

**AMENDMENTS TO COUNCIL BILL 25-0006  
(1<sup>st</sup> Reader Copy)**

By: Councilmember Parker  
{To be offered to the Land Use and Transportation Committee}

**Amendment No. 1**

On page 18, in line 15, strike “**dining.**” and substitute “**DINING AND ROOFTOP DINING.**”; and, on that same page, strike in their entirety lines 17 through 26, inclusive, and substitute:

“(1) OUTDOOR DINING.

(I) OUTDOOR DINING IS CONSIDERED AN ACCESSORY USE TO A PRINCIPAL USE AND MAY BE LOCATED ON EITHER THE PROPERTY FOR WHICH THE PERMIT IS APPROVED OR EXTEND INTO THE PUBLIC RIGHTS-OF-WAY IMMEDIATELY ADJOINING THE BUILDING FRONTAGE OR STREET CORNER SIDE OF THE PROPERTY.

(II) OUTDOOR DINING ON THE PROPERTY FOR WHICH THE PERMIT IS APPROVED IN A C-1, C-1-E, C-1-VC, AND C-2 ZONING DISTRICT REQUIRES APPROVAL AS A CONDITIONAL USE BY THE BOARD OF MUNICIPAL AND ZONING APPEALS:

(A) WHERE IT ADJOINS A RESIDENTIAL ZONING DISTRICT ON THE SIDE IN WHICH THE OUTDOOR DINING IS PROPOSED; AND

(B) IS SEPARATED FROM THE RESIDENTIAL DISTRICT BY AN ALLEY OR STREET OF LESS THAN 20 FEET IN WIDTH ON THE SIDE IN WHICH THE OUTDOOR DINING IS PROPOSED, OR IF NO ALLEY OR STREET IS PRESENT.

(2) ROOFTOP DINING.

(I) ROOFTOP DINING IS ALLOWED IN ALL NON-RESIDENTIAL ZONING DISTRICTS.

(II) ROOFTOP DINING IS A PERMITTED USE IN ALL NON-RESIDENTIAL ZONING DISTRICTS, EXCEPT IN THE C-1, C-1-E, C-1-VC, AND C-2 ZONING DISTRICTS.

(III) ROOFTOP DINING IN A C-1, C-1-E, C-1-VC, OR C-2 ZONING DISTRICT REQUIRES APPROVAL AS A CONDITIONAL USE BY THE BOARD OF MUNICIPAL AND ZONING APPEALS.”;

and, on page, 21, strike line 25 in its entirety and substitute:

“<sup>5</sup> UNDER § 14-329(A)(1) AND (A)2), BOTH OUTDOOR DINING AND ROOFTOP DINING, RESPECTIVELY, REQUIRE APPROVAL AS A CONDITIONAL USE BY THE BOARD OF MUNICIPAL AND ZONING APPEALS IF LOCATED IN A C-1, C-1-E, C-1-VC, OR C-2 ZONING DISTRICT.”.