



## MEMORANDUM

**TO:** District of Columbia Zoning Commission

**FROM:** Jennifer Steingasser, Deputy Director  
Historic Preservation and Development Review

**DATE:** February 20, 2012

**SUBJECT:** **ZC 11-22: SUPPLEMENTAL REPORT** - Text Amendments to Sections 199, 601, 701 and 901 and related sections to permit **group instruction centers or studios** as a matter-of-right in the C-1, CR, and W Zone Districts.

*(Previously filed as - Text Amendments to Sections 199, 601, 701 and 901 to include dance, exercise, martial arts, music and yoga studios as a matter-of-right in the C-1, CR and W-1 through W-3 District.)*

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The Office of Planning **recommends approval** of the proposed text amendments to §§ 199, 601, 602, 701, 901 and 902 as outlined at the end of this report.

### **UPDATE**

The Office of Planning (OP) petitioned the Zoning Commission in its report of November 10, 2011 to amend the text of the Zoning Regulations to permit dance, exercise, martial arts, music, and yoga studios as a matter-of-right in the C-1, CR and W-1 through W-3 District. At its regularly held public meeting on November 28, 2011, the Commission granted the flexibility to modify the description and definition to ensure clarity.

Subsequent to the public meeting, the Office of the Attorney General, the Zoning Administrator and OP collaborated to determine the preferred collective term for the proposed uses and its related definition for purposes of simplicity and clarity. After some discussion, it was decided that the term “*group instruction*” best described the general context for the previously advertised uses, including dance, yoga, music, exercise studios. It is also amended to include the performing arts which would also allow group acting instruction. The new term and definition are proposed as follows:

**Group Instruction Center or Studio:** **An establishment that principally offers group instruction in the performing arts, the martial arts, physical exercise, or yoga.**

Therefore, OP is recommending the Zoning Commission consider the text amendments to include a **Group Instruction Center or Studio** as representative of the original intent to permit yoga, dance exercise and martial arts studios within the low-density and mixed-use districts cited in this report.

### **PROPOSED TEXT AMENDMENT**

The Office of Planning recommends that the Zoning Commission approve the following text amendments to 11 DCMR §§ 199, 601, 701 and 901, with all new text shown in **bold, underlined text**:

1. Amend Chapter 1, The ZONING REGULATIONS, Section 199 – DEFINITIONS to read as follows:

**Group Instruction Center or Studio:** **An establishment that principally offers group instruction in the performing arts, the martial arts, physical exercise, or yoga.**



2. Amend Chapter 6, MIXED USE (COMMERCIAL RESIDENTIAL) DISTRICTS, Section 601 - USES AS A MATTER OF RIGHT (CR) as follows:

601.1 The following uses shall be permitted as a matter of right in a CR District:

In alphabetical order

**Group Instruction Center or Studio**

3. Amend Chapter 7, COMMERCIAL DISTRICTS, Section 701- USES AS A MATTER OF RIGHT (C-1)

701.1 The following service establishments shall be permitted in a C-1 District as a matter of right:

In alphabetical order

**Group Instruction Center or Studio**

4. Amend Chapter 9, WATERFRONT DISTRICTS, Section 901- USES AS A MATTER OF RIGHT (W)

901.1 The following uses shall be permitted in the W-1, W-2, and W-3 Districts as a matter of right:

In alphabetical order

**Group Instruction Center or Studio**

The Office of Attorney General has also noted amendments to the following provisions as they cross reference a citation that changes as a result of the alphabetical insertion of the use within §§ 601.1 and 901.1.

Section 602, PROHIBITED USES (CR), § 602.1 (o), is amended by striking the citation to 601.1 (ee) and inserting a reference to § 601 **(ff)** in its place, so that the provision will read as follows:

- (o) Parking lot, except a temporary surface parking lot permitted pursuant to § 601.1 **(ff)**;

Section 902, PROHIBITED USES (W), § 902.1 (o) (1), is amended by striking the citation to 901.1 (dd) and inserting a reference to § 901 **(ee)** in its place, so that the provision will read as follows:

- (o) Parking Lot:

(1) Except a temporary surface parking lot permitted pursuant to § 901.1 **(ee)**; or

(2) Other than as permitted by special exception in the W-0 District in §926;