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D.C. OFFICE OF PLANNING
ZONING**MEMORANDUM**

TO: District of Columbia Zoning Commission

FROM: Travis Parker, Zoning Review Project Manager *TP*

DATE: February 14, 2011

SUBJECT: Hearing Report for ZC #08-06 – Zoning Regulations Review
▪ Subtitle J: Production, Distribution and Repair

Zoning Review Process to Date

The Zoning Review has held public working groups by subject area, with up to twenty subject areas to be covered over the course of the process. Each subject area is reviewed in consultation with a public working group that discusses issues identified in the Comprehensive Plan as well as issues arising from the existing Zoning Regulations. Recommended changes are then forwarded to the 24-member appointed Task Force for further review and input. Finally, recommendations for each subject area are made available for public review including a public hearing before the Zoning Commission. 19 of the 20 topic areas have gone through the public working group process. After the conclusion of public review for each subject areas, OP is working with the Office of the Attorney General to draft zoning language to reflect the proposed policy changes.

OP is in the process of drafting portions of text based on the proposed reorganization of the code and the conceptual recommendations previously approved by the Zoning Commission. Each section of text will be brought forward and heard at public hearings separately over the course of approximately 6 months. After all sections of text have been heard by the Commission, those separate text sections will be unified into a proposed set of zoning regulations that will be the subject of a final public review process.

Report Content

This report contains the following sections:

- I. Review of the process for developing the recommendations
- II. Discussion of the naming system
- III. Description and discussion of major changes to PDR zones including:
 - a. Limited non-PDR FAR
 - b. Standardized buffer requirements
 - c. Remove standards of external effects
 - d. GAR levels in PDR
 - e. Corrections to advertised text
- IV. Outline of Subtitle J

ZONING COMMISSION
District of Columbia

CASE NO. 08-06

EXHIBIT NO. 122
ZONING COMMISSION
District of Columbia
CASE NO. 08-06
EXHIBIT NO. 122

I. Review of Process for Developing Recommendations

OP convened working groups to discuss Industrial zoning that met on several occasions in June and July 2008. OP developed preliminary recommendations for these zones and sent them to the Zoning Review Taskforce for review and discussion at a meeting in September 2008.

Recommendations were also posted on OP's Zoning Update website for public review. OP subsequently refined the recommendations and transmitted them to the Zoning Commission for a public hearing held on November 20, 2008. The Zoning Commission responded with guidance to OP on the proposed recommendations. The guidance document for industrial recommendations is attached as Attachment A.

II. Naming System

Inherent in a new organization of the regulations is a new naming system. The existing zone names are tied directly to the existing code structure and can not be well translated to the new code.

Currently, the zone district names refer to general categories of uses such as R for residential, C for Commercial, CM for Commercial Manufacturing, W for Waterfront. The category reference is typically followed by number indicating a level of use intensity; such as the C-1 which has the most restricted list of commercial uses or R-3 which permits rowhouses but not apartments. As the number increases the range of uses increase and, in general, incorporate the uses in the more restrictive zones. There is also a third letter at the end of the single and multifamily residential and the commercial zones that indicate a progressive degree of density and building standards. For example, in the zone name C-2-B the "C" refers to Commercial, the "2" refers to a list of uses more extensive than C-1 zones, but less extensive than C-3 zones, and the "B" refers to medium density with a correlating set of building development standards, larger than "A", but smaller than "C."

Additional standards are often applied to specific geographic area and are represented by an overlay designation such as WP/C-1 which represents specific limitation of the C-1 zone in the area defined by the Woody Park overlay. This nomenclature can be cumbersome as multiple overlays impact specific areas such CAP/CHC/C-2-A which is a C-2-A zone modified by both the Capital Interest Overlay (CAP) and the Capital Hill overlay (CHC).

In the new ordinance, OP has proposed a similar pattern of naming that reflects the general use category but is easier to use and amend over time. The first letter will continue to be a reference to the general use and will be found in the appropriate subtitle. The second digit will correspond to development standards table which will include such things as FAR, height, and lot occupancy. The third digit will be a letter that indicates the use permissions chart for the zone. This digit will correspond to a column in the use permission chart. Finally, a fourth digit will indicate any other specific or unique regulations that apply to the zone. This can include things like street frontage design requirements, transition requirements, and other zoning requirements.

Existing Industrial Zone	Proposed PDR Zone
C-M-1	P-1-A-1
C-M-1/FT	P-1-A-1
C-M-1/LO	P-1-A-1
C-M-1/CAP	P-2-A-1
C-M-2	P-3-A-1
C-M-3	P-4-B-1
M	P-5-C-1
M/FT	P-6-C-1

The above chart shows all of D.C.'s existing industrial zones, including overlay combinations, and the proposed new name based on the new coding system. In the new codes, the "P" refers to the PDR subtitle; meaning that these are Production Distribution and Repair zones. The number refers to a development standards table. Where the number is the same, all of the development standards (FAR, height, etc.) are the same. The third letter refers to a column in the use permissions table. Where this letter is the same, the same use permissions apply. The fourth digit in the existing PDR zones is always a "1" because the same buffering standards are being applied to each zone. Future changes to buffering standards in any single PDR zone would change this digit to a "2".

III. Changes to PDR Zones

Background

According to the 2006 Industrial Land use study, C-M and M zones comprise just under 2,000 acres and make up only about five percent of total DC land. The study also details other constraints on industrial development:

The predominance of railroad tracks within the largest industrial areas limits the amount of *buildable* land even further. Roads, streets, alleys, other right-of-ways reduce lot sizes and building footprints elsewhere. New York Avenue/Bladensburg, for example, is the second largest industrial area, totaling 328 acres, but 22 percent of it, about 77 acres, is road or railroad/transportation right-of-way.

Moreover, most of this limited amount of industrial land is already occupied, and therefore existing PDR businesses have limited room to expand in place and DC has diminished potential of attracting of new PDR businesses. By our calculations, only about 27 acres, or 1.2 percent, of the land in industrial areas is vacant.

Additionally, most of these sub-areas are greatly subdivided—only five industrial areas have average lot sizes of more than one acre. Fifteen industrial areas have average parcel sizes of less than an acre, and eight of those areas have average parcel sizes of less than 20,000 square feet, or, less than one-half of an acre.

Finally, a total of 447 acres of PDR land are under direct pressure or have already been lost—94 acres of PDR land is under pressure from housing and related neighborhood development, 111 acres area to be enveloped by large-scale initiatives such as the Anacostia Waterfront Initiative (AWI), and the Buzzard Point / Capitol Gateway Overlay District initiative resulted in the rezoning of 242 acres of PDR land.

Therefore, the District's supply of remaining industrial land is very limited and continues to shrink. While it is impossible to calculate the non-reducible core that must be preserved in perpetuity, it is clear that the District should exercise all caution in future land use decisions, for the evidence from this study suggests that the city may be approaching that lower bound.

Comprehensive Plan

The Comprehensive Plan's policies and action items address industrial uses in several citywide and area elements. The discussion of industrial land uses within the Plan ranges from identifying areas where industrial land should be retained, to suggesting locations and strategies for rezoning industrial lands for other uses, to developing techniques to lessen the impacts of industrial land uses on neighboring residential areas. Supporting comprehensive plan text regarding industrial land use is listed with each recommendation in Section IV.

Section 3.1 of the Land Use Element of the Comprehensive Plan addresses industrial uses and the protection of industrial land. Topics include the conservation and protection of existing industrial areas, mitigation of industrial impacts, the placement of industrial uses, and the relation of industrial uses to other use categories.

The Comprehensive Plan also addresses industrial land uses in the Economic Development and Environmental Protection Elements in sections ED-2.5 and E-5. The Economic Development Element discusses retaining Production, Distribution, and Repair (PDR) land as a way to help foster a diverse economy that maintains and creates living wage jobs. In the Environmental Protection Element, the discussion of industrial uses is framed by issues of environmental justice and our efforts to prevent a concentration of industrial uses in a particular community or geographic area. This section of the Plan also discusses the need for better measurement and enforcement of existing regulations that address the external effects often associated with industrial uses (e.g., noise regulations), and the need to study the health impacts of industrial uses when making land use decisions.

Industrial land uses are also discussed in six Area Elements. Depending on the location, varying policies and actions were proposed. In the Lower Anacostia Waterfront/Near Southwest (AW-1), suggested actions included reducing the amount of industrial land to allow new redevelopment along the waterfront. In parts of the Far Northeast and Southeast and Rock Creek East areas, Plan policies focused on providing adequate buffers between residential and industrial uses, improving the appearance and screening of industrial uses, and suggesting areas where it may be appropriate to consider land use changes from industrial to mixed or residential uses (FNS-1.2 & RCE-1.2). The Upper Northeast Area Element includes the most comprehensive discussion of PDR uses as this part of the District contains the highest

concentration of industrial land. Suggested actions included retaining PDR land along the New York Avenue NE corridor, encouraging mixed uses in certain areas, and retaining existing municipal land uses and guiding future development to maintain their viability (UNE-2.3).

Limiting Non-PDR Uses

To balance the guidance to retain industrially zoned land for PDR uses while also permitting some office and retail use in PDR zones, the Office of Planning recommended, and the Commission gave positive guidance for, a cap on the amount of non-PDR uses in PDR zoned areas while also increasing the total development envelope slightly in the C-M-1 and C-M-2 zones. Under this proposal, PDR zones would limit, but continue to permit, retail and office uses; most new residential development would continue to be prohibited. This system was designed with non-PDR floor area ratio caps that matched the existing conditions in these zones so that there would be maximum flexibility to use existing buildings for all commercial and industrial uses, but that new larger buildings would be required to contain a PDR component. This system would accomplish both Comprehensive Plan goals by retaining the right to use existing buildings for any commercial or institutional use, while ensuring that development potential is reserved for PDR uses in new buildings.

Zone	Current Maximum FAR	Proposed Maximum FAR	Proposed Non-PDR FAR Limit
P-1-A (C-M-1)	3.0 FAR	3.5 FAR	2.0 FAR
P-2-A (C-M-1/CAP)	3.0 FAR	3.5 FAR	2.0 FAR
P-3-A (C-M-2)	4.0 FAR	4.5 FAR	3.0 FAR
P-4-B (C-M-3)	6.0 FAR	6.0 FAR	4.0 FAR
P-5-C (M)	6.0 FAR	6.0 FAR	1.0 FAR
P-6-C (M/FT)	6.0 FAR	6.0 FAR	1.0 FAR

During the hearing, the Commission questioned whether the proposed changes to FAR will not go far enough to limit non-industrial use of land in PDR zones. During the working group review, OP examined multiple ways to accomplish this goal. Specifically, in addition to the proposed option, OP analyzed a complete limitation on non-PDR uses and a requirement that buildings be built to accommodate PDR uses even if intended for non-PDR uses.

OP found that a complete limitation on non-PDR uses was impracticable. First, the change would make most of the existing uses in PDR zones non-conforming. Currently only approximately 15% of industrially zoned land is used for PDR uses (not counting the nearly 47% that is used for roads, railroads, and other rights-of-way). Second, there are several non-PDR uses that are prohibited or severely limited in non-PDR zones. Retaining a place for these uses to locate is both a practical and legal necessity.

OP also found that requiring new buildings to be built to accommodate PDR uses would be difficult and ineffectual. Such a requirement would potentially add significant costs to the construction of new buildings and, while retaining the *availability* of space for PDR, would have no direct impact on the market factors pushing non-PDR uses into PDR zones. It could have the

opposite result by requiring a property owner to over-invest in the construction of a building for a use that might otherwise locate as a temporary use in a building that could easily be dismantled after a few years.

The Office of Planning continues to recommend a nuanced FAR limitation as outlined above.

Standard PDR Buffer Requirement

At setdown, the Zoning Commission Chairman stressed the need to ensure there is adequate and uniform buffering of residential zones from industrial uses. The proposed text combines the buffering requirement of several different parts of the PDR chapter into a single set of requirements. The existing Langdon Overlay establishes a standard 25 foot yard buffer between industrial and Residential zoning (15 feet on a street or alley) that must be screened. Applying this buffer requirement universally for *all* areas where the PDR districts abut residential zones removes the need to differentiate the Langdon Overlay from other industrial zones. The establishment of a 25 foot yard buffer would also apply to side and rear yards adjacent to residential zones and would exceed the current side and rear yard standards of eight feet and twelve feet respectively.

External Effects Standards

The existing code contains a section defining standards of external effects for industrial uses (§804 11 DCMR). This section dates to the original 1958 code and is intended to provide limits on potential impacts from noise, smoke, fumes, glare, and vibration. Since the adoption of the 1958 code, many if not all of these standards have been addressed in other portions of the DC Municipal Regulations and are regulated now by the District Department of Environment. OP has worked with DDOE to ensure that these effects are indeed regulated in Title 20 DCMR. To avoid redundancy and potential conflicts, the proposed new zoning text does not include the section on external effects because they are now regulated by DDOE in Title 20, DCMR as follows:

<i>Standard</i>	<i>Location</i>
<i>Noise</i>	<i>Title 20 DCMR Chapter 27-29: Noise Control, Maximum Noise Levels, Noise Measuring Test Procedures</i>
<i>Smoke</i>	<i>Title 20 DCMR Chapter 20, Section 6 Particulates; and EPA Reference Method 9, found in 40 CFR Part 60 Appendix A</i>
<i>Gas, Dust, Glare, Vibration</i>	<i>Title 20 DCMR Chapter 20, Sections 6 Particulates, 7 Hazardous Air Pollutants & 9 Nuisance Pollutants</i>

GAR Requirement in PDR Zones

OP has examined CM and M zones throughout the city to recommend GAR score requirements for proposed PDR zones. In determining recommended levels, OP examined the following information:

- Existing ground cover
- Existing building footprints

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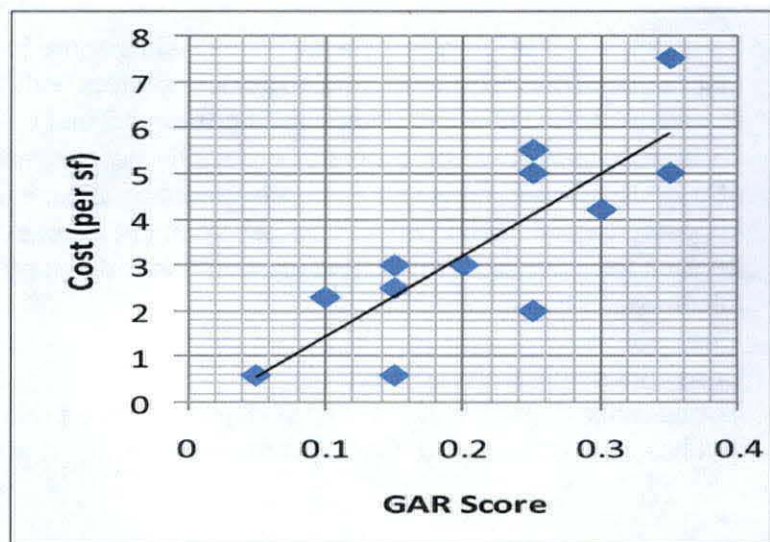
- Construction cost averages for industrial uses
- Cost estimates for GAR elements

Using existing building footprint and ground cover analysis of CM and M zones, OP calculated the average existing GAR score by zone. This was done by determining the land area as a whole within each zone occupied by building, pavement, trees, vegetation, or other. This information was then used to approximate a GAR score for the entire zone using proposed multipliers from the general GAR chapter. Approximant existing GAR scores for existing zones are:

C-M-1	0.156
C-M-2	0.092
C-M-3	0.036
M	0.172
All PDR zones	0.137

This information established a starting point for setting a proposed GAR score. For example, if the GAR score was set in the PDR zones at 0.1, it could be assumed that over half of the PDR zoned properties in the city would meet the requirement under existing conditions with no further improvements needed.

Using estimated costs of providing GAR elements, OP then examined the costs associated with meeting different GAR scores on properties starting with a 0.0 score. The chart to the right depicts projected average costs for various case studies in PDR zones. The chart shows GAR score along the X axis and average cost per square foot of lot area to raise a property from 0.0 to the projected score along the Y axis. The resulting linear value shows a projected average cost of \$1.50 per square foot of lot area to raise each 0.1 FAR up to 0.3. Above 0.3 in PDR zones, OP



found that the costs rise faster because more expensive measures are required since many of the properties in these zones are either fully paved or fully built out. In addition, OP analysis has shown that scores above 0.3 can be difficult or impossible to achieve on lots with 100% lot occupancy.

Since there are very few properties with an existing score of 0.0, we can assume that the average cost to achieve the GAR requirement starting from 0.0 would be at the highest end of the range of cost to property owners to comply with GAR. Based on all of this information and an industrial construction cost estimate of \$200 per square foot of gross floor area, OP tested a

possible GAR requirement in PDR zones of 0.1, 0.2, and 0.3 for potential costs. OP found that all three resulted in a range of cost for compliance that was below 1% of construction costs.

The table below shows these calculations for a GAR requirement in PDR zones of 0.2:

	C-M-1	C-M-2	C-M-3	M
Proposed GAR requirement	0.2	0.2	0.2	0.2
Average existing GAR	0.156	0.092	0.036	0.172
Average additional GAR required	0.044	0.108	0.164	0.028
Projected cost for average additional GAR	\$0.66/sf of lot area	\$1.62/sf of lot area	\$2.46/sf of lot area	\$0.42/sf of lot area
Allowed FAR	3.0	4.5	6.0	6.0
Construction cost based on full FAR build out at \$200/sf of GFA	\$600/sf of lot area	\$900/sf of lot area	\$1200/sf of lot area	\$1200/sf of lot area
Cost Range	\$0-\$3 per sf of lot area	\$0-\$3 per sf of lot area	\$0-\$3 per sf of lot area	\$0-\$3 per sf of lot area
Cost Range as percentage of construction cost	0 - 0.5%	0 - 0.33%	0 - 0.25%	0 - 0.25%

Since a score of 0.1 is below the average existing score in PDR zones and 0.4 represents a score that can be difficult or impossible to achieve on lots with 100% lot occupancy, the GAR score requirement in PDR zones should fall between 0.2 and 0.3. Since this is a new program and OP's analysis is based on estimated costs, OP recommends a starting requirement for PDR zones of 0.2. This would represent an improvement for most existing PDR properties without imposing any undue burden on new development or redevelopment. After the program has been in place for a time and developers are familiar with the process, there will be future opportunities to consider a higher requirement.

Corrections to Advertised Text

The advertised text incorrectly listed chanceries as a prohibited use in PDR zones. The attached text has been corrected to list chanceries as a permitted use.

Outline of Subtitle J

Chapter 1 - Introduction to PDR Zone Regulations

- Section 100 provides the purpose of the PDR subtitle: To regulate land characterized by industrial uses and to support Comprehensive Plan policies regarding PDR land.
- Section 101 describes the relationship between Subtitle J and the general subtitles (A, B & C).
- The intent language of this chapter is intended to help the Zoning Commission and BZA in adjudicating cases involving PDR zones.

Chapter 2 – Zone Reference Table

- This chapter provides the main reference table for the PDR zones. All of the regulations that apply to a given PDR zone can be referenced from this table. This table will be the first source of reference for code users seeking information on PDR zones.
- Section 200 introduces the table and provides general rules regarding references.
- Section 201 contains the table of PDR zones. In larger land use subtitles, like Mixed Use, this section will contain several tables of zones.

Chapter 3 – PDR Zone Purposes

- This chapter contains the purpose statements for each PDR zone.
- Purpose statements are consolidated from existing zone and overlay purpose statements.
- Each zone purpose statement is referenced in the Zone Reference Table.

Chapter 4 – Development Standards

- Chapter 4 provides regulations controlling the size and bulk of buildings in PDR zones.
- Section 400 gives the purpose of chapter and the purpose of development regulations in PDR zones. This section also states that general rules from Subtitle B still apply.
- Section 401 contains instructions on how to use the Development Standards Tables.
- Section 402 contains the Development Standards Tables. The second digit in each zone name relates to the table. In PDR zones, only Height, FAR, and GAR are regulated here; other subtitles will have additional items like lot occupancy and setbacks.
- Section 403 lists zone-specific rules for height. The P-2 and P-6 zones have special height rules that result from existing overlays.
- Section 404 defines the uses that are “PDR-like” for purposes of allowing full FAR for PDR uses and limited FAR for non PDR uses.

Chapter 5 – Use Category Regulations

- This chapter contains all of the use permissions, restrictions, and conditions for all PDR zones.
- Section 500 introduces the chapter. This section describes the purpose of regulating uses in PDR zones and describes the content of the chapter.

- Section 501 provides instruction on using the Use Permission Table.
- Section 502 contains the Use Permission Table. In larger subtitles, there will be more than one table. This table contains all use permissions in PDR zones and references any conditions that apply. Conditions are listed in the subsequent sections.
- Section 503 lists conditions for Conditional Uses. Subsections within this section each stand alone and each one only applies to a zone if directly referenced in the Use Permission Table.
- Section 504 lists conditions for Special Exception Uses. Subsections within this section each stand alone and each one only applies to a zone if directly referenced in the Use Permission Table.
- Section 505 lists conditions for Accessory Uses. Subsections within this section each stand alone and each one only applies to a zone if directly referenced in the Use Permission Table.

Chapter 6 – Transition Regulations for PDR Zones

- Chapter 6 provides the buffer and screening requirements for PDR zones. In PDR zones, these are applicable where properties abut Residential zoning.
- Section 600 introduces the chapter by providing the purpose of the transition buffers, referencing the general rules in Subtitle B, and describing applicability.
- Section 601 contains the table with zone to zone transition requirements. In PDR zones this is different based on the presence of an alley or street.
- Section 602 lists the transition requirements referenced in the table.

Chapter 7 – Parking Regulations for PDR Zones

- Chapter 7 is a standard chapter in each land use subtitle and largely serves as a placeholder in the PDR subtitle.
- The main purpose for this chapter in the PDR subtitle is to indicate that there are no minimum parking requirements or special parking rules.

Subtitle J Regulations for Production, Distribution, and Repair Zones

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CHAPTER 1 INTRODUCTION TO PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ZONE REGULATIONS

100 INTRODUCTION TO PDR LAND USE SUBTITLE

100.1 The purpose of this subtitle is to:

- (a) Provide regulations for the use of land and structures and the erection and modification of structures in areas:
 - (1) Characterized by a mix of uses with a strong production, distribution, and repair use orientation;
 - (2) Representing varied commercial and retail building types for both intensity and height; and
 - (3) Subject to sustained truck traffic and loading and unloading operations; and
- (b) Provide regulatory tools necessary to implement the District's Comprehensive Plan action items and policies such as:
 - (1) Retain an adequate supply of PDR-zoned land in order to accommodate the production, warehousing, distribution, light and heavy industrial, and research and development activities which sustain the local economy, support municipal services, and provide employment opportunities for District residents;
 - (2) Protect active and viable PDR uses while allowing compatible office and retail uses and development;
 - (3) Avoid encroachment by non-PDR uses which could impair existing PDR activities;
 - (4) Mitigate any adverse impacts created by PDR uses through a variety of measures, including buffering and performance standards, in order to avoid land use conflicts; and
 - (5) Improve edge conditions where PDR *zones* abut residential *zones*.

100.2 To determine which regulations within this title are applicable to a particular PDR *zone*, refer to Chapter 2 of this subtitle: Zone Reference Tables.

101 RELATIONSHIP TO GENERAL SUBTITLES

- 101.1 This subtitle is to be read and applied in addition to, and not instead of, the regulations included as a part of:
- (a) Subtitle A, Administration and Procedures;
 - (b) Subtitle B, General Regulations; and
 - (c) Subtitle C, Review Processes.
- 101.2 Where there are any modifications to the regulations of Subtitle B or Subtitle C, they shall be specified as a part of this subtitle.
- 101.3 Where there is a conflict between this subtitle and the regulations of Subtitle B and Subtitle C regarding the same regulatory topic, this subtitle shall apply.
- 101.4 Any changes to the regulations regarding PDR *zones* shall be in accordance with the regulations of Subtitle A, Administration and Procedures.

CHAPTER 2 ZONE REFERENCE TABLES FOR PDR ZONES

200 INTRODUCTION TO ZONE REFERENCE TABLES FOR PDR ZONES

- 200.1 The chapter is intended to be the primary reference point for all zoning regulations applicable to Production Distribution and Repair (PDR) *zones*.
- 200.2 The *zone reference table* in J § 201 identifies references to all zoning regulations that apply to each PDR *zone*.
- 200.3 References included within the *zone reference table* may refer to Subtitle J or Subtitle B. A reference to Subtitle B indicates that only general regulations of a regulatory topic are applicable to a *zone*.
- 200.4 Where a reference is made to regulations within Subtitle J, the general regulations of Subtitle B associated with the regulatory topic still apply.
- 200.5 Where a reference is made to a specific section or subsection within the regulations for PDR *zones*, the general regulations of the chapter containing the reference also apply.
- 200.6 All *zone* codes that begin with a letter “P” are PDR *zones*.

201 ZONE REFERENCE TABLES FOR PDR ZONES

- 201.1 The table below identifies references to all zoning regulations applicable to PDR *zones*:

REGULATORY TOPICS	ZONES					
	P-1-A-1	P-2-A-1	P-3-A-1	P-4-B-1	P-5-C-1	P-6-C-1
Zone Purpose	J § 301.2	J § 301.2	J § 301.2	J § 301.2	J § 301.3	J § 301.3
Development Regulations	J § 402.1	J § 402.2	J § 402.3	J § 402.4	J § 402.5	J § 402.6
Use Permissions	J § 502.1	J § 502.1	J § 502.1	J § 502.1	J § 502.1	J § 502.1
Zone to Zone Transition	J § 601.3	J § 601.3	J § 601.3	J § 601.3	J § 601.3	J § 601.3
Parking	J Ch. 7	J Ch. 7	J Ch. 7	J Ch. 7	J Ch. 7	J Ch. 7
Bicycle Parking	B Ch. 16	B Ch. 16	B Ch. 16	B Ch. 16	B Ch. 16	B Ch. 16
Loading	B Ch. 17	B Ch. 17	B Ch. 17	B Ch. 17	B Ch. 17	B Ch. 17

CHAPTER 3 ZONE PURPOSES FOR PDR ZONES

300 INTRODUCTION TO ZONE PURPOSES FOR PDR ZONES

300.1 This chapter includes all purpose statements for Production, Distribution and Repair (PDR) *zones*.

300.2 *Zone* purpose statements are intended to:

- (a) Ensure the appropriate application of PDR *zones* to different geographic areas within the District;
- (b) Provide guidance for the application and amendment of regulations in PDR *zones*; and
- (c) Provide guidance for the interpretation of regulations applied in PDR *zones*.

300.3 The *zone reference table* included as a part of J § 201 provides a subsection reference to corresponding *zone* purposes included as a part of J § 301.

301 ZONE PURPOSES FOR PDR ZONES

301.1 This section identifies all *zone purposes* applicable to PDR *zones*. Each subsection identifies a different *zone* or *zones* and associated purpose statements.

301.2 The P-1-A-1, P-2-A-1, P-3-A-1 and P-4-B-1 *zones* are intended to:

- (a) Provide sites for commercial and PDR activities potentially employing a large workforce and requiring heavy machinery.
- (b) Allow existing PDR businesses to remain and expand;
- (c) Provide a varying schedule for both height and intensity controls, and an allowance for non-PDR uses;
- (d) Restrict new residential uses;
- (e) Encourage a scale of development and a mixture of building and land uses as generally recommended by the Comprehensive Plan;
- (f) Minimize any adverse effect from PDR activities on any nearby and more restrictive districts through a variety of measures, including buffering and performance standards; and
- (g) Encourage the retention of existing commercial and light manufacturing uses and allow new uses of that type under special controls designed to protect the

quality of life and neighborhood character of adjacent residential neighborhoods.

301.3 The P-5-C-1 and P-6-C-1 *zones* are intended to:

- (a) Provide areas suitable for development as heavy PDR sites;
- (b) Protect PDR developments from the intrusion of non-PDR uses that impede the full utilization of properly located PDR uses;
- (c) Restrict new residential uses; and
- (d) Permit any PDR or commercial use conforming with District of Columbia environmental protection laws.

CHAPTER 4 DEVELOPMENT STANDARDS FOR PDR ZONES

400 INTRODUCTION TO DEVELOPMENT STANDARDS FOR PDR ZONES

400.1 The purpose of this chapter is to:

- (a) Apply development regulations and associated standards to Production, Distribution and Repair (PDR) *zones* regarding:
 - (1) The height of *buildings*;
 - (2) The intensity of development;
 - (3) The mixture of uses;
 - (4) The environmental performance of development; and
- (b) Apply rules of measurement and conditions to *zone*-specific development standards.

400.2 Development standards in PDR *zones* are intended to:

- (a) Encourage and retain production, warehousing, distribution, light and heavy industrial, and research and development uses, while also accommodating limited growth of non-PDR uses;
- (b) Ensure that the height and bulk requirements for PDR *zones* result in development compatible with adjacent residential neighborhoods; and
- (c) Require development to meet environmental performance standards.

400.3 Development standards for PDR *zones* are included as a part of this subtitle and Subtitle B. The development standards included as a part of Subtitle B, apply to all *zones* universally. The development standards for PDR *zones* included as a part of this subtitle are *zone*-specific.

400.4 Refer to the *zone reference table* included as a part of Chapter 2, of this subtitle, to determine the applicable *development standards table*; or identify the subsection within J § 402 which refers to the PDR *zone* of interest.

401 USING DEVELOPMENT STANDARDS TABLES FOR PDR ZONES

401.1 Section J §402 provides a series of *development standards tables*. Each *development standards table* reflects a package of development standards that:

- (a) Identify development regulatory topics;

- (b) Prescribe development standards; and
- (c) Provide references to rules of measurement and conditions applicable to *zones*; and
- (d) Provide chapter references to general regulations applicable to a regulatory topic.

- 401.2 The Regulatory Topic column of the table refers to the subjects that are regulated within the *zone*.
- 401.3 The Standard or Permission column provides standards or permissions applicable to a regulatory topic. The standard or permission identified may correspond to additional regulations regarding rules of measurement or conditions that are referenced through the Measuring Rules or Conditions columns.
- 401.4 The Zone Measuring Rules and Zone Conditions columns provide references to rules of measurement and conditions that apply to the *zone* or *zones* that reference the *development standards table*. Where no reference is provided, rules of measurement or conditions specific to a *zone* are not applicable.
- 401.5 The Subtitle B General Regulations column provides references to the corresponding general regulations chapter applicable to a regulatory subject. These chapters are included as a part of Subtitle B, General Regulations. The regulations included within the referenced chapter always apply in addition to any rules of measurement or conditions applicable to a *zone*.

402 TABLES OF DEVELOPMENT STANDARDS FOR PDR ZONES

402.1 The following *development standards table* applies to zones beginning with “P-1”:

REGULATORY TOPIC	STANDARD OR PERMISSION	ZONE MEASURING RULES	ZONE CONDITIONS	SUBTITLE B GENERAL REGS.
HEIGHT	40 FT.	-	-	CHAPTER 4
MAXIMUM TOTAL FAR	3.5	-	-	CHAPTER 5
MAXIMUM FAR FOR SELECTED USES	3.5	J § 404.1	-	
MAXIMUM FAR FOR ALL OTHER USES	2.0	-	-	
GREEN AREA RATIO	0.2	-	-	CHAPTER 13

402.2 The following *development standards table* applies to zones beginning with “P-2”:

REGULATORY TOPIC	STANDARD OR PERMISSION	ZONE MEASURING RULES	ZONE CONDITIONS	SUBTITLE B GENERAL REGS.
HEIGHT	40 FT.	-	J § 403.2	CHAPTER 4
MAXIMUM TOTAL FAR	3.5	-	-	CHAPTER 5
MAXIMUM FAR FOR SELECTED USES	3.5	J § 404.1	-	
MAXIMUM FAR FOR ALL OTHER USES	2.0	-	-	
GREEN AREA RATIO	0.2	-	-	CHAPTER 13

402.3 The following *development standards table* applies to zones beginning with “P-3”:

REGULATORY TOPIC	STANDARD OR PERMISSION	ZONE MEASURING RULES	ZONE CONDITIONS	SUBTITLE B GENERAL REGS.
HEIGHT	60 FT.	-	-	CHAPTER 4
MAXIMUM TOTAL FAR	4.5	-	-	CHAPTER 5
MAXIMUM FAR FOR SELECTED USES	4.5	J § 404.1	-	
MAXIMUM FAR FOR ALL OTHER USES	3.0	-	-	
GREEN AREA RATIO	0.2	-	-	CHAPTER 13

402.4 The following *development standards table* applies to zones beginning with “P-4”:

REGULATORY TOPIC	STANDARD OR PERMISSION	ZONE MEASURING RULES	ZONE CONDITIONS	SUBTITLE B GENERAL REGS.
HEIGHT	90 FT.	-	-	CHAPTER 4
MAXIMUM TOTAL FAR	6.0	-	-	CHAPTER 5
MAXIMUM FAR FOR SELECTED USES	6.0	J § 404.1	-	
MAXIMUM FAR FOR ALL OTHER USES	4.0	-	-	
GREEN AREA RATIO	0.2	-	-	CHAPTER 13

402.5 The following *development standards table* applies to zones beginning with “P-5”:

REGULATORY TOPIC	STANDARD OR PERMISSION	ZONE MEASURING RULES	ZONE CONDITIONS	SUBTITLE B GENERAL REGS.
HEIGHT	90 FT.	-	-	CHAPTER 4
MAXIMUM TOTAL FAR	6.0	-	-	CHAPTER 5
MAXIMUM FAR FOR SELECTED USES	6.0	J § 404.1	-	
MAXIMUM FAR FOR ALL OTHER USES	1.0	-	-	
GREEN AREA RATIO	0.2	-	-	CHAPTER 13

402.6 The following *development standards table* applies to zones beginning with “P-6”:

REGULATORY TOPIC	STANDARD OR PERMISSION	ZONE MEASURING RULES	ZONE CONDITIONS	SUBTITLE B GENERAL REGS.
HEIGHT	90 FT.	-	J § 403.3	CHAPTER 4
MAXIMUM TOTAL FAR	6.0	-	-	CHAPTER 5
MAXIMUM FAR FOR SELECTED USES	6.0	J § 404.1	-	
MAXIMUM FAR FOR ALL OTHER USES	1.0	-	-	
GREEN AREA RATIO	0.2	-	-	CHAPTER 13

403 HEIGHT CONDITIONS IN SPECIFIC PDR ZONES

- 403.1 This section includes specific conditions for height applicable to certain PDR *zones*. The subsections included within this section are intended to stand alone and do not relate to one another. Each of the subsections that follow only applies to a PDR *zone* if one of the tables included in J § 402 references both that subsection and the *zone*.
- 403.2 If a *zone* is subject to this subsection, roof structures listed under B § 403.1 (f) through (k) shall not exceed ten feet (10 ft.) in height above the roof upon which they are located.
- 403.3 If a *zone* is subject to this subsection, no building may exceed sixty-five feet (65 ft.) in height unless the Zoning Commission approves the building's design in accordance with the review procedure set forth C § XXX.X. The Applicant for a design review shall demonstrate that the building would provide special architectural features, roof parapet detailing, and design consideration of roof top and penthouse structures to ensure that the views and vistas from the historic fortification of Fort Totten are not degraded or obstructed.

404 FAR FOR SELECTED USES IN PDR ZONES

- 404.1 The following use categories may achieve the maximum FAR for selected uses as indicated in the applicable table in J § 402:

- (a) Basic Utilities;
- (b) Large Scale Government;
- (c) Production, Distribution & Repair; and
- (d) Waste-related Services.

All use categories not listed in this subsection are subject to the maximum FAR for all other uses as indicated in the applicable table in J § 402.

CHAPTER 5 USE CATEGORIES REGULATIONS IN PDR ZONES

500 INTRODUCTION TO USE CATEGORIES IN PDR ZONES

- 500.1 The purpose of this chapter is to provide *zone*-specific regulation of uses in Production, Distribution and Repair (PDR) *zones*.
- 500.2 The purpose of regulating use categories in PDR *zones* is to:
- (a) Encourage the retention and introduction of PDR uses while also permitting some development of non-PDR uses; and
 - (b) Restrict new residential uses.
- 500.3 This chapter contains *zone*-specific information about the regulation of *use categories*. Contained within this chapter are *use category* permissions, conditions and exceptions specific to PDR *zones*.
- 500.4 Subtitle B, Chapter 2 contains general guidance about the regulation of *use categories*, definitions of *use categories*, how *use categories* are determined, and rules for how *use categories* should be codified within Land Use Subtitles.

501 USING PERMISSION TABLES FOR USE CATEGORIES IN PDR ZONES

- 501.1 The purpose of this section is to provide guidance on how to determine:
- (a) *Use categories* permitted within a *zone* and any conditions on those *uses*;
 - (b) *Use categories* that are permitted only by special exception, and any conditions of compliance necessary to be permitted; and
 - (c) *Use categories* that are permitted only as *accessory uses*, and any conditions on those *uses*.
- 501.2 Applicable permissions shall be regulated and presented in the *use category* permission table as follows:
- (a) Each cell in the *use category* permission table contains a letter representing the *use category* permission within that specific *zone*, subject to compliance with all other applicable regulations in Title 11.
 - (b) Each cell in the *use category* permission table may also contain a reference to the applicable section of Title 11 which contains additional conditions or criteria related to the permission.
 - (c) Further information on using the use permissions table is located in Subtitle B, Chapter 2.

502

PERMISSION TABLES FOR USE CATEGORIES IN PDR ZONES

502.1

The table below identifies use permissions and references to regulations applicable to PDR zones:

USE CATEGORIES	P-1-A-1 P-2-A-1 P-3-A-1	P-4-B-1	P-5-C-1 P-6-C-1
<i>Agriculture</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Animal Sales, Care, and Boarding</i>	<i>C (J § 503.2)</i>	<i>C (J § 503.2)</i>	<i>C (J § 503.2)</i>
<i>Antennas</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Arts Design and Creation</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Basic Utilities</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Chancery</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Community-based Institutional Facility</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Daytime Care</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Education</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Emergency Shelter</i>	<i>S (J § 504.3)</i>	<i>N</i>	<i>N</i>
<i>Entertainment, Assembly, and Performing Arts</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Firearm Sales</i>	<i>C (J § 503.3)</i>	<i>C (J § 503.3)</i>	<i>C (J § 503.3)</i>
<i>Food and Alcohol Services</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Government, Large Scale</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Government, Local</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Health Care</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Institutional</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Lodging</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Marine</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Motor Vehicle-related</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Office</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Parking, Commercial</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Parks and Recreation</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Production, Distribution, and Repair</i>	<i>C (J § 503.4)</i>	<i>C (J § 503.4)</i>	<i>C (J § 503.5)</i>
<i>Residential</i>	<i>A (J § 505.2)</i>	<i>A (J § 505.2)</i>	<i>A (J § 505.2)</i>
<i>Retail</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Service</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Sexually-oriented Business Establishment</i>	<i>C (J § 503.6)</i>	<i>C (J § 503.6)</i>	<i>C (J § 503.6)</i>
<i>Transportation Infrastructure</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Waste-related Services</i>	<i>S (J § 504.5)</i>	<i>S (J § 504.5)</i>	<i>S (J § 504.5)</i>
Legend (see B § 201 for detailed instructions on using this chart)			
<i>P</i> = Permitted Use Category		<i>S</i> = Permitted by Special Exception	
<i>N</i> = Not Permitted Use Category		<i>A</i> = Permitted only as an Accessory Use	
<i>C</i> = Permitted by Condition			

503 CONDITIONS FOR USES PERMITTED BY CONDITION IN PDR ZONES

503.1 This section includes conditions that shall be applied to *use categories* permitted by condition. Each subsection:

- (a) Fully expresses the applicable condition; and
- (b) Only applies to a *zone* if referenced in a permission table in J § 502.

503.2 *Animal Sales, Care and Boarding uses* are permitted as a matter of right if located a minimum of two hundred feet (200 ft.) from an existing *residential use* or *residential zone*. *Animal Sales, Care, and Boarding uses* not meeting the above condition may be permitted by special exception. Relief from this condition may be granted by special exception; refer to J § 504.2 for special exception criteria.

503.3 *Firearm Sales uses* are permitted as a matter of right if located a minimum of three hundred feet (300 ft.) of a *residential zone*, Institutional use, or Parks and Open Space use.

503.4 *Production, Distribution, and Repair uses* are permitted as a matter of right upon compliance with the following list of conditions:

- (a) No manufacturing, processing, mixing, storing, or distributing concrete or asphalt, or the materials that are used to make concrete or asphalt; and
- (b) No recycling facilities.

Production, Distribution, and Repair uses not meeting the above conditions may be permitted by special exception. Refer to J § 504.4 for special exception criteria.

503.5 *Production, Distribution, and Repair uses* are permitted as a matter of right upon compliance with the following list of conditions:

- (a) No manufacturing, processing, mixing, storing, or distributing concrete or asphalt, or the materials that are used to make concrete or asphalt; and
- (b) If any recycling is done on site:
 - (1) No portion of the facility, including any structure, loading docks and truck bays, storage, transfer equipment, truck parking, or other similar processing equipment and operations, shall be located within two hundred feet (200 ft.) of an existing *residential use* or *residential zone*;
 - (2) There shall be no truck access or queuing to the site adjacent to any *residential zone*;

- (3) The facility shall be enclosed on all sides by an opaque fence or wall at least ten feet (10 ft.) high. Any side of the facility facing a public right-of-way or *residential zone* shall be also be landscaped;
- (4) The site shall be maintained free of litter, trash, debris, and any other non-recyclable materials;
- (5) The facility shall provide on-site parking and queuing, as follows:
 - (A) Space shall be provided on-site to park each commercial vehicle operated by the facility;
 - (B) One (1) employee parking space shall be provided for each commercial vehicle operated by the facility; and
 - (C) If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand;
- (6) No parking, queuing, or standing of trucks will be permitted on residential streets;
- (7) All storage of waste or recycled materials shall:
 - (D) Be contained in sturdy containers or enclosures that are fully covered, secured, and maintained in good condition and approved by the Fire and Emergency Medical Services Department; and
 - (E) Not be located outside the facility structures so that it is visible above the height of a required fence or wall; and
- (8) If the facility is located within five hundred feet (500 ft.) of a *residential zone*:
 - (F) It shall not be in operation between 7:00 p.m. and 7:00 a.m. or any time on Sunday. Hours of operation shall include the arrival and departure of trucks and delivery and removal of materials and equipment; and
 - (G) The facility shall be administered by on-site personnel during the hours the facility is open.

Production, Distribution, and Repair uses not meeting the above conditions may be permitted by special exception. Refer to J § 504.4 for special exception criteria.

503.6 *Sexually-oriented Business Establishment uses* are permitted as a matter of right if located a minimum of two hundred feet (200 ft.) from a *residential zone*.

504 CONDITIONS FOR SPECIAL EXCEPTION USES IN PDR ZONES

504.1 This section includes conditions that must be satisfied by an Applicant, through application to the Board of Zoning Adjustment, to establish a use permitted in PDR zones through special exception. Each subsection:

- (a) Fully expresses the applicable conditions; and
- (b) Only applies to a *zone* if referenced in a permission table in J § 502 or through another subsection within this Title.

504.2 *Animal Sales, Care, and Boarding uses* not meeting the conditions J § 503.2 may be approved by the Board of Zoning Adjustment, subject to the following conditions in addition to the general special exception criteria of Section C § XXX:

- (a) The property shall not abut a *residential zone* or property;
- (b) The applicant shall demonstrate that any external yard or facility:
 - (1) Is fenced off for the safe confinement of the animals; and
 - (2) Is located entirely on private property.
- (c) All animal waste shall be kept in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly;
- (d) Odors shall be controlled by means of an air filtration system (for example, High Efficiency Particulate Air "HEPA" filtration) or an equivalently effective odor control system; and
- (e) The Board may impose additional requirements pertaining to the location of buildings or other structures; entrances and exits; buffers, barriers, and fencing; waste storage and removal (including frequency); the species and/or number and/or breeds of animals.

504.3 *Emergency Shelters* may be approved by the Board of Zoning Adjustment, subject to the following conditions in addition to the general special exception criteria of Section C § XXX:

- (a) There shall be a maximum limit of three hundred (300) persons, not including resident supervisors or staff and their families, provided that for facilities over one hundred and fifty (150) persons the Board finds that the program goals and objectives of the District of Columbia cannot be achieved by a facility of

a smaller size at the subject location and there is no other reasonable alternative to meet the program needs of that area of the District.

- (b) There shall be no other property containing an *Emergency Shelter* use for five (5) or more persons in the same square or within a radius of one thousand feet (1,000 ft.) from any portion of the property; and
- (c) The use shall not be located within one thousand feet (1,000 ft.) of a *Waste-Related Services* use.

504.4 *Production, Distribution, and Repair* uses not meeting the conditions of J § 503.4 may be approved by the Board of Zoning Adjustment, subject to the following conditions in addition to the general special exception criteria of Section C § XXX:

- (a) If the use involves manufacturing, processing, mixing, storing, or distributing concrete or asphalt, or the materials that are used to make concrete or asphalt:
 - (1) No portion of the facility, including the land used by such facility, shall be located within two hundred feet (200 ft.) of a *Residential, Parks and Open Space, Retail, Office, Institutional, or Local Government* use;
 - (2) There shall be no truck access, parking, standing, or queuing to the facility from any street or block-long portion of a street for which fifty percent (50%) or more of the abutting properties on either side are a *Residential* use;
 - (3) No truck dumping or picking up concrete or asphalt or related materials shall park, stand, or queue for the facility along any public *right-of-way* and the location of the facility shall provide access from a paved street with a road base capable of withstanding anticipated load limits;
 - (4) Any facility located within five hundred feet (500 ft.) of a *residential zone* shall not be in operation between 7:00 p.m. and 7:00 a.m. Hours of operation shall include the arrival and departure of trucks;
 - (5) The facility shall be enclosed on all sides by an opaque screen, fence, or wall at least ten feet (10 ft.) in height. The use of barbed wire or razor wire that is visible from *residential zones* or public space is prohibited;
 - (6) The side of the facility facing public space, *Residential, Parks and Open Space, Retail, Office, Institutional, or Local Government* uses shall contain a landscaped area of evergreen trees measuring a minimum of eight feet (8 ft.) in height which shall be maintained in a healthy growing condition;

- (7) The application shall contain:
 - (H) A site plan showing the layout of the proposed facility, including fences and screens, street access, parking, and queuing areas;
 - (I) A landscape plan showing the planting locations and soil preparation techniques;
 - (J) A lighting plan showing the proposed lighting locations, illumination spread, and noting the proposed height and wattage of the lighting fixtures;
 - (K) A traffic study which indicates truck routes to and from the facility on streets abutting residential neighborhoods, with the objective of minimizing potential adverse impacts on adjacent neighborhoods; and
 - (L) A description of the facility's methods and specifications for the control of odor, dust, smoke and other air pollutants, and noise; and
- (8) The Office of Zoning shall submit the application to the D.C. Office of Planning for coordination, review, report, and impact assessment, along with reports in writing of all relevant District departments and agencies, including but not limited to the Departments of Public Works, Transportation, and Health, the Soil Resources Branch of the Department of Consumer and Regulatory Affairs and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.
- (b) If the use involves recycling on-site, it shall meet the conditions of J § 503.5(b).

504.5 *Waste-related Services uses* may be approved by the Board of Zoning Adjustment, subject to the following conditions in addition to the general special exception criteria of Section C § XXX:

- (a) All solid waste handling activities, including depositing, processing, separation and loading shall be within a fully enclosed building to minimize the adverse impacts due to noise, traffic, parking, odors, rodents and other disease vectors, dust, litter, fire hazards, decomposition gases, wastewater, vehicle and other pollution, and other hazards or objectionable conditions;
- (b) The facility shall be enclosed on all sides by an opaque fence or wall at least ten feet (10 ft.) high. The facility shall be secured from unauthorized deposit

and removal of solid waste or other materials when attendants are not present;
and

- (c) The facility shall provide on-site parking and queuing as follows:
 - (1) Space shall be provided on-site to park each commercial vehicle operated by the facility;
 - (2) One (1) employee parking space shall be provided for each commercial vehicle lawfully parked on the site after operating hours;
and
 - (3) If the facility serves the public, all parking and queuing space shall be provided on-site to accommodate projected peak demand.
- (d) The location of the facility shall provide access from a paved street with a road base capable of withstanding anticipated load limits;
- (e) The facility shall be configured in such a manner that trucks entering or leaving the facility shall not back in from or back out onto any public right-of-way. Additional parking, truck maneuvering, or queuing space may be required by the Board after considering the applicant's analysis of such needs and the reports of the D.C. Department of Transportation and the Office of Planning;
- (f) No portion of the facility, including any structure, loading dock, truck bay, storage container, transfer equipment, or any other processing equipment or operation shall be located within three hundred feet (300 ft.) of a property in a *residential zone* or located within fifty feet (50 ft.) of any adjacent property used as a *Parks and Open Space, Retail, Office, Institutional, or Local Government* use;
- (g) There shall be no truck access, parking, standing or queuing to the facility from any street or block-long portion of a street for which fifty percent (50%) or more of the abutting properties on either side are *Residential use*;
- (h) The facility shall be designed to have access to a railway siding or spur to enable the transportation by rail of solid waste out of the District of Columbia unless the Board finds that the applicant has demonstrated by substantial evidence that the use of rail is not practically, economically, or physically feasible;
- (i) The applicant shall provide credible evidence to the Board to demonstrate the ability of the facility and its ancillary elements to comply with all applicable regulations. The evidence shall include, but not be limited to, the following:

- (1) An indication of the site and description of land uses within one-quarter (1/4) of a mile of the site;
- (2) A site plan showing the layout of the proposed facility, including main buildings, fences and screens, access to rail if available, street access, parking and queuing areas, and a functional diagram indicating the proposed use of the site;
- (3) An operating plan indicating types of waste to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;
- (4) A plan for preventing and controlling offensive noises, odors, and rodents and other disease vectors;
- (5) A traffic study that indicates truck routes to and from the facility on streets, to the extent possible, that are major arterials and highways that do not abut residential neighborhoods along the way; and
- (6) A certified statement by an architect or engineer licensed in the District of Columbia that the facility as sited and designed to the best of his or her professional knowledge and belief is capable of complying with this subsection and all other applicable regulations of the District of Columbia government, including without limitation, regulations adopted pursuant to the Solid Waste Facility Permit Act of 1995, effective February 27, 1996 (D.C. Law 11-94, as amended; D.C. Official Code §§ 8-1051 to 8-1063 (formerly codified at D.C. Code §§ 6-3451 to 3463 (1999 Supp.)));

505 CONDITIONS FOR ACCESSORY USES IN PDR ZONES

505.1 This section identifies lists of conditions that shall be applied to *use categories* permitted as *accessory uses* only. Each subsection:

- (a) Fully expresses the applicable conditions; and
- (b) Only applies to a *zone* if referenced in a permission table in J § 502 or through another subsection within this Title.

505.2 *Residential uses* are permitted as a matter of right only as an *accessory use*; provided their conformance with the following list of conditions:

- (a) No more than one apartment may be accessory to any single building or use.
- (b) An accessory apartment shall be used for either:
 - (1) Housing a person employed on the premises; or

- (2) Housing integrated with and accessory to an artist studio, provided that occupancy of the apartment shall be limited to the artist using the studio portion of the premises and the family of the artist.

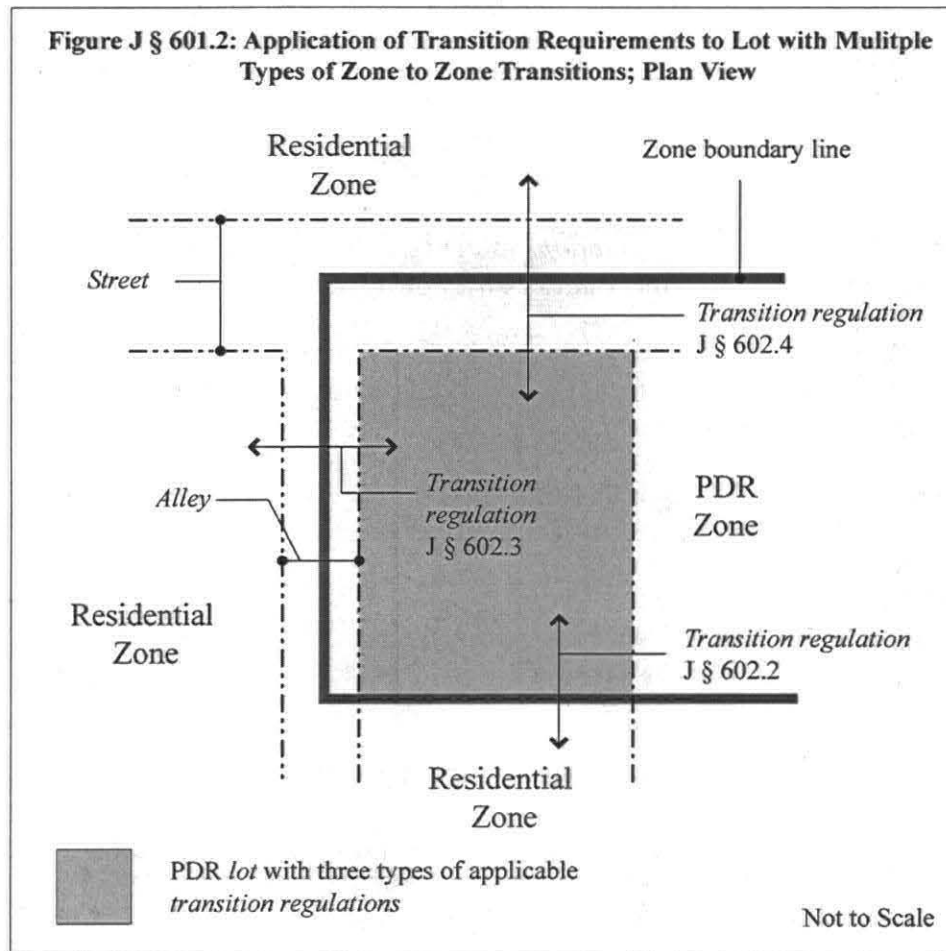
CHAPTER 6 TRANSITION REGULATIONS FOR PDR ZONES

600 INTRODUCTION TO TRANSITION REGULATIONS FOR PDR ZONES

- 600.1 The purpose of this chapter is to apply *transition regulations* to specific Production, Distribution and Repair (PDR) *zones*.
- 600.2 The purpose of *transition regulations* in PDR *zones* is to minimize potentially negative impacts of investment in PDR *uses* on adjacent *residential zones*.
- 600.3 *Transition regulations* minimize potential negative impacts on *residential zones* by controlling the physical relationship of buildings and site improvements in PDR *zones*, relative to the *zone boundary line* that divides the *zones*.
- 600.4 The general regulations regarding *transition regulations* are located in Subtitle B, Chapter 12. These general regulations apply in addition to, and not instead of the regulations of this chapter.
- 600.5 A reference to this chapter in a PDR *zone reference table* or the identification of a *zone* in the table included as a part of J § 601.3 establishes the applicability of *transition regulations*.

601 REFERENCE TABLE FOR PDR ZONES TRANSITION REGULATIONS

- 601.1 This section provides a table that identifies *transition regulations* applicable to PDR *zones*. These regulations are identified by reference based on the subject *zone* and the *lot's* context at a *zone* boundary line.
- 601.2 The requirements apply when any *lot* or portion of a *lot* directly abuts a *residential zone*. If a *lot* abuts a *residential zone* or *zones* in more than one way, zone to zone transition requirements apply to each context; i.e., if a portion of a *lot* abuts a *residential zone* that is separated by an *alley* and another portion of the *lot* abuts a *residential zone* that is separated by a *street*, *transition regulations* will be applied separately to each context.



601.3 The following table provides references to *transition regulations* applicable to *lots* in certain PDR *zones*.

ZONE	NO ALLEY OR STREET	ABUTTING ALLEY	ABUTTING STREET
P-1-A-1	J § 602.2	J § 602.3	J § 602.4
P-2-A-1	J § 602.2	J § 602.3	J § 602.4
P-3-A-1	J § 602.2	J § 602.3	J § 602.4
P-4-B-1	J § 602.2	J § 602.3	J § 602.4
P-5-C-1	J § 602.2	J § 602.3	J § 602.4
P-6-C-1	J § 602.2	J § 602.3	J § 602.4

602 TRANSITION REGULATIONS FOR PDR ZONES

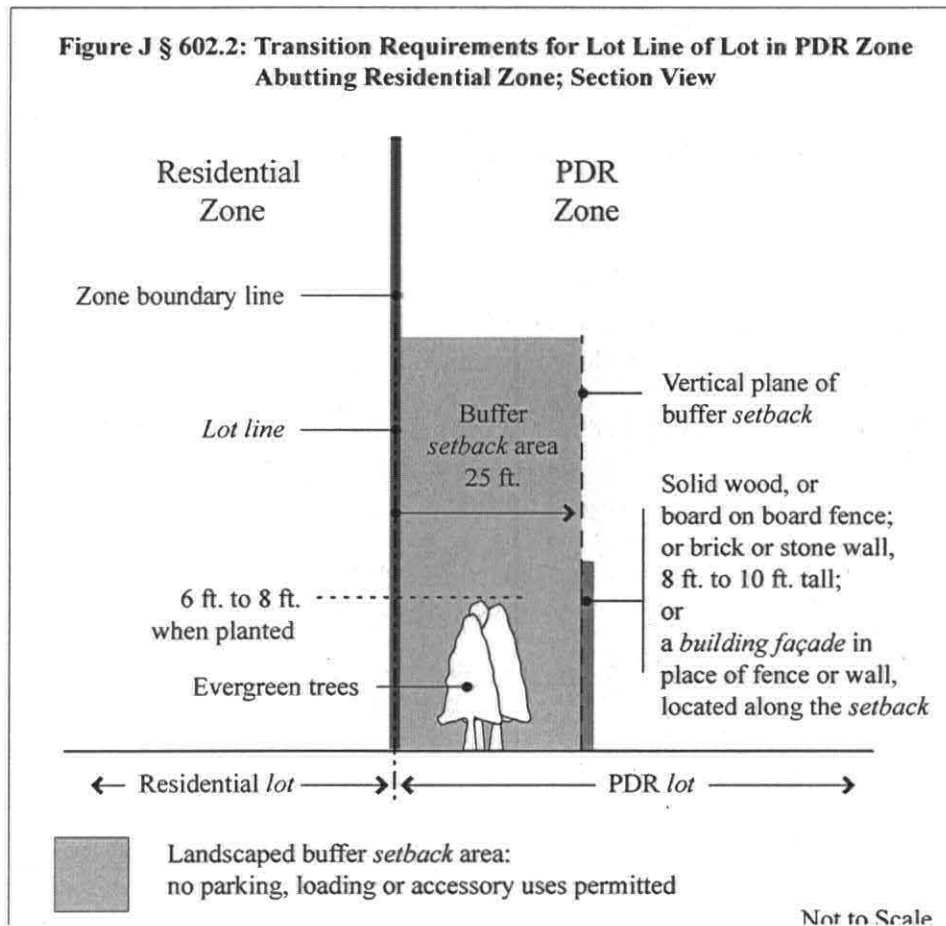
602.1 This section includes *transition regulations* applicable to certain PDR zones. Each subsection:

- (a) Fully expresses an applicable *transition regulation*; and
- (b) Only applies to a *zone* if referenced in the reference table included as a part of J § 601.3.

602.2 If a *zone* is subject to this subsection, and where a *lot*, or a portion of a *lot*, directly abuts a *residential zone*, the following *transition regulations* shall be complied with:

- (a) A *setback* of twenty five feet (25 ft.) shall be provided from each *lot line* that is directly abutting a *lot* in a *residential zone*. The *setback* shall be a vertical plane, parallel to the subject *lot line*.
- (b) The *setback* area shall not be used for parking, loading, or accessory uses, but shall be landscaped with evergreen trees, provided:
 - (1) The trees shall be maintained in a healthy growing condition;
 - (2) The trees shall be a minimum of six feet (6 ft.) to eight feet (8 ft.) high when planted; and
 - (3) Planting locations and soil preparation techniques shall be shown on a landscape plan submitted with the building permit application.
- (c) A form of *screening* shall be erected between the residential and PDR *lots*, and shall be located along the required *setback* identified in paragraph (a) above. The *screening* shall be either:
 - (1) A solid wood or board on board fence, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height;
 - (2) A brick or stone wall, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height; or
 - (3) A *building façade*.

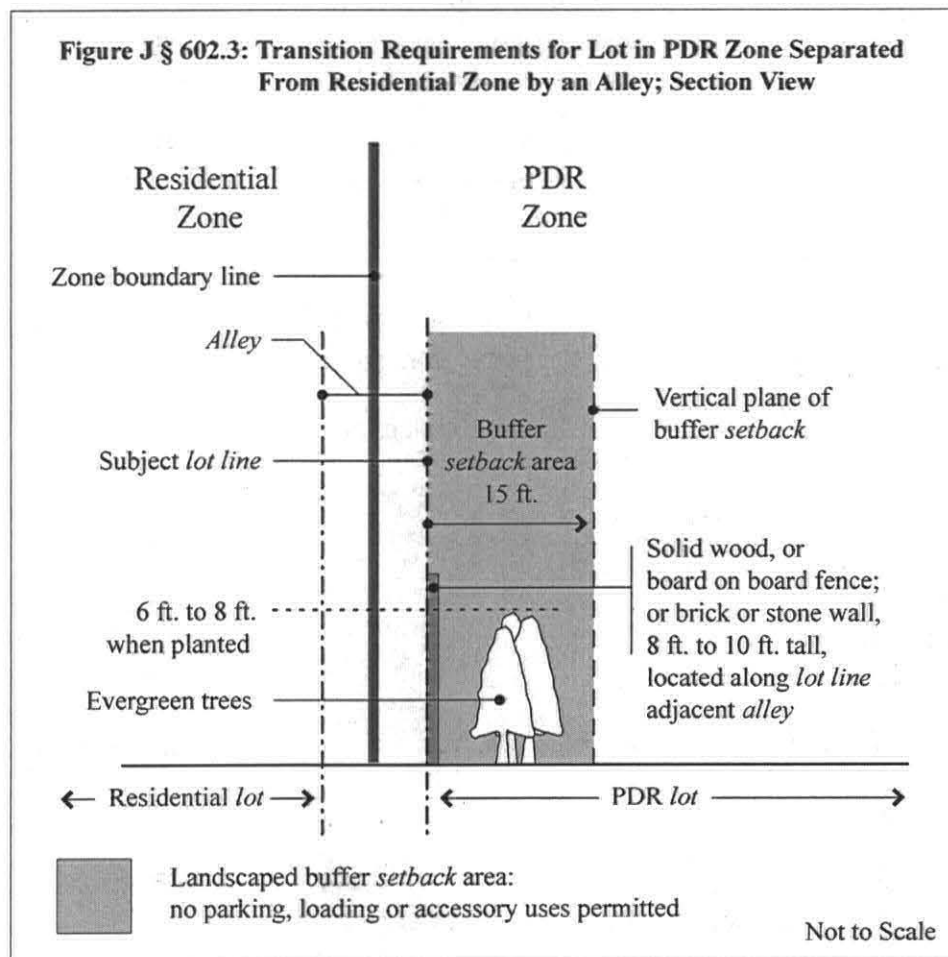
Figure J § 602.2: Transition Requirements for Lot Line of Lot in PDR Zone Abutting Residential Zone; Section View



602.3 If a zone is subject to this subsection, and where a lot, or a portion of a lot, abuts an alley that serves as the zone boundary line that separates the subject PDR zone from a residential zone, the following transition regulations shall be complied with:

- (a) A building must be setback fifteen feet (15 ft.) from each lot line that is abutting an alley that serves as the zone boundary line. The setback shall be a vertical plane, parallel to the subject lot line.
- (b) The setback area shall not be used for parking, loading, or accessory uses, but shall be landscaped with evergreen trees, provided:
 - (1) The trees shall be maintained in a healthy growing condition;
 - (2) The trees shall be a minimum of six feet (6 ft.) to eight feet (8 ft.) high when planted; and
 - (3) Planting locations and soil preparation techniques shall be shown on a landscape plan submitted with the building permit application.

- (c) A form of *screening* shall be erected between the residential and PDR lots, and shall be located along the *lot line* adjacent to the *alley*. The *screening* shall be either:
- (1) A solid wood or board on board fence, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height;
 - (2) A brick or stone wall, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height; or
 - (3) A *building façade*.

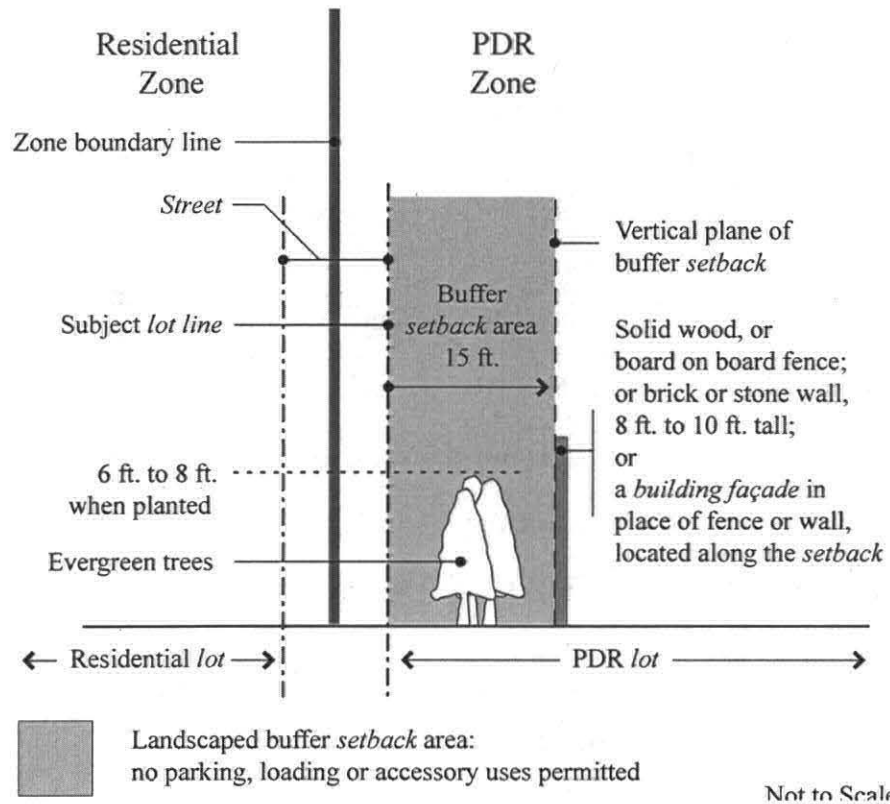


602.4 If a *zone* is subject to this subsection, and where a *lot*, or a portion of a *lot*, abuts a *street* that serves as the *zone boundary line* that separates the subject PDR zone from a Residential zone, the following *transition regulations* shall be complied with:

- (a) A *setback* of fifteen feet (15 ft.), from each *lot line* that is abutting a *street* that serves as the *zone boundary line*, must be provided. The *setback* shall be a vertical plane, parallel to the subject *lot line*.

- (b) The *setback* area shall not be used for parking, loading, or accessory uses, but shall be landscaped with evergreen trees, provided:
 - (1) The trees shall be maintained in a healthy growing condition;
 - (2) The trees shall be a minimum of six feet (6 ft.) to eight feet (8 ft.) high when planted; and
 - (3) Planting locations and soil preparation techniques shall be shown on a landscape plan submitted with the building permit application to the Department of Consumer and Regulatory Affairs for review and approval according to standards maintained by the Department's Soil Erosion and Storm Management Branch, which may require replacement of heavy or compacted soils with top and drainage mechanisms as necessary.
- (c) A form of *screening* shall be erected between the residential and PDR lots, and shall be located along the required *setback* identified in paragraph (a) above. The *screening* shall be either:
 - (1) A solid wood or board on board fence, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height;
 - (2) A brick or stone wall, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height; or
 - (3) A *building façade*.

Figure J § 602.4: Transition Requirements for Lot in PDR Zone Separated From Residential Zone by a Street; Section View



CHAPTER 7 PARKING REGULATIONS FOR PDR ZONES

700 INTRODUCTION TO PARKING REGULATIONS FOR PDR ZONES

700.1 The purpose of this chapter is to:

- (a) Provide parking regulations for Production, Distribution and Repair (PDR) zones; and
- (b) Reserve space in Subtitle J for any future parking regulations that may be necessary.

700.2 General parking regulations are located in Subtitle B, Chapter 15.

701 PARKING STANDARDS FOR PDR ZONES

701.1 There are no minimum parking requirements for uses in PDR zones.

701.2 Refer to B §1503 for maximum parking limits in PDR zones.

702 SPECIFIC CONDITIONS FOR PARKING IN PDR ZONES

702.1 There are no specific conditions for parking in PDR zones.