3**

HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**BZA APPLICATION NO. 20350  
PAGE NO. 4**

**District of Columbia REGISTER – January 29, 2021 – Vol. 68 - No. 5 001371 – 001481**