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And July 17, 2007)

Submitted October 16, 2007

Although Section 2102.2 of the Regulations permits the creation of parking areas that contain “accessory parking spaces in an amount which exceeds that required by § 2101.1”, DCRA argues that the only relevant consideration is whether there are the minimum number of required spaces specified in Section 2101.1. In this case, that means that the garage need only contain twelve

Board of Zoning Adjustment
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EXHIBIT NO. 41

DISTRICT OF COLUMBIA
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spaces that can qualify as “required” under the applicable “horizontal dimension standard of § 2115.1 and the aisle-width standard of § 2117.5.” *See* DCRA Submission at 9. Thus, at any point in time, even twenty years after the initial approval of the parking plan, the entire configuration can be reshuffled as long as only twelve spaces meet the “required” criteria.

DCRA’s interpretation would leave no meaning within Section 2102.2’s reference to “accessory parking spaces in an amount which exceeds that required by § 2101.1”. The Zoning Regulations have allowed for “accessory parking spaces” (this is the term used in the Zoning Regulations) that exceed the number set forth in Section 2101.1; thus, where, as here, more than the minimum number are required, then they are “accessory parking spaces.” Once they are constructed, Section 2117.3 requires, in pertinent part, that, “Striping shall be maintained for as long as the parking spaces requiring the striping are in existence.” These provisions of the Zoning Regulations would be a nullity, because the creation of such “accessory parking spaces” would not prevent someone from inhibiting the use of those spaces at any time in the future – so long as the Section 2101.1 number were satisfied.

In addition, the requirement can be satisfied by showing *any* twelve spaces. Once a space meets the requirements to qualify as “required,” the owner of that Parking Unit has no assurance that it will be treated as “required” at any time in the future. DCRA suggests as follows: “The designation does not convey any special rights to those spaces and carries no permanent meaning.” *See* DCRA Submission at 9. In fact, any twelve spaces at any particular time can meet the requirement, leaving all other 36 Parking Units subject to the whims of the Condominium Association that does not own them – they “could be substituted for the applicant designated spaces just as easily and would achieve the same result.” *See id.* Nor is this a problem only for condominiums with owned parking spaces. Other parties, such as lenders, for whom the existence of an appropriate number of available and conveniently accessible parking

spaces is an important criterion of whether or not a building is a good credit risk, could find themselves holding a note to a building with diminished value if someone chooses to reduce the number or dimensions of “non-required” spaces in order to meet some short term space needs. If the Board determines that the parking plans on which the full range of actors in the real estate chain rely can be changed later, even twenty years later, on a whim, then one can foresee an entire new set of assurances and covenants which will be required at closing, binding the owners, their heirs and assigns, and the relevant Condominium Association, to maintain the parking spaces that most would take for granted will be preserved.

If DCRA’s interpretation were adopted, chaos would result. Condominium Associations would be able to squeeze parking spaces in wherever they desire, without needing to submit a Section 2100.2 compliant “parking plan showing the location, dimensions, and grades of all parking spaces and approaches thereto in accordance with the provisions of this chapter”, and without regard for the effect on existing Parking Units and their related property rights. The entire structure governing the application, approval, construction, occupancy, and maintenance of parking spaces under the Zoning Regulations (including Sections 2100.2, 2100.3, 2100.4, 2117.1, and 2117.3) would be rendered meaningless. Section 2117.3’s requirement that, “Striping shall be maintained for as long as the parking spaces requiring the striping are in existence”, for instance, would be read out of existence, since striping could be changed at any time.

DCRA’s own expert, Lindsley Williams, did not even agree with the approach DCRA suggests. Mr. Williams expressed his belief that developers can create non-required parking spaces and that it is “basically left for the market to determine if they will work, if they have reasonable access and the like.” *See* July 17, 2007 Hearing Trans. at 377.20-378.1. He also made it clear that there are standards governing application, approval, and maintenance of non-

required parking spaces: “There are standards that say that the whole thing has to be operated in a manner that’s safe and convenient.” The market’s determinations are irrelevant if, twenty years after the construction, the Condominium Association is allowed to create a situation that thwarts “safe and convenient” use of parking spaces – even if the Association decides to call the affected spaces “non-required.” *Cf.* Section 2116.8 (“The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structures that they are designed to serve.”); Section 2116.9 (“The Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, setbacks, fences, the location of entrances and exists, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provisions and maintenance of the spaces.”).

In fact, in practice, at the time of initial application and approval, developers note on the Section 2100.2 compliant parking plans which spaces are required and which spaces may not meet the characteristics for required parking spaces. This is precisely so the characteristics of the parking spaces are made clear to the Zoning Administrator, prospective purchasers, and others. *See* June 5, 2007 Hearing Trans. at 182.9-183.19. This way, the owners of parking spaces know what they are acquiring and they know what protections the spaces will enjoy – without fear that those protections will be taken away years later.

The BZA is aware of other applications involving non-required spaces, as cited at the hearings in this case. *See* July 17, 2007 Hearing Trans. at 344.11-345.10. Obviously, those designations are made and approved at the initial construction phase, not decades after that process has been completed. Additionally, although an applicant does not need to use the “required” or “non-required” label on the parking plan, a compliant parking plan must be provided so that the Zoning Administrator can determine whether, on the initial application,

spaces with non-required characteristics are being proposed. (This is the meaning of Ms. McCarthy's testimony as cited by DCRA at page 7 and footnote 13 of its submission.)

One of the most serious issues in this case is that the Zoning Administrator erred because the "parking plan" that he acknowledges reviewing did not meet the minimum standards established in 2100.2, "showing the location, dimensions, and grades of all parking spaces and approaches thereto." The plan which Mr. Crews acknowledges to have relied upon, the so-called "Attachment 1" (Exhibit 28 at the hearing), provides only selected dimensions, including those entered by attorneys for WHCA, no grades, and no dimensions for the approaches, and, as was demonstrated during the hearing, no overall dimensions provided for the full garage. Although DCRA now incorrectly identifies this document as the original parking plan, it alleges that it was recorded with the Surveyor's Office (as DCRA should be aware, plans submitted as part of a building permit application are housed with the permit archives, and definitely not with the Office of the Surveyor). The document has clearly been copied numerous times and it is not close to scale. The Zoning Administrator could not have known that, if the cars in P-2 and P-3 are parked far enough back to achieve the 19'6" dimension that DCRA claims as the aisle width, it means that P-2 and P-3 encroach into the drive aisle behind them.

This is significant, because that is the drive aisle that even WHCA and DCRA acknowledge must be a minimum of 20 feet. Note that the regulations in Section 2117.5 do not say that the 20 foot width applies only to that section of the drive aisle actually between rows of required spaces. In fact, Section 2117.6 prescribes the 20 foot drive aisle width even for compact spaces, and compact spaces may not be required spaces. (Sections 2115.1-2115.3.)

DCRA also argues that Exhibit 28/Attachment 1 was "a copy of the parking plan approved during the construction of the building." *See* DCRA Submission at 10. This is false. There was no evidence of that. In fact, DCRA testified clearly at the hearing that the original

application and approval could not be located. *See* July 31, 2007 Hearing Trans. at 115.10-115.22. Nor was there any evidence that the “document is at scale.” *See* DCRA Submission at 10.

The document is, at best, a photocopy (presumably several times removed) from what was once a scaled drawing – and the photocopying would have eviscerated the scale. It states a scale of one inch for every thirty feet. Examining any of the stated measurements on the document shows that this scale is not maintained. The aisle width between P-2/P-3 and P-110 through P-112 is stated, by the handwriting of WHCA’s counsel, to be either 21 feet or 19 feet, 5 inches. The area shown, however, is less than one-half inch – meaning that, if the scale is correct, that aisle width is less than 15 feet. The handwritten notation on a portion of the main drive aisle says 22 feet in two places – but the distance measures $11/16$ of an inch, translating into 20.625 feet (just before the “bump,” when the aisle becomes narrower). Mr. Crews measured the distance between the southern end of the stripe painted between spaces P-2 and P-3 and the northern end of the stripe painted between spaces P-142 and P-143, and found it to be 19 feet, 2 inches. (DCRA Exhibit No. 024.) The distance on Exhibit 28 is less than $10/16$ of an inch, translating to less than 18.75 feet. Obviously there is no accurate “scale” on this document.

DCRA also makes reference to other litigation involving Mr. Harnett and WHCA. *See* DCRA Submission at 13 n. 34. There is nothing in that litigation that prevents the BZA from addressing and deciding the issues on this appeal, including all of the issues set forth in Mr. Harnett’s proposed findings of fact and conclusions of law. WHCA had full and fair opportunity to present its defense here and does not argue or prove otherwise. This Board is free to decide all of the issues in this case and there is no basis for any contrary determination.

DCRA also marginalizes Section 2117.7’s requirement for protection against vehicular encroachment. *See* DCRA Submission at 11-12. DCRA does this by making a number of

arguments not supported by the record, but, more importantly, which would limit Section 2117.7's scope in a way inconsistent with these provisions and 12 DCMR Section 101's mandate that the Zoning Regulations be interpreted and applied as "minimum requirements." Section 2117.7 applies to "all parking spaces," and requires protection "from vehicular encroachment from all parking spaces." Here, the lack of any protection against vehicular encroachment for spaces P-2 and P-3 creates an unsafe situation and is a clear violation of the language and spirit of Section 2117.7, both for pedestrians and other vehicles.

DCRA also suggests that there is no violation in this case of the vertical height requirements imposed by Section 2115.5. There was no dispute at the hearing, however, that the vertical height requirements are not met – instead, DCRA claimed that parking space P-143 (one of the originally approved spaces when the parking facility was constructed) also has a similar diagonal column that violates the minimum vertical clearance requirements. DCRA Exhibit No. 19 was offered for that purpose.

Finally, DCRA asks the BZA to ignore the numerous violations of the Zoning Regulations that have been proven, based on the alleged mere possibility that "DCRA [might] determine, as has been alleged in this matter, that the plans submitted to the Zoning Administrator did not properly reflect the relevant facts." That determination is already obvious. In fact, at the conclusion of the hearings the Chair asked specifically that this issue be addressed and that DCRA explain how the Zoning Administrator could have concluded that the required drive aisle width was provided. *See* July 31, 2007 Trans. at 304-305. No such explanation has ever been provided.

DCRA now says that *if* it reaches the conclusion "that the plans submitted to the Zoning Administrator did not properly reflect the relevant facts" – as if that conclusion were not already obvious from the record in this case – then "DCRA may take appropriate enforcement action."

Some of the violations, however, clearly cannot be remedied through “enforcement action.” The absence of a Section 2100.2 compliant parking plan when the building permit application was submitted and approved cannot be fixed by any sort of “enforcement action.” The fact that the creation of spaces P-2 and P-3 infringe upon the drive aisles on both sides of those spaces (in fact, creating a drive aisle that is less than twenty feet for nearly the entire length of the garage, right down the main drive aisle, among other places) cannot be remedied by “enforcement action.” WHCA has squeezed two parking spaces into an area that is only 92 feet, 8 inches long. There is no more space, and “enforcement action” cannot create more out of thin air.

This is a case where the application for the building permit in 2006, seeking approval for work done years earlier, was improper and could not have been granted under the circumstances. Yet DCRA chose to engage in secret communications with WHCA to reach a “settlement” without the involvement of Mr. Harnett or any of the other affected Property Owners. Both DCRA and WHCA withheld those communications and resisted their disclosure. DCRA’s invitation to treat the many violations as matters for simple “enforcement action” that DCRA will never take is a meaningless gesture that is not a proper resolution of this appeal.

With regard to the ability of the Board to impose conditions on accessory parking spaces, DCRA alleges that Sections 2116.5 – 2116.9 apply only to applications for special exceptions. As their proof, DCRA alleges that Zoning Commission Order 82-5 indents 2116.6 - 2116.9 to indicate that they only apply to 2116.5. However, attached as Exhibit “A” hereto is a copy of the Zoning Order in that case. As the Board can see for itself, not only are the provisions not indented, and therefore they are generally applicable, but 2116.9 specifically states that the Board may impose conditions on accessory or non-accessory spaces, and 2116.5 deals *only* with accessory spaces.

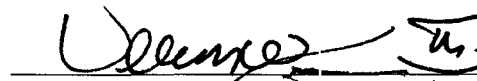
The Regulations must be applied in accordance with their plain meaning, in any event. DCRA does not show that the clear intent behind the Regulations in question was to relegate those provisions to situations more limited than their plain meaning suggests.

The Board faces a difficult and complex situation. The Zoning Regulations establish a minimum number of required parking spaces which must be provided, and the Regulations set a minimum standard for what constitutes acceptable dimensions and access, including a 20 foot wide drive aisle. The Regulations also recognize that additional, “accessory parking spaces” may be provided, and that, when the BZA reviews those accessory spaces, they must “**be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structure they are designed to serve.**” (Section 2116.8, emphasis supplied). The Regulations further provide that, when the BZA reviews accessory spaces, “The Board may impose conditions on **any accessory or non-accessory parking spaces** as to screening, coping, set backs, fences, the location of entrances and exits, or any other requirement it shall deem necessary to protect adjacent or nearby property. It may also impose such other conditions as it shall deem necessary **to assure the continued provision and maintenance of such spaces.**” (Section 2116.9, emphasis supplied.)

While it is true that, typically, the Board would only be reviewing accessory parking spaces when a case comes to it for a special exception, there is absolutely no language in the Zoning Regulations restricting the Board to apply those standards for “acceptable dimensions and access” only in those instances. Therefore, when the Zoning Administrator has erroneously approved parking spaces, required or accessory, which do not meet the standards, and the appeal of that determination brings the case to the Board, it is entirely appropriate, and, indeed, required, that the Board consider the standards in Section 2116.8 and impose the conditions afforded it in Section 2116.9.

The violations of the Zoning Regulations are numerous and proven. Mr. Harnett again respectfully asks that his appeal be sustained.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Vernon W. Johnson, III", written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of October, 2007, I caused to be mailed, via first class mail, postage prepaid, a copy of this Appellant's Memorandum in Response to District of Columbia's Proposed Findings of Fact and Conclusions of Law, with appended Exhibit "A," to the following:

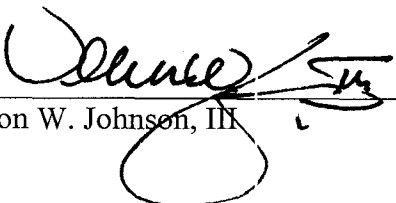
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ZONING COMMISSION OF THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
CASE NO. 82-5

The Zoning Commission of the District of Columbia, pursuant to the authority set forth in the Zoning Act (D.C. Code, §5-413 et seq.), having held a public hearing as required, hereby gives notice of the adoption of amendments to the Zoning Regulations. The amendments affect those provisions of the Zoning Regulations dealing with off-street parking and loading. Notice of proposed rulemaking was published in the D.C. Register on July 27, 1984, at 31 DCR 3737. These amendments were adopted by the Zoning Commission as a final action at its public meeting held on October 15, 1984. No substantive changes have been made to the proposed rules as originally published. However, the text of the rules has been renumbered and reformatted in order to comply with the requirements of D.C. Law 2-153 and D.C. Law 5-76. These amendments become effective on March 1, 1985. The specific amendments are as follows:

1. In section 199, add the following new definitions:

Downtown Urban Renewal Area - the area included within the boundaries of the Urban Renewal Plan for the Downtown Urban Renewal Area, as modified by the National Capital Planning Commission and approved by the Council of the District of Columbia through July 5, 1983.

Parking space, bicycle - A space for the temporary storage of a bicycle in the form of a rack, locker, or storage area of appropriate design and dimension, used exclusively for the storage of a bicycle.

Service/delivery loading space - An off-street space provided for motor vehicles which are twenty feet in length or less, and which are making deliveries and/or providing a maintenance service. Such a space shall not be considered a parking space or a loading berth.

Amend the existing definition of "parking space" to read as follows:

Parking space - An off-street area accessible and of appropriate dimensions to be used exclusively for the temporary parking of a motor vehicle.

2. Limit the use of parking lots in Residential Districts by deleting existing subsection 212.5 and adding new subsections 212.5, 212.6 and 212.7 as follows:

212.5 No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use, and the present character and future

development of the neighborhood will not be affected adversely.

- 212.6 The parking lot shall be reasonably necessary and convenient to other uses in the vicinity, so that the likely result will be a reduction in overspill parking on neighborhood streets.
- 212.7 A majority of the parking spaces will serve residential uses or short-term parking needs of retail, service and public facility uses in the vicinity.

Renumber existing subsection 212.6 to 212.8.

3. Delete existing sections 334, permitting a parking lot, and 335, permitting accessory parking, in R-4 and less restrictive districts. Parking lots and accessory parking are permitted in those districts by sections 212 and 213, respectively, which are incorporated by reference from the R-1 District. Renumber existing sections 336 and 337 to 334 and 335, respectively.
4. Remove the separate parking and loading requirements of the Waterfront District by deleting all of existing section 932. Renumber existing sections 933 through 937 to 932 through 936, respectively, as appropriate.
5. Remove as unnecessary the special exception to allow parking in a CR District to exceed the maximum established by deleting existing section 607.
6. Change the reference for determining parking for a bowling alley in a CR District in existing subsection 609.4 by changing "632.1" to "2101.1."
7. Remove the separate parking and loading requirements of the CR District by deleting all of existing section 632.
8. Establish parking requirements for all uses in all districts by deleting existing Chapter 21 and replacing it with a new Chapter 21, as follows:

CHAPTER 21

OFF-STREET PARKING REQUIREMENTS

2100 AUTHORITY TO REQUIRE PARKING FACILITIES

- 2100.1 All buildings or structures erected on or after May 12, 1958, shall be provided with parking spaces to

the extent specified in §2101, except as permitted by §2102.

- 2100.2 No application for a building permit for a building or structure to be erected on or after May 12, 1958, shall be approved unless there is included with the plans for such building or structure a parking plan showing the location, dimensions, and grades of all parking spaces and approaches thereto in accordance with the provisions of this Article.
- 2100.3 No certificate of occupancy shall be issued for the use of a building or structure erected on or after May 12, 1958, unless the required parking spaces shall have been provided in accordance with the parking plan provided for in the approved building permit.
- 2100.4 Except as provided in §2100.5, when the use of a building or structure is changed to another use which requires more parking spaces than required for the use existing immediately prior to such change or, if the building or structure is vacant, the use which existed immediately prior to such vacancy, parking spaces shall be provided for the additional requirement in the amount necessary to conform to §2101.
- 2100.5 No additional parking spaces shall be required for a historic landmark or a building or structure located in a historic district which is certified by the State Historic Preservation Officer as contributing to the character of that historic district.
- 2100.6 When the intensity of use of a building or structure existing before May 12, 1958, is increased by an addition or additions of employees, dwelling units, gross floor area, seating capacity, or other unit of measurement specified in §2101, parking spaces shall be provided for such addition or additions, subject to §§2100.7 through 2100.9.
- 2100.7 Parking spaces shall not be required for the addition or additions unless such addition or additions increase the intensity of use of such building or structure by more than twenty-five percent of the aggregate;
- 2100.8 Parking spaces for such addition or additions need not exceed the amount of parking spaces which would be required for the entire structure as proposed if constructed new; and

- 2100.9 The determination of the increase of intensity of use shall be based on the total increase in intensity of use such structure undergoes on or after May 12, 1958, whether such total increase occurs at one time or in successive stages.
- 2100.10 In the case of a building or structure for which the Zoning Regulations now require more parking spaces than were required when the building or structure was built:
- (a) If the existing number of parking spaces now provided is less than or equal to the minimum number of parking spaces now required by these Regulations, the number of parking spaces cannot be reduced.
 - (b) If the existing number of parking spaces now provided is more than the minimum number of parking spaces now required by the Regulations, the number of parking spaces cannot be reduced below the minimum number of parking spaces required by these Regulations.
- 2101 SCHEDULE OF REQUIREMENTS FOR PARKING SPACES
- 2101.1 On and after May 12, 1958, all buildings or structures shall be provided with parking spaces as specified in the following table:

<u>Uses</u>	<u>Amount of Parking Space Required</u>
RESIDENTIAL USES	
One-family dwelling:	
All Districts.....	One for each dwelling unit.
Flat:	
R-5-A.....	One for each dwelling unit
All other Districts.....	One for each two dwelling units
Apartment house or multiple dwelling:	
R-5-A, C-1.....	One for each dwelling unit
R-5-B, C-2-A, C-3-A.....	One for each two dwelling units
R-4, R-5-C, C-2-B, W, CR..	One for each three dwelling units
R-5-D, SP, C-2-C, C-3-B, C-3-C, C-4, C-5(PAD).....	One for each four dwelling units
Publicly assisted housing, reserved for the elderly and/or handicapped:	
All Districts.....	One for each six dwelling units
Community based residential facility:	
All Districts other than C-3, C-4, C-5(PAD):	
1 to 8 persons housed...	1
9 to 15 persons housed..	2
16 or more persons housed.....	As determined by the BZA
C-3, C-4, C-5 Districts...	One for each ten persons housed
Rooming or boarding house:	
All Districts.....	One plus one for each five rooming units

<u>Uses</u>	<u>Amount of Parking Space Required</u>
Dormitory, sorority or fraternity house not approved as part of a campus plan:	
All Districts.....	One for each five beds
SCHOOLS	
Child Development Center:	
All Districts.....	One for each four teachers and other employees
Elementary and Junior High School:	
All Districts.....	Two for each three teachers and other employees
High school and accessory uses:	
All Districts.....	Two for each three teachers and other employees, plus either one for each twenty classroom seats or one for each ten seats in the largest, auditorium, gymnasium or area usable for public assembly, whichever is greater.
College or other institution of higher learning, business trade, or other school and accessory uses located on the campus:	
C-4, C-5 (PAD).....	No requirement
All other Districts.....	For each building two for each three teachers; plus either one for each ten classroom seats or one for each twelve stadium seats or one for each ten auditorium seats, whichever is greater, except as provided in §2106
INSTITUTIONS	
Hospital:	
C-4, C-5 (PAD).....	No requirement

<u>Uses</u>	<u>Amount of Parking Space Required</u>
All other Districts.....	One for each bed
PLACES OF PUBLIC ASSEMBLAGE EXCEPT HOTELS	
Churches:	
C-3-C, C-4, C-5 (PAD).....	No requirement
All other Districts.....	One for each ten seats of occupancy capacity in the main sanctuary, provided that where such seats are not fixed, each seven square feet usable for seating or each 18 inches of bench if benches are provided shall be considered one seat.
Arena, armory, assembly hall, auditorium, community center, concert hall, convention hall, dance hall, funeral parlor, ice or roller skating rink, public hall, stadium, or theatre:	
C-4, C-5 (PAD).....	No requirement
All other Districts.....	One for each ten seats of occupancy capacity for the first 10,000 seats, plus one for each 20 seats above the first 10,000, provided that where such seats are not fixed, each seven square feet usable for seating shall be considered one seat
Recreational building or use:	
All Districts.....	One for each 2,000 square feet devoted to the building or use
Boat club or marina	
All Districts.....	One for each four berths or slips
COMMERCIAL BUILDINGS	
Hotel or Inn:	
R-5-B, R-5-C.....	One for each two sleeping rooms or suites

<u>Uses</u>	<u>Amount of Parking Space Required</u>
R-5-D.....	One for each four sleeping rooms or suites
C-1, C-2, C-3-A, W.....	One for each two rooms usable for sleeping plus one for each 150 square feet of floor area in either the largest function room or the largest exhibit space, whichever is larger
SP, C-3-B, C-3-C, CR.....	One for each four rooms usable for sleeping plus one for each 300 square feet of floor area in either the largest function room or the largest exhibit space, whichever is larger
C-4, C-5 (PAD).....	One for each eight rooms usable for sleeping
C-M, M.....	One for each room usable for sleeping plus one for each 150 square feet of floor area in either the largest function room or the largest exhibit space, whichever is larger.
Chancery:	
R-5-C.....	One for each 1,200 square feet of gross floor area devoted to chancery use, or as determined by the Board of Zoning Adjustment
R-5-D.....	One for each 1,800 square feet of gross floor area devoted to chancery use, or as determined by the Board of Zoning Adjustment
D.....	One for each 800 square feet of gross floor area devoted to chancery use, or as determined by the Board of Zoning Adjustment
SP, W, CR, C, C-M, M.....	Same as required for general office

Office - General, including television and radio broadcast studio:

DEC. 28 1984

<u>Uses</u>	<u>Amount of Parking Space Required</u>
C-1, C-2-A, C-3-A.....	In excess of 2,000 square feet, one for each additional 600 square feet of gross floor area and cellar floor area
W, C-2-B, C-2-C, C-3-B, C-3-C, SP, CR.....	In excess of 2,000 square feet, one for each additional 1,800 square feet of gross floor area
C-4	
For a building or structure built on a lot having an area of 10,000 square feet or less.....	No requirement
For a building or structure built on a lot having an area of more than 10,000 square feet.	In excess of 2,000 square feet, one for each additional 1,800 square feet of gross floor area
C-5 (PAD).....	No requirement
C-M, M.....	In excess of 2,000 square feet, one for each additional 800 square feet of gross floor area and cellar floor area devoted to such use
Clinic:	
R-4, R-5.....	One space for each 300 square feet of gross floor area or cellar floor area
Office - Medical and dental, clinic, veterinary doctor or veterinary hospital:	
C-4.....	Same as required for general office
C-5 (PAD).....	No requirement
C-1, C-2-A, C-3-A:	
If the space devoted to medical or dental use is less than 25% of the	

<u>Uses</u>	<u>Amount of Parking Space Required</u>
gross floor area and cellar floor area of the entire structure.....	Same as required for general office for district in which located
If the space devoted to medical or dental use is 25% or more of the gross floor area and cellar floor area of the entire structure, for that portion of the structure devoted to medical and dental offices.....	Twice the number of spaces required for general office for district in which located
All other Districts:	
If the space devoted to medical or dental use is less than 25% of the gross floor area of the entire structure.....	Same as required for general office for district in which located
If the space devoted to medical or dental use is 25% or more of the gross floor area of the entire structure, for that portion of the structure devoted to medical and dental offices.....	Twice the number of spaces required for general office for district in which located
Retail or service establishment except gasoline service station and repair garage:	
C-1, C-2-A, C-3-A, C-M-1, M.....	In excess of 3,000 square feet, one for each additional 300 square feet of gross floor area and cellar floor area
W, CR, C-2-B, C-2-C, C-3-B, C-3-C, C-M-2, C-M-3.....	In excess of 3,000 square feet, one for each additional 750 square feet of gross floor area

<u>Uses</u>	<u>Amount of Parking Space Required</u>
C-4.....	In excess of 30,000 square feet, one for each additional 3,000 square feet of gross floor area
C-5 (PAD).....	No requirement.
Repair garage:	
All Districts.....	Four plus one for each 200 square feet of gross floor area
Gasoline service station:	
All Districts.....	One for each 300 square feet of gross floor area
MANUFACTURING, INDUSTRIAL OR WHOLESALE ESTABLISHMENT:	
All Districts.....	One for each 1,000 square feet of gross floor area
WAREHOUSE:	
All Districts.....	One for each 3,000 square feet of gross floor area
ALL OTHER USES:	
All Districts.....	One for each 600 square feet of gross floor area and cellar floor area

- 2101.2 Nothing contained in this section shall be construed to prohibit the establishment of accessory parking spaces in an amount which exceeds that required by §2101.1, provided that each case complies with all other applicable provisions of this chapter and chapter 23.
- 2101.3 Nothing contained in this section shall be construed to prohibit the establishment of parking spaces accessory to buildings or structures for which no required parking spaces are specified in §2101.1, provided that each case complies with all other applicable provisions of this chapter and chapter 23.
- 2102 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: C-4 DISTRICT
- 2102.1 In a C-4 District, the following provisions shall apply:
- 2102.2 The parking requirements applicable to a Disposition Lot as defined in the Urban Renewal Plan for the Downtown Urban Renewal Area shall be as specified in that Plan.
- 2102.3 The parking spaces required pursuant to §2101.1 for office and retail and service uses need not be limited to use by employees, occupants, guests, visitors or customers of such uses and may be used for general public parking.
- 2103 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: DOWNTOWN URBAN RENEWAL AREA
- 2103.1 Within the Downtown Urban Renewal Area, parking spaces required for all uses need not be provided if adopted public law or municipal regulation prohibits a curb cut on the street on which the lot faces and there is no other alternative access to the lot through a street or alley.
- 2103.2 Within the Downtown Urban Renewal Area, the Board of Zoning Adjustment is hereby authorized to reduce or eliminate the amount of parking spaces required for all uses and to approve parking plans for buildings or structures to provide all the required parking spaces in an off-site collective parking facility provided that the provisions of §§2103.3 through 2103.6 are satisfied.

- 2103.3 Parking spaces may be reduced if other adopted public law, policy or municipal regulation requires or recommends that the street not be broken with a curb cut and there is no other alternative access to the lot through a street or alley.
- 2103.4 The Board shall give consideration to the following factors:
- (a) The nature, and location of the structure;
 - (b) The maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;
 - (c) The amount of traffic congestion existing or which the building or structure can reasonably be expected to create in the neighborhood;
 - (d) The quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood which can reasonably be expected to be available when the building or structure is in use; and
 - (e) The proximity to public transportation, particularly Metrorail stations, and the quality of public transportation service in the area, or a ride-sharing program approved by the District of Columbia Department of Public Works;
- 2103.5 If the applicant relies on a ride-sharing program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.
- 2103.6 Before taking final action on an application, the Board shall refer the application to the District of Columbia Departments of Public Works and Housing and Community Development for review and report.
- 2104 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: NEAR METRORAIL STATIONS
- 2104.1 The number of parking spaces required under § 2101.1 for a nonresidential building or structure located within a radius of 800 feet of a Metrorail station entrance may be reduced by up to twenty-five percent, provided that:

- 2104.2 The building or structure is located in a nonresidential district and is at least 800 feet from any R-1, R-2, R-3, or R-4 Districts; and
- 2104.3 The Metrorail station is currently in operation or is one for which a construction contract has been awarded.
- 2105 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: CENTRAL EMPLOYMENT AREA
- 2105.1 The number of parking spaces required under Section 2101.1 for a nonresidential building or structure located within the Central Employment Area may be reduced or eliminated provided that:
- 2105.2 The building or structure has a direct connection to a Metrorail station currently in operation or for which a construction contract has been awarded.
- 2105.3 For a Disposition Lot, as depicted on Map No. 5 of the Urban Renewal Plan for the Downtown Urban Renewal Area, as modified by the National Capital Planning Commission and approved by the Council of the District of Columbia through July 5, 1983, parking may not be reduced below the limit specified in that Plan.
- 2106 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: COLLEGES AND UNIVERSITIES
- 2106.1 For a college or university use, if a campus plan has been approved by the Board of Zoning Adjustment for the college or university, parking shall be provided as set forth in the approved campus plan.
- 2107 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS: OUTSIDE THE CENTRAL EMPLOYMENT AREA
- 2107.1 The Board of Zoning Adjustment is hereby authorized to reduce or eliminate the amount of required parking spaces for nonresidential buildings or structures located outside the Central Employment Area provided that:
- 2107.2 The building or structure is provided with a direct connection to a Metrorail station currently in

operation or for which a construction contract has been awarded.

- 2107.3 The parking spaces normally required are not necessary to serve the use located in the building or structure. In determining whether the parking spaces are necessary, the Board shall give consideration to:
- (a) The nature and location of the building or structure and the nature and location of the connection to Metrorail.
 - (b) The maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;
 - (c) The amount of traffic congestion existing or which the building or structure can reasonably be expected to create in the neighborhood;
 - (d) The quantity of existing public, commercial, or private parking, other than on-street parking, on the property or in the neighborhood which can reasonably be expected to be available when the building or structure is in use; and
 - (e) The availability of public transportation service in the area, or a ride-sharing program approved by the District of Columbia Department of Public Works.
- 2107.4 If the applicant relies on a ride-sharing program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.
- 2107.5 Before taking final action on an application under this section, the Board shall refer the application to the District of Columbia Department of Public Works for review and report.
- 2108 REDUCTION OF PARKING SPACES: AUTHORITY OF THE BOARD
- 2108.1 The Board of Zoning Adjustment is hereby authorized to reduce the amount of parking spaces required for nonresidential uses by §2101.1 pursuant to the provisions of this section.

- 2108.2 The amount of required parking spaces shall not be reduced by more than twenty-five percent, provided that for a use which is in the category of "All Other Uses" in the table in §2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent.
- 2108.3 The Board shall give consideration to:
- (a) The nature and location of the structure;
 - (b) The maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;
 - (c) The amount of traffic congestion existing or which the building or structure can reasonably be expected to create in the neighborhood;
 - (d) The quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood which can reasonably be expected to be available when the building or structure is in use; and
 - (e) The proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area, or a ride-sharing program approved by the District of Columbia Department of Public Works.
- 2108.4 If the applicant relies on a ride-sharing program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.
- 2108.5 Before taking final action on an application, the Board shall refer the application to the District of Columbia Department of Public Works for review and report.
- 2109 APPLICABILITY OF RESIDENTIAL BUILDING
- 2109.1 For the purposes of §§2104, 2105, 2107 and 2108, a non-residential building or structure includes any building or structure where eighty percent or more of the gross floor area is devoted to a use other than a dwelling, flat, multiple dwelling, rooming or boarding house, community based residential facility or hospital.

2109 - 2114 RESERVED

2115 SIZE OF PARKING SPACES

- 2115.1 Except as otherwise provided in this section, a required automobile parking space shall be a minimum of nine feet in width and nineteen feet in length, exclusive of access drives, aisles, ramps, columns, office and/or work areas and shall be striped according to the requirements of §2117.3. Parking shall also be in compliance with the requirements of the District of Columbia Architectural Barriers Act of 1980 (D.C. Law 3-76, effective July 1, 1980).
- 2115.2 Any accessory parking area or accessory garage containing twenty-five or more required parking spaces, may designate up to forty percent of the parking spaces for compact cars. A compact car parking space shall be a minimum of eight feet in width and sixteen feet in length exclusive of access drives, aisles, ramps, columns, office and/or work areas and shall be striped according to the requirements of §2117.3. The spaces must be visibly marked as "compact car" or "small car" parking spaces and shall be placed in groups of at least five contiguous spaces with access from the same aisle.
- 2115.3 Except as provided in §§2115.4 and 2115.5, all parking spaces shall have a minimum vertical clearance of six feet, six inches.
- 2115.4 Where 100 or more parking spaces are provided, whether such spaces are required or not and whether such spaces are a principal use or an accessory use, at least five percent of the parking spaces shall have a minimum vertical clearance of seven feet, two inches.
- 2115.5 All entrances, exits, access aisles, ramps, and driveways providing access to parking spaces shall also have the minimum vertical clearances as prescribed in §§2115.3 and 2115.4, respectively.
- 2115.6 All parking spaces requiring the seven foot, two inch vertical clearance shall be clearly marked for "Van Parking Only."
- 2115.7 In a commercial building or structure, where at least seventy-five parking spaces are required according to the schedule of parking requirements

under §2101.1, which is located in a C-3-C, C-4, C-5(PAD), SP, W or CR District and where parking spaces are provided within a parking garage, parking may be provided as set forth in §§2115.8 through 2115.15.

- 2115.8 A minimum of 285 square feet of parking area shall be provided for each required parking space.
- 2115.9 Parking space dimensional, size, design and striping requirements stipulated under §§2115.1, 2115.2, 2117.3, 2117.5 and 2117.6 shall be waived, provided such parking is managed during a specified twelve-hour peak period to be determined by the Department of Public Works by employed attendants who park the vehicles using the parking facility. A permanent sign shall be posted at each entrance in full view of the public which states: "Attendant assisted parking is required by the District of Columbia Zoning Regulations." The sign shall also state the hours during which attendant parking is required. Such sign shall have a white background, with black lettering which is no less than two inches in height.
- 2115.10 All parking areas and spaces provided under § 2115.7 shall be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of any vehicle without moving any other vehicle onto public space.
- 2115.11 Where aisles are provided, such aisles shall meet the design requirements stipulated in §§2117.5 and 2117.6.
- 2115.12 All other requirements for parking, including but not limited to minimum height clearances and landscaping requirements, shall remain applicable.
- 2115.13 In the event parking by attendants as required in §2115.9 is discontinued, parking shall then be provided as otherwise required in these regulations. The applicant for a parking facility under this sub-section shall submit a parking plan on a medium acceptable to the Zoning Administrator which demonstrates how parking will be provided in the event such attendant parking is discontinued.
- 2115.14 No individual area shall be considered a part of the required parking area where the minimum lesser dimension is less than seven feet or where the minimum greater dimension is less than fourteen feet in rectangular area, exclusive of column obstructions.

- 2115.15 For the purposes of §2115.7, a commercial building or structure shall include any building or structure where eighty percent or more of the gross floor area is devoted to a use other than a dwelling, flat, multiple dwelling, rooming or boarding house, community based residential facility and hospital.
- 2116 LOCATION OF PARKING SPACES
- 2116.1 Except as provided in §§2113, 510, 708, 730, 743.2(d), 753.1(c), 803.1, 2103.2, 2116.5 and 2117.9(c), all parking spaces shall be located on the same lot with the buildings or structures they are intended to serve.
- 2116.2 Parking spaces shall be located in one of the following ways:
- (a) Within a permitted garage or carport, subject to the special provisions of chapter 23; or
 - (b) On an open area of the lot as follows:
 - (1) Within a rear yard;
 - (2) Within a side yard; or
 - (3) Except in an SP District, elsewhere on the lot if accessory to a commercial or industrial use.
- 2116.3 For a church, up to fifty percent of the number of parking spaces may be located elsewhere. Such spaces shall be located within 400 feet of the church in a public or private parking lot or garage where the required number of spaces are made available for the use of the church through a binding agreement with the owners of such parking facility. However, at least three parking spaces must be provided on the lot where the church is located.
- 2116.4 Required parking spaces shall not be located in the area between a building line and a lot line abutting a street.
- 2116.5 Except as provided in §2117.9, if approved by the Board of Zoning Adjustment, open parking spaces accessory to any building or structure may be located anywhere on the lot upon which the building or structure is located, or elsewhere, except in

the case of a one-family dwelling, in accordance with §§2116.6 through 2116.9.

- 2116.6 The Board must determine that it is not practical to locate such spaces in accordance with §2116.2 because of:
- (a) Unusual topography, grades, shape, size, or dimensions of the lot;
 - (b) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets;
 - (c) Traffic hazards caused by unusual street grades; or
 - (d) The location of required parking spaces elsewhere on the same lot or on another lot would result in more efficient use of land, better design or landscaping, safer ingress or egress, and less adverse impact on neighboring properties.
- 2116.7 When the accessory parking spaces are to be located elsewhere than on the lot upon which the building or structure they are intended to serve is located, such parking on adjacent lots or lots separated only by an alley from the lot upon which the building or structure is located, shall be preferred
- 2116.8 The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structure which they are designed to serve.
- 2116.9 The Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, set backs, fences, the location of entrances and exits, or any other requirement it shall deem necessary to protect adjacent or nearby property. It may also impose such other conditions as it shall deem necessary to assure the continued provision and maintenance of such spaces.
- 2117 ACCESS, MAINTENANCE, AND OPERATION
- 2117.1 The parking spaces required by this chapter shall be provided and maintained so long as the structure exists which the parking spaces are designed to serve.

- 2117.2 Required parking spaces shall not be reduced in total extent after their provision except upon approval of the Board of Zoning Adjustment and then only after proof that the parking spaces provided are no longer needed by reason of a reduction of employees, seats, gross floor area, dwelling units, or any other standard applicable to the use set forth in the regulations, provided the Board of Zoning Adjustment may impose any condition it shall deem necessary to assure the addition of parking spaces in case of a subsequent increase in employees, seats, gross floor area, dwelling units, or any other unit of measurement.
- 2117.3 All required parking spaces shall be clearly striped and lined according to the dimensions specified in §2115. Durable materials shall be used which are all-weather impervious. Striping shall be maintained for as long as the parking spaces requiring such striping are in existence.
- 2117.4 Each required parking space shall be accessible at all times directly from improved streets or alleys or shall be accessible from improved streets or alleys via graded and unobstructed private driveways which form an all-weather impervious surface. Improved streets or alleys providing access to required parking spaces shall have a minimum width of ten feet and be paved in compliance with the standards of the District of Columbia Department of Public Works.
- 2117.5 Except as provided in §§2115.7 through 2115.15 and 2117.6, when required parking spaces are so arranged that an aisle is required for accessibility or maneuvering space between rows of two or more parking spaces, or between a row of two or more parking spaces and the perimeter of the area devoted to parking spaces, such aisle shall have a clear width of not less than twenty feet for ninety degree angle parking, and not less than seventeen feet for angle parking which is sixty degrees or less as measured from the centerline of the aisle.
- 2117.6 Aisle widths as prescribed in §2117.5 serving compact car spaces exclusively shall have a clear width of not less than twenty feet for ninety degree angle parking and not less than sixteen feet for angle parking which is sixty degrees or less as measured from the centerline of the aisle.
- 2117.7 The public rights-of-way as well as private walkways and driveways shall be protected from vehicular encroachment from all parking spaces by wheel

bumper guards, curbs, guard rails, or screening between the property line and the perimeter of the parking area. Parking shall be so designed that no vehicle or any part thereof shall project over any lot line or building line.

2117.8 A driveway which provides access to required parking spaces shall meet the following standards:

- (a) It shall have a maximum grade of not more than twelve percent with a vertical transition at the property line.
- (b) A driveway serving a one-family dwelling or flat or which otherwise serves only one parking space shall be not less than seven feet in width.
- (c) A driveway serving any use other than a one-family dwelling or flat, or which serves more than one parking space shall be:
 - (1) Not less than twenty-five feet from a street intersection as measured from the intersection of the curb line extended;
 - (2) Not less than twelve feet in width if designed for one-way circulation or fourteen feet if designed for two-way circulation; and
 - (3) Not more than twenty-five feet in width.
- (d) A driveway which provides access directly from a street to a row dwelling or a flat shall be a minimum of twenty-eight feet from all adjacent driveways which provide access directly from a street to a row dwelling or a flat, as measured from the nearest edge of each such driveway opening.

2117.9 Driveways and parking for row dwellings shall be governed by the following special provisions:

- (a) In the case of two or more row dwellings which are constructed concurrently on adjacent lots, and have direct access only from the street, each two row dwellings shall provide access to the required off-street parking spaces through adjacent driveways that share one driveway opening. The width of each driveway shall not exceed seven feet on each lot.

- (b) In the case of a row dwelling located on a lot where there are as many as three row dwellings located on that lot or contiguous lots facing the same street, where access to the required parking space is only available directly from a street and no alternative access is available through existing or proposed alleys or private driveways, and where the driveway dimensional requirements stipulated in §2117.8(d) cannot be met, the required parking spaces need not be provided.
- (c) The Board of Zoning Adjustment may allow the parking spaces required for one or more row dwellings to be located on a separate lot provided that:
 - (1) There is no alternative access to on-site parking spaces through existing or proposed paved alleys or private driveways that meet the Design Standards of the District of Columbia Department of Public Works.
 - (2) Such parking spaces are so located as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structure which they are designed to serve.
 - (3) The Board determines that such separate parking does not impose any adverse impact on the surrounding neighborhood.
 - (4) Any application for such separate parking shall be submitted to the District of Columbia Department of Public Works for review and report.
 - (5) The Board may impose conditions as to screening, coping, setbacks, fences, the location of entrances or exits or any other requirement it shall deem necessary to protect adjacent or nearby property. It may also impose such other conditions as it shall deem necessary to assure the continued provision and maintenance of such spaces.

2117.10 All open parking spaces, including access aisles, driveways, and ramp areas shall be paved and maintained with bituminous, concrete or brick materials, or a combination of these materials or other materials approved by the District of Columbia

Department of Public Works as structurally equivalent or better, which form an all-weather impervious surface, and which is at least four inches in thickness.

- 2117.11 Landscaping with trees and shrubs shall be provided for all open parking spaces provided on a lot where there are more than ten open parking spaces provided collectively as accessory to any building or structure. Such landscaping shall cover a minimum of five percent of the total area devoted to parking, including aisles and driveways. Such landscaping shall be maintained in a healthy growing condition.
- 2117.12 Such open parking spaces shall be screened from all contiguous residential property located in an R-1, R-2, R-3, R-4, R-5-A or SP Districts by a solid brick or stone wall at least twelve inches thick and forty-two inches high or by evergreen hedges and/or evergreen growing trees which are thickly planted and maintained and are at least forty-two inches in height when planted.
- 2117.13 Any lighting used to illuminate such open parking spaces shall be so arranged that all direct rays of such lighting are confined to the surface of the paved area devoted to parking.
- 2117.14 Detailed plans shall be submitted to the District of Columbia Department of Public Works for approval of all curb cuts and driveway openings, to ensure that compliance with these regulations does not conflict with the responsibility of the Department of Public Works to protect safety in the public space.

2118 RULES OF INTERPRETATION

- 2118.1 For the purpose of this chapter, the rules of interpretation set forth in this section shall apply.
- 2118.2 Where individual seats are not provided, each eighteen inches of benches or other similar seating shall be considered as one seat.
- 2118.3 The number of teachers or employees shall be computed on the basis of the greatest number of persons to be employed at any one period during the day or night, including persons having both full-time and part-time employment.

- 2118.4 In computing the number of parking spaces required, that portion of the gross floor area or cellar area devoted to parking spaces, loading berths, loading platforms, service/delivery loading spaces and vehicular access to parking spaces, may be excluded
- 2118.5 In the case of mixed uses, the parking spaces required shall be the sum of the requirements for the various individual uses computed separately in accordance with §2101. Parking spaces for one use shall not be considered as providing the required parking spaces for any other use.
- 2118.6 Whenever calculations based on the schedule set forth in §2101 result in a fractional space, any fraction under one-half shall be disregarded, and any fraction of one-half or over shall require one parking space.
- 2118.7 No parking spaces are required for buildings or structures with a gross floor area and cellar floor area less than the minimum sizes specified in the schedule established by §2101. However, for buildings or structures containing more than one commercial use where the first 3,000 square feet of gross floor area and cellar floor area do not require parking, this exemption shall apply to the combined gross floor area and cellar floor area contained in the building or structure, and shall be pro-rated between the separate uses.
- 2118.8 In the case of parking reductions allowed under §§ 2102, 2103, 2104, 2105, 2107, 2108 and 2117.9(c), no more than one parking reduction shall be permitted under these sections. A reduction granted under one section shall be considered a reduction for all such sections.
- 2118.9 Except where otherwise indicated, whenever the word "all" is followed by the words "parking spaces" in the same sentence, the parking requirements as specified shall apply to all parking spaces whether or not such spaces are required by these regulations. Such requirements shall also apply to both accessory parking spaces and parking spaces which are constructed as a principal use unless otherwise specified.
- 2119 BICYCLE PARKING SPACES
- 2119.1 Bicycle parking spaces shall be provided for office, retail and service uses, except for retail

and service uses in the C-3-C, C-4, and C-5 (PAD) Districts.

- 2119.2 The number of bicycle parking spaces provided shall be at least equal to five percent of the number of automobile parking spaces required under §2101.1.
 - 2119.3 Bicycle facilities shall have convenient access from the building or structure and street or other bicycle right-of-way, be clean, secure and well lit and shall be located within a building or structure, either on the ground floor, basement, or first cellar level.
 - 2119.4 All bicycle parking spaces required under §2119.1 shall be a minimum of two feet in width and six feet in length.
 - 2119.5 An aisle five feet in width shall be provided between rows of bicycle parking spaces and between a row of bicycle parking spaces and the perimeter of the area devoted to bicycle parking.
 - 2119.6 If a room or common locker not divided into individual spaces is used to meet these requirements, twelve square feet of floor area shall be considered the equivalent of one bicycle parking space. Where manufactured metal lockers and/or racks are provided, each locker or stall devoted to bicycle parking shall be counted as one bicycle parking space.
 - 2119.7 For office uses in the C-4 and C-5 (PAD) Districts, bicycle parking spaces shall be provided as if the building or structure were located in a C-3-C District.
 - 2119.8 Signs shall be posted stating where bicycle parking spaces are located in each building or structure where bicycle parking spaces are required. Such signs shall be located in a prominent place at each entrance to the building or structure. Such sign shall have a white background, with black lettering which is no less than two inches in height.
 - 2119.9 For a building or structure existing on March 1, 1985, one percent (1%) of the amount of required parking spaces may be converted to bicycle parking spaces of appropriate size.
9. Establish loading requirements for all uses in all districts by deleting existing Chapter 22 and replacing it with a new Chapter 22, as follows:

CHAPTER 22

OFF-STREET LOADING REQUIREMENTS

2200 AUTHORITY TO REQUIRE LOADING FACILITIES

- 2200.1 All buildings or structures erected on or after May 12, 1958, shall be provided with loading berths, loading platforms, and service/delivery loading spaces to the extent specified in §2201, except as provided in §2202.
- 220.2 No application for a building permit for a building or structure to be erected on or after May 12, 1958, shall be approved unless there is included with the plans for such building or structure a loading plan showing the location, dimensions, and grades of all loading berths, loading platforms and service/delivery loading spaces and approaches thereto in accordance with the provisions of this chapter.
- 2200.3 No certificate of occupancy shall be issued for the use of a building or structure erected on or after May 12, 1958, unless the required loading berths, loading platforms and service/delivery loading spaces shall have been provided in accordance with the loading plan provided for in the approved building permit.
- 2200.4 Except as provided in §2200.5, when the use of a building or structure is changed to another use which requires more loading berths, loading platforms or service/delivery loading spaces than required for the use existing immediately prior to such change or, if the building or structure is vacant, the use which existed immediately prior to such vacancy, loading berths, loading platforms and service/delivery loading spaces shall be provided for the additional requirement in the amount necessary to conform to §2201.
- 2200.5 No additional loading berths, loading platforms or service/delivery loading spaces shall be required for a historic landmark or a building or structure located in a historic district which is certified by the State Historic Preservation Officer as contributing to the character of that historic district.
- 2200.6 When the intensity of use of a building or structure existing before May 12, 1958, is increased by an

addition or additions of dwelling units, gross floor area, seating capacity, or other unit of measurement specified in §2201, loading berths, loading platforms and service/delivery loading spaces shall be provided for such addition or additions, provided that the provisions of §§ 2200.7 through 2200.9 are satisfied.

- 2200.7 Loading berths, loading platform and service/delivery loading spaces shall not be required for the addition or additions unless such addition or additions increase the intensity of use of such building or structure by more than twenty-five percent of the aggregate.
- 2200.8 Loading berths, loading platforms and service/delivery loading spaces for such addition or additions need not exceed the amount of loading berths, loading platforms and service/delivery loading spaces which would be required for the entire structure as proposed if constructed new.
- 2200.9 The determination of the increase of intensity of use shall be based on the total increase in intensity of use such structure undergoes on or after May 12, 1958, whether such total increase occurs at one time or in successive stages.
- 2201 SCHEDULE OF REQUIREMENTS FOR LOADING BERTHS, LOADING PLATFORMS, AND SERVICE/DELIVERY LOADING SPACES
- 2201.1 On and after May 12, 1958, all buildings or structures shall be provided with loading berths, loading platforms and service/delivery loading spaces as specified in the following table:

Uses and Districts	Minimum Number and Size of Loading Berths Required	Minimum Number and Size of Loading Platforms Required	Minimum Number and Size of Service/Delivery Loading Spaces Required
Office Building in W, CR, C-2-B, C-2-C, and C-M-1 Districts:			
with 20,000 to 50,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
with more than 50,000 to 200,000 square feet of gross floor area	2 @ 30 feet deep	2 @ 100 sq. ft.	1 @ 20 feet deep
with more than 200,000 square feet of gross floor area	3 @ 30 feet deep	3 @ 100 sq. ft.	1 @ 20 feet deep
Office Building in C-1, C-2-A and C-3-A Districts:			
with 20,000 to 50,000 square feet of gross floor area and cellar floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
with more than 50,000 to 200,000 square feet of gross floor area and cellar floor area	2 @ 30 feet deep	2 @ 100 sq. ft.	1 @ 20 feet deep
with more than 200,000 square feet of gross floor area and cellar floor area	3 @ 30 feet deep	3 @ 100 sq. ft.	1 @ 20 feet deep
Office Building in all other Districts:			
with 30,000 to 100,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep

Uses and Districts	Minimum Number and Size of Loading Berths Required	Minimum Number and Size of Loading Platforms Required	Minimum Number and Size of Service/Delivery Loading Spaces Required
with more than 100,000 to 200,000 square feet of gross floor area	2 @ 30 feet deep	2 @ 100 sq. ft.	1 @ 20 feet deep
with more than 200,000 square feet of gross floor area	3 @ 30 feet deep	3 @ 100 sq. ft.	1 @ 20 feet deep
Grocery Store or Drug Store in C-1, C-2-A and C-3-A Districts:			
with 5,000 to 20,000 square feet of gross floor area and cellar floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
with more than 20,000 to 100,000 square feet of gross floor area and cellar floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep
with more than 100,000 square feet of gross floor area and cellar floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 sq. ft. 2 @ 200 sq. ft.	1 @ 20 feet deep
Grocery Store or Drug Store in W, CR, C-2-B, C-2-C, C-M-1 and C-M-2 Districts:			
with 5,000 to 20,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
with more than 20,000 to 100,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep
with more than 100,000 square feet of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 sq. ft. 2 @ 200 sq. ft.	1 @ 20 feet deep

Uses and Districts	Minimum Number and Size of Loading Berths Required	Minimum Number and Size of Loading Platforms Required	Minimum Number and Size of Service/Delivery Loading Spaces Required
Grocery Store or Drug Store in C-3-B, C-3-C, C-4, C-5 (PAD), C-M-3 and M Districts:			
with 8,000 to 20,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
with more than 20,000 to 100,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep
with more than 100,000 square feet of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 sq. ft. 2 @ 200 sq. ft.	1 @ 20 feet deep
Retail or Service Establishment other than Grocery Store or Drug Store in C-1, C-2-A and C-3-A, Districts:			
with 5,000 to 20,000 square feet of gross floor area and cellar floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
with more than 20,000 to 30,000 square feet of gross floor area and cellar floor area	2 @ 30 feet deep	2 @ 100 sq. ft.	1 @ 20 feet deep
with more than 30,000 to 100,000 square feet of gross floor area and cellar floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep
with more than 100,000 square feet of gross floor area and cellar floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 sq. ft. 2 @ 200 sq. ft.	1 @ 20 feet deep

Uses and Districts	Minimum Number and Size of Loading Berths Required	Minimum Number and Size of Loading Platforms Required	Minimum Number and Size of Service/Delivery Loading Spaces Required
Retail or Service Establishment other than Grocery Store or Drug Store in W, CR, C-2-B, C-2-C, C-M-1 and C-M-2 Districts:			
with 5,000 to 20,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
with more than 20,000 to 30,000 square feet of gross floor area	2 @ 30 feet deep	2 @ 100 sq. ft.	1 @ 20 feet deep
with more than 30,000 to 100,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep
with more than 100,000 square feet of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 sq. ft. 2 @ 200 sq. ft.	1 @ 20 feet deep
Retail or Service Establishment other than Grocery Store or Drug Store in C-3-B, C-3-C, C-4, C-5(PAD), C-M-3 and M Districts:			
with 8,000 to 20,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
with more than 20,000 to 30,000 square feet of gross floor area	2 @ 30 feet deep	2 @ 100 sq. ft.	1 @ 20 feet deep
with more than 30,000 to 100,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep
with more than 100,000 square feet of gross floor area	1 @ 30 feet deep 2 @ 55 feet deep	1 @ 100 sq. ft. 2 @ 200 sq. ft.	1 @ 20 feet deep

Uses and Districts	Minimum Number and Size of Loading Berths Required	Minimum Number and Size of Loading Platforms Required	Minimum Number and Size of Service/Delivery Loading Spaces Required
Wholesale Use or Warehouse in C-1, C-2, C-3-A, C-M-1 and C-M-2 Districts:			
with 2,000 to 20,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
with more than 20,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	none
for each 200,000 square feet of gross floor area more than 100,000 square feet	1 @ 55 feet deep	1 @ 200 sq. ft.	none
Wholesale Use or Warehouse in W, CR, C-3-B, C-3-C, C-4, C-5 (PAD), C-M-3 and M Districts:			
with 4,000 to 20,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
with more than 20,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	none
for each 200,000 square feet of gross floor area more than 100,000 square feet	1 @ 55 feet deep	1 @ 200 sq. ft.	none
Manufacturing or Industrial Establishment in all Districts:			
with 5,000 to 25,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
with more than 25,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	none

Uses and Districts	Minimum Number and Size of Loading Berths Required	Minimum Number and Size of Loading Platforms Required	Minimum Number and Size of Service/Delivery Loading Spaces Required
for each 100,000 square feet of gross floor area more than 50,000 square feet	1 @ 55 feet deep	1 @ 200 sq. ft.	none
Apartment House or multiple dwelling with 50 or more dwelling units in all Districts	1 @ 55 feet deep	1 @ 200 sq. ft.	1 @ 20 feet deep
Hotel, for guest room areas, in all Districts:			
with 30 to 200 rooms usable for sleeping	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
with more than 200 rooms usable for sleeping	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep
Hotel, for function rooms and exhibit space, in all Districts:			
with a total of 10,000 square feet or more of floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	none
for each 50,000 square feet of floor area more than 50,000 square feet	1 @ 55 feet deep	1 @ 200 sq. ft.	none
Inn, in all Districts:			
with 30 to 200 rooms usable for sleeping	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
with more than 200 rooms usable for sleeping	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep

Uses and Districts	Minimum Number and Size of Loading Berths Required	Minimum Number and Size of Loading Platforms Required	Minimum Number and Size of Service/Delivery Loading Spaces Required
Theater or group of theaters in one building, with more than 500 seats in all Districts	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
Any other use in all Districts:			
with 30,000 to 100,000 square feet of gross floor area	1 @ 30 feet deep	1 @ 100 sq. ft.	1 @ 20 feet deep
with more than 100,000 square feet of gross floor area	1 @ 30 feet deep 1 @ 55 feet deep	1 @ 100 sq. ft. 1 @ 200 sq. ft.	1 @ 20 feet deep

- 2201.2 For any use that occupies ninety percent or more of the gross floor area and cellar floor area of a building or structure, loading berths shall be calculated based on the entire gross floor area and cellar floor area of the building or structure as if the greater use occupied the entire building or structure.
- 2201.3 No loading platform need be provided for loading berths if the required loading berth is increased in depth for the full width thereof in such amount that the resulting enlarged loading berth is equal to the combined area of a required loading berth and a required loading platform.
- 2201.4 In a C-4 District, the loading berth, loading platform and service/delivery loading space requirements applicable to a Disposition Lot so identified in the Downtown Urban Renewal Plan shall be as specified in that Plan.
- 2201.5 All required service/delivery loading spaces shall be a minimum of ten feet wide and shall have a minimum vertical clearance of ten feet. Each service/delivery loading space shall be clearly marked "For Service and Delivery Vehicles Only" and be used exclusively for such vehicles.
- 2301.6 All required loading berths shall be a minimum of twelve feet wide and shall have a minimum vertical clearance of fourteen feet.
- 2301.7 All required loading platforms shall meet the following requirements:
- (a) A platform which must be at least 100 square feet shall have a minimum width of eight feet.
 - (b) A platform which must be at least 200 square feet shall have a minimum width of twelve feet.
 - (c) A loading platform shall have a minimum vertical clearance of ten feet.
 - (d) A loading platform floor shall consist of one horizontal level.
- 2201.8 The dimensions specified above for loading berths and service/delivery loading spaces are exclusive of access aisles, maneuvering space and loading platforms.

2202 EXCEPTIONS TO THE SCHEDULE OF REQUIREMENTS

2202.1 Within the Downtown Urban Renewal Area, loading berths and service/delivery loading spaces required for all uses need not be provided if adopted public law or municipal regulation prohibits a curb cut on the street on which the lot faces and there is no other alternative access to the lot through a street or alley.

2202.2 Within the Downtown Urban Renewal Area, the Board of Zoning Adjustment is hereby authorized to reduce or eliminate the amount of loading berths and service/delivery loading spaces required and to approve the use of off-site loading facilities, including joint loading berths and service/delivery loading spaces, provided that:

- (a) Other adopted public law, policy or municipal regulation requires or recommends that the street not be broken with a curb cut and there is no other alternative access to the lot through a street or alley;
- (b) The reduction, elimination, location or consolidation would not adversely affect traffic conditions or use of other public space;
- (c) There would be no adverse effects on adjacent properties or topography;
- (d) The Board of Zoning Adjustment may impose conditions as to screening, lighting, coping, setbacks, fences, the location of entrances and exits, the widening of abutting alleys or any other requirement it deems necessary to protect adjacent or nearby property, and to generally promote the public health, safety and welfare; and
- (e) Before taking final action on an application, the Board shall refer to the application to the District of Columbia Department of Public Works for review and report.

2203 LOCATION OF LOADING BERTHS, LOADING PLATFORMS AND SERVICE/DELIVERY LOADING SPACES

2203.1 Except as provided below, all required loading

berths and service/delivery loading spaces shall be located as follows:

- (a) Within the building or structure the berths or spaces are designed to serve; or,
- (b) On an open area of the lot:
 - (1) Within a rear yard;
 - (2) Within a side yard, provided that when in a Residential or Special Purpose District, such loading berths and service/delivery loading spaces shall be at least three feet from any side lot line; or
 - (3) Elsewhere on the lot, only when located in Commercial and Industrial districts.

2203.2 All loading platforms shall be located contiguous and with unobstructed access to the loading berth and shall have unobstructed access to an entrance to the building or structure.

2203.3 All loading berths shall be designed so that no vehicle or any part thereof shall project over any lot line or building line.

2203.4 Required loading berths may be provided in facilities designed to serve jointly two or more adjoining buildings or structures on lots separated only by an alley within a single square, provided that:

- (a) The number of berths in such joint facilities shall not be less than that required for the total combined floor area of the buildings or structures as set forth in §2201.
- (b) A binding covenant which is acceptable to the Zoning Administrator, ensuring the joint use of the loading berths and entered into by all property owners concerned, shall be recorded in the land records of the District of Columbia. A certified true copy of the covenant shall be filed with the Zoning Administrator. Joint use of the loading berths by all parties involved shall continue in effect so long as such binding agreement remains in force. If such agreement becomes legally ineffective or inoperable, then loading berths shall be provided as otherwise required by §2201.

2204 ACCESS, MAINTENANCE AND OPERATION

- 2204.1 All loading berths and service/delivery loading spaces including access aisles, driveways, and maneuvering areas shall be paved and maintained with bituminous, concrete or brick materials or a combination of these materials or other materials if approved by the District of Columbia Department of Public Works as structurally equivalent or better, which form an all-weather impervious surface and which is at least six inches in thickness.
- 2204.2 All required loading berths and service/delivery loading spaces shall be directly accessible from an improved street or alley or shall be accessible from an improved street or alley via graded and unobstructed private driveways which form an all-weather impervious surface.
- 2204.3 An improved street or alley providing access to required loading berths and service/delivery loading spaces shall have a minimum width of ten feet and be paved in compliance with the standards of the District of Columbia Department of Public Works.
- 2204.4 A private driveway or access aisle leading to a loading berth or service/delivery loading space shall have a minimum width of twelve feet, a maximum width of twenty-five feet and a maximum slope of twelve percent.
- 2204.5 For a building or structure having three or more required loading berths in one location, the loading berths may be arranged so that access to a loading berth is across the length of one other loading berth.
- 2204.6 Driveway openings leading to loading berths and service/delivery loading spaces shall meet the following requirements:
- (a) Such openings serving a service/delivery loading space or a loading berth which is thirty feet deep or less shall be at least forty feet from the nearest street intersection measured from the intersection of the curb lines extended.
 - (b) Such openings serving a loading berth which is more than thirty feet deep shall be at least fifty-five feet from the nearest street

intersection measured from the intersection of the curb lines extended.

- (c) No curb cut providing access to a loading berth or service/delivery loading space shall be located in such a way that a vehicle entering or exiting from the loading berth shall block any street intersection.

- 2204.7 Detailed plans must be submitted to the District of Columbia Department of Public Works for approval of all curb cuts and driveway openings, to ensure that compliance with these regulations does not conflict with the responsibility of the Department of Public Works to protect safety in the public space.
- 2204.8 A loading berth or service/delivery loading space, including access aisles, driveways and maneuvering areas, shall be maintained and used as a loading berth or service/delivery loading space for as long as the use exists which the loading berth or service/delivery loading space is designed to serve.
- 2204.9 No other use shall be conducted from or upon the loading berth or service/delivery loading space or any portion thereof.
- 2204.10 All parts of the loading berth or service/delivery loading space including access aisles, driveways and maneuvering areas shall be kept free of refuse, debris, and other obstructions of any kind.
- 2204.11 A loading berth or service/delivery loading space shall be designed so that it is usable as a loading berth or service/delivery loading space by a vehicle for which the loading berth or service/delivery loading space is designed to serve.
- 2204.12 Open loading berths or service/delivery loading spaces shall be screened from all contiguous residential property located in an R-1, R-2, R-3, R-4 or R-5-A District by a solid masonry wall at least twelve inches thick and seventy-two inches high unless such loading berth is separated from contiguous residential property by at least twenty five feet or by a street or alley. Any lighting used to illuminate a loading berth, loading platform or service/delivery loading space shall be arranged so that all direct rays of such lighting are confined to the surface of the berth, platform or space.

2204.13 If approved by the Board of Zoning Adjustment, the conditions set forth in §2204 may be waived or modified, provided that:

- (a) Existing protective and screening walls on the site or on adjacent residential property are adequate;
- (b) The modifications do not adversely affect traffic conditions or use of other public space;
- (c) No adverse effect would be caused by the requested waiver or modification of standards on adjacent properties or topography;
- (d) The resulting loading berths and approaches to the berths are usable by the type of vehicles they are designed to serve;
- (e) The Board of Zoning Adjustment may impose conditions as to screening, lighting, coping, setbacks, fences, the location of entrances and exits, the widening of abutting alleys or any other requirement it deems necessary to protect adjacent or nearby property, and to generally promote the public health, safety and welfare; and
- (f) Before taking final action on such an application, the Board shall refer the application to the District of Columbia Department of Public Works for review and report.

2205 RULES OF INTERPRETATION

- 2205.1 For the purpose of this chapter, the rules of interpretation set forth in this section shall be applicable.
- 2205.2 In computing the number of loading berths required, that portion of the gross floor area or cellar floor area devoted to parking spaces, loading berths, service/delivery loading spaces or loading platform area shall be excluded.
- 2205.3 Except as provided in §2203, in the case of mixed uses the loading berths required shall be the sum of the requirements for the various individual uses computed separately in accordance with §2201. At least one loading berth shall be provided when the sum of the gross floor area of the separate uses

exceeds the minimum gross floor area requiring loading berths for any one of the separate uses. Loading berths for one use shall not be considered as providing the required loading berths for any other use except as provided in §2203.

2205.4 No loading berths are required for buildings or structures with a gross floor area less than the minimum sizes specified in the schedule established by §2201.

10. Amend the "Special Regulations for Garages, Carports, Parking Lots and Gasoline Service Stations" in Chapter 23 as follows:

A. Require a driveway to be at least forty feet from an intersection by changing "25 feet" to "forty feet" in subsections 2301.3, 2302.4 and 2303.1(d).

B. Revise the paving requirements for parking lots by amending subsection 2303.1(a) to read as follows:

(a) All areas devoted to driveways, access lanes, and parking areas shall be paved and maintained with bituminous concrete or brick materials, or a combination of these materials or other material approved by the District of Columbia Department of Public Works as structurally equivalent or better, which form an all-weather impervious surface, and which is a minimum of four inches in thickness.

C. Add a requirement for landscaping of parking lots in all districts, by adding a new Sub-section 2303.1(f), as follows:

(f) The parking lot shall be kept free of refuse and debris and shall be landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance. Landscaping with trees and shrubs shall cover a minimum of five percent of the total area of the parking lot, or an area as determined by the Board of Zoning Adjustment for a parking lot otherwise requiring Board approval.

D. Require appropriate screening for parking lots in or near R-4 and R-5-A Districts by revising Section 2303.2 to read as follows:

2303.2 In addition to the provisions of §2303.1, a parking lot located in an R-1, R-2, R-3, R-4 or

R-5-A District and a parking lot located in any other district where such parking lot is contiguous to an R-1, R-2, R-3, R-4 or R-5-A District, shall be screened from all contiguous residential property located in an R-1, R-2, R-3, R-4 or R-5-A District by a solid brick or stone wall at least twelve inches thick and forty-two inches high or by evergreen hedges and/or evergreen growing trees which are thickly planted and maintained and are at least forty-two inches in height when planted.

11. Revise the table of special exceptions in subsection 3108.1 as follows:
 - A. Under "Exceptions to parking requirements for non-residential uses," change "Any SP, C-M or M District" to "Any District," and change "2102" to "2108."
 - B. Add "Parking spaces - reduction near Metrorail station," "Any District," "2107."
 - C. Add "Loading berth - modification of standards," "Any District," "2204.13."
 - D. Delete "Off-street parking," CR," "607."
 - E. Add "Parking spaces - reduction in Downtown Urban Renewal Area," "Any District," "2103.2 - 2103.6."
 - F. Add "Exception to parking requirements for row-houses," "Any District," "2117.9(c)."
 - G. Add "Loading berths - reduction in Downtown Urban Renewal Area," "Any District," "2202.2."
 - H. Under "Parking lot," delete "334."
 - I. Under "Exceptions to parking space location requirements," delete "335" and change "2104.3" to "2116.5 - 2116.9."
 - J. Under "exceptions to carport location requirements," change "2104.3 - 2104.6" to "2116.5 - 2116.9."