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1279932	Submitted to ODAI	Notices, Opinions	Zoning Commission Order No. 08-06-C (Case No 08-06: Comprehensive Zoning Regulations Rewrite: Chapters B-15, General Parking Regulations; B-16, Bicycle Parking Regulations; and B-17, Loading Regulations)	7/8/2011 Vol 58/27	6/30/2011 16:51:08
1279835	Submitted to ODAI	Notices, Opinions	Zoning Commission Order No. 08-06-D (Case No 08-06: Comprehensive Zoning Regulations Rewrite: Subtitle J: Production, Distribution, and Repair Zones)	7/8/2011 Vol 58/27	6/30/2011 16:42:27

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ZONING COMMISSION
District of Columbia

CASE NO. 08-06

EXHIBIT NO. 150

ZONING COMMISSION
District of Columbia
CASE NO. 08-06
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EXHIBIT NO. 150
CASE NO. 08-06
EXHIBIT NO. 150

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 08-06-D**

Z.C. Case No 08-06

**(Comprehensive Zoning Regulations Rewrite: Subtitle J: Production, Distribution, and
Repair Zones)
May 23, 2011**

The Zoning Commission for the District of Columbia (the "Commission"), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 (2008 Repl.)), hereby gives notice that it took final rulemaking action to adopt a new subtitle J regulating Production, Distribution, and Repair (PDR) zones. The new subtitle will replace chapter 8 of the existing title 11 DCMR regulating industrial uses.

More detailed information, discussion, and analysis for the proposed text can be found in the Office of Planning ("OP") reports accessible under the heading "Subtitle J: PDR Zones - Draft Text" at www.dczoningupdate.org/documentcenter.asp.

This new subtitle would be a part of a revised title 11. The Commission has already approved a codification format that would divide the revised title 11 into ten subtitles. A detailed explanation can be found at www.dczoningupdate.org/codereorganization.asp.

As will be clarified as part of the revised title 11, the text approved in this notice will only apply to buildings constructed pursuant to building permits issued after the effective date of the revised title.

Italicized terms will be defined. The bracketed citations are to provisions contained in the current title 11. These provisions will be re-codified and, in all likelihood rephrased in the revised title 11.

The Commission will not issue a notice of final rulemaking at this time, but wait until it has reviewed all portions of the ten (10) subtitles and issued final orders for all approved text. At that point the Office of Planning ("OP"), the Office of the Attorney General ("OAG"), and the Office of Zoning will make any editorial changes needed to achieve consistency within the approved text and then present a final consolidated version to the Commission.

During this same time, the Commission will advertise a new zoning map based upon the conversion tables provided by OP for each land use subtitle. The conversion table applicable to the new PDR zones is as follows:

<u>Existing Industrial Zone</u>	<u>Proposed PDR Zone</u>
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
M/FT

P-5-C-1
P-6-C-1

In the new zone naming system, “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”.

The Commission will then decide whether to authorize the publication of a notice of final rulemaking that will make the revised Zoning Regulations and new Zoning Map effective, subject to whatever transitional measures the Commission may adopt.

Zoning Review Process to Date

The Zoning Review process began in 2007 with a pair of public roundtables before the Commission and the formation of a citywide Taskforce. Since then, OP has organized 19 public working groups by subject area and held over 180 public meetings. Each subject area has been 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 have been forwarded to the 24-member appointed Taskforce for further review and input. Finally, recommendations for most subject areas have been made available for public review including a public hearing before the Commission. After the conclusion of public review for each subject areas, OP has been working with OAG to draft zoning language to reflect the proposed policy changes.

Proceedings Leading to the Adoption of this Amendment

The public hearing on the recommendations concerning industrial zones was held November 20, 2008 and the Commission provided general guidance at its public meeting held January 12, 2009.

By report dated November 19, 2010, OP requested that the Commission set down the text of a proposed new Subtitle J for public hearing. The Commission, at its regularly scheduled meeting of November 29, 2010, voted to set down the new subtitle for hearing.

Through its hearing report dated February 14, 2011, OP provided further explanation of the proposed text. (Exhibit 122.) The OP report noted that the advertised text mistakenly listed chanceries as prohibited uses. OP provided revised text that permitted chanceries as a matter of right in all PDR zones.

A public hearing on the text was held and completed on February 24, 2011. At the public hearing, questions were raised about the possible disproportionate cost of applying the proposed Green Area Ratio ("GAR") requirement of 0.2 to PDR uses, specifically warehouses. The Commission requested that OP examine and respond to these concerns as well as the parking concerns expressed by Ms. Alma Gates, on behalf of the Committee of 100. At the request of Ms. Gates, the Commission held the record open until March 10th to receive any additional comments from the public. OP was given until March 17th to provide a supplemental report.

Through a letter dated March 10, 2011, Christopher Collins, Esq. of the law firm of Holland & Knight LLP responded to questions posed by the Commission. (Exhibit 132.) Mr. Collins indicated that the typical warehouse roof is designed to have a live load for snow that averages 30 pounds per square foot ("psf"). Installation of an extensive green roof with four inches of vegetation would add approximately 28 psf of load. Use of an intensive vegetated roof would require additional structural support. According to Mr. Collins, this would translate to additional costs of \$15 to \$20 per square foot. In response to the Commission's question whether this cost could be ameliorated through the construction of additional levels, Mr. Collins attached a letter from Mr. Fred Farshey, president of one of the largest warehouse owners and operators in the District, stating that multi-level warehouse do not provide the efficient truck access required by clients and are therefore functionally obsolete. Mr. Collins concluded by recommending that the GAR requirement for PDR uses be reduced from 0.2 to 0.05.

In its supplemental report dated March 17, 2011, OP indicated that it accepted the general arguments regarding disproportionate cost impacts. (Exhibit 135.) The report stated that OP tried to account for this disparity in its original proposal. Cost research showed that a GAR score of 0.3 was achievable in PDR zones for a reasonable cost (< 1% of construction costs), assuming a multi-story building. OP had proposed only a 0.2 requirement in order to account for single story, high lot occupancy buildings.

Nevertheless, in light of the additional information provided by Mr. Collins and the discussion by Commission members, OP revised the proposed text to require different GAR requirements in PDR zones based on the number of stories. The amended proposed text established a proportional requirement for all PDR structures at 0.1 per story up to a maximum of 0.3. The difference in requirements was intended to balance the disproportionate cost per square foot for single story warehouse style structures with the need for industrial buildings.

At its regularly scheduled second monthly meeting held March 28, 2011, the Commission considered whether to take proposed action on the text. The Commission reviewed OP's recommendations concerning the changes in GAR requirements, and agreed to propose the revised text. However, the Commission noted the importance of GAR and requested that OP review the assumptions contained in the letter submitted by Mr. Collins to ensure that the full amount of GAR reduction proposed by OP was necessary.

The Commission also asked OP whether it had reviewed the parking requirement for commercial vehicles servicing recycling facilities in response to concerns raised by Ms. Gates. OP responded by stating that the requirement proposed for the recycling use only continued the existing condition and that it saw no evidence that a change was required.

At the conclusion of its discussion, the Commission voted to refer the revised text to the National Capital Planning Commission ("NCPC") for review pursuant to § 492 of the District Charter and to authorize the publication of a notice of proposed rulemaking in the *D.C. Register* ("DCR").

A Notice of Proposed Rulemaking was published in the *D.C. Register* on April 22, 2011, at 58 DCR 3483. No comments were received.

NCPC, through action taken at its meeting of April 28, 2011, found that the proposed text amendments would not adversely affect the identified federal interests, nor be inconsistent with the Comprehensive Plan for the National Capital. (Exhibit 144.)

In a Supplemental Report dated May 13, 2011, OP agreed with Mr. Collins' assertion that a vegetated roof system would add approximately 28 psf of load. (Exhibit 146.) It noted, however, that costs can vary widely on a project by project basis depending on conditions. Regardless of the actual cost, OP accepted the proposition that warehouses are necessarily designed to be one-story buildings due to truck access and other efficiency considerations and that one-story buildings have a proportionally higher cost per square foot for roof improvements than multi-story buildings.

Based upon these considerations, OP continued to believe that a 0.1 GAR requirement remained appropriate for single level warehouses. However, it expressed concern that the proportional application of GAR proposed in its March 17th report could have the unintended consequence of incentivizing low buildings for other PDR uses. Therefore, OP further revised the language of the subtitle J GAR requirements to require 0.3 GAR as the general standard in PDR zones, while providing a specific exemption to 0.1 GAR for buildings designed and used only as single story warehouses.

At a properly noticed public meeting held on May 23, 2011, the Commission discussed the information and recommendation made in OP's May 13th Supplemental Report and decided to accept OP's recommendations as a reasonable compromise between maximizing the benefits of GAR while recognizing the unique circumstances affecting single story warehouses. The Commission then voted to adopt the text amendments as revised, but to delay publication of a notice of final rulemaking until the text has been finalized and conformed to all other text that will comprise the revised Zoning Regulations adopted under this docket.

Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) (“ANC Act”) requires District agencies when taking certain actions to give great weight to the issues and concerns raised in the written report of the affected Advisory Neighborhood Commission (“ANC”). To satisfy the great weight requirement, District agencies must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances.

In a letter dated January 12, 2011 (Exhibit 118), the Chair of ANC 6B informed the Zoning Commission that at a properly noticed meeting with a quorum present, the ANC unanimously voted to support, in general, the Zoning Commission’s proposal as it existed at the time of setdown. The ANC noted that its analysis was complicated by the fact that three of its areas currently zoned industrial are depicted as non-industrial areas in the Comprehensive Plan Future Land Use Map.

In response, the Commission notes that the Comprehensive Zoning Regulation Review now being undertaken does not include an examination as to whether the current zone designation of any particular property or area is appropriate. Rather, the objective at this stage is to convert existing zone designations to a naming system that reflects each area’s new land use subtitle, and its current development standards, use permissions, and special conditions. Thus, this process does not include an examination of current mapping for Comprehensive Plan consistency, but the ANC may always pursue that aim through the filing of a petition.

Therefore, for the reasons stated above, and having complied with all procedural and substantive requirements mandated by District law, and having concluded that the proposed text amendment are not inconsistent with the Comprehensive Plan, the Zoning Commission for the District of Columbia takes the following actions:

The following new subtitle J, **PRODUCTION, DISTRIBUTION, AND REPAIR ZONES**, is to be included within a revised title 11 DCMR:

Subtitle J Production, Distribution, and Repair Zones

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

100	INTRODUCTION TO PDR LAND USE SUBTITLE
101	RELATIONSHIP TO GENERAL SUBTITLES

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 Production, Distribution, and Repair (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 (Zone Reference Tables for PDR Zones) of this subtitle.

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
201 ZONE REFERENCE TABLES FOR PDR ZONES

200 INTRODUCTION TO ZONE REFERENCE TABLES FOR PDR ZONES

- 200.1 This 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

301 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
401	USING DEVELOPMENT STANDARDS TABLES FOR PDR ZONES
402	TABLES OF DEVELOPMENT STANDARDS FOR PDR ZONES
403	HEIGHT CONDITIONS IN PDR ZONES
404	FAR FOR SELECTED USES IN PDR ZONES
405	GAR CONDITIONS IN 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; and
 - (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 in 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 402 of subtitle J 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;
- (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	50 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	0.1 per story Up to 0.3	-	J § 405.1	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	50 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	0.1 per story Up to 0.3	-	J § 405.1	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	0.1 per story Up to 0.3	-	J § 405.1	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	0.1 per story Up to 0.3	-	J § 405.1	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	0.1 per story Up to 0.3	-	J § 405.1	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	0.1 per story Up to 0.3	-	J § 405.1	CHAPTER 13

403 HEIGHT CONDITIONS IN 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, and Repair; and
- (d) Waste-related Services.

404.2 All use categories not listed in J § 404.1 are subject to the maximum FAR for all other uses as indicated in the applicable table in J § 402.

405 GAR CONDITIONS IN PDR ZONES

405.1 In all PDR zones, buildings designed, built, and used as single-story warehouses shall have a minimum GAR requirement of 0.1.

CHAPTER 5 USE CATEGORIES REGULATIONS IN PDR ZONES

500	INTRODUCTION TO USE CATEGORIES IN PDR ZONES
501	USING PERMISSION TABLES FOR USE CATEGORIES IN PDR ZONES
502	PERMISSION TABLES FOR USE CATEGORIES IN PDR ZONES
503	CONDITIONS FOR USES PERMITTED BY CONDITION IN PDR ZONES
504	CONDITIONS FOR SPECIAL EXCEPTION USES IN PDR ZONES
505	CONDITIONS FOR ACCESSORY USES 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; and
- (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>

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>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</i> (J § 503.4)	<i>C</i> (J § 503.4)	<i>C</i> (J § 503.5)
<i>Residential</i>	<i>A</i> (J § 505.2)	<i>A</i> (J § 505.2)	<i>A</i> (J § 505.2)
<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</i> (J § 503.6)	<i>C</i> (J § 503.6)	<i>C</i> (J § 503.6)
<i>Transportation Infrastructure</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Waste-related Services</i>	<i>S</i> (J § 504.5)	<i>S</i> (J § 504.5)	<i>S</i> (J § 504.5)
Legend (see B § 201 for detailed instructions on using this chart) <i>P</i> = Permitted Use Category <i>N</i> = Not Permitted Use Category <i>C</i> = Permitted by Condition <i>S</i> = Permitted by Special Exception <i>A</i> = Permitted only as an Accessory Use			

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.) from 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.

503.5 *Production, Distribution, and Repair uses* not meeting the conditions in J § 503.4 may be permitted by special exception. Refer to J § 504.4 for special exception criteria.

503.6 *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 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:
 - (A) 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
 - (B) 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*:
 - (A) 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
 - (B) The facility shall be administered by on-site personnel during the hours the facility is open.

503.7 *Production, Distribution, and Repair uses* not meeting the conditions in J § 503.6 may be permitted by special exception. Refer to J § 504.4 for special exception criteria.

503.8 *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 in 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 in 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 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 in 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:

- (A) A site plan showing the layout of the proposed facility, including fences and screens, street access, parking, and queuing areas;
 - (B) A landscape plan showing the planting locations and soil preparation techniques;
 - (C) A lighting plan showing the proposed lighting locations, illumination spread, and noting the proposed height and wattage of the lighting fixtures;
 - (D) 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
 - (E) 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; and
- (b) If the use involves recycling on-site, it shall meet the conditions of J § 503.6(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 in 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;
- (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 District 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; and

- (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 (2001)).

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 (1) apartment may be accessory to any single building or use; and
 - (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

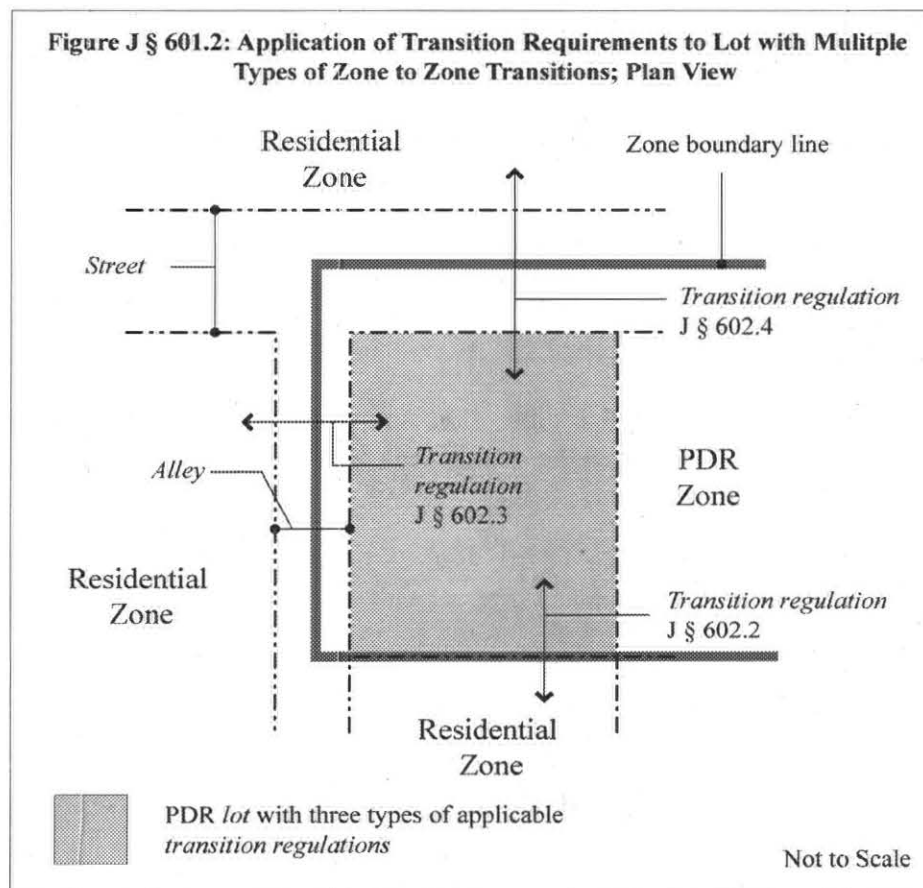
600 **INTRODUCTION TO TRANSITION REGULATIONS FOR PDR ZONES**
601 **REFERENCE TABLE FOR PDR ZONES TRANSITION REGULATIONS**
602 **TRANSITION REGULATIONS FOR PDR ZONES**

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; for example, 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:

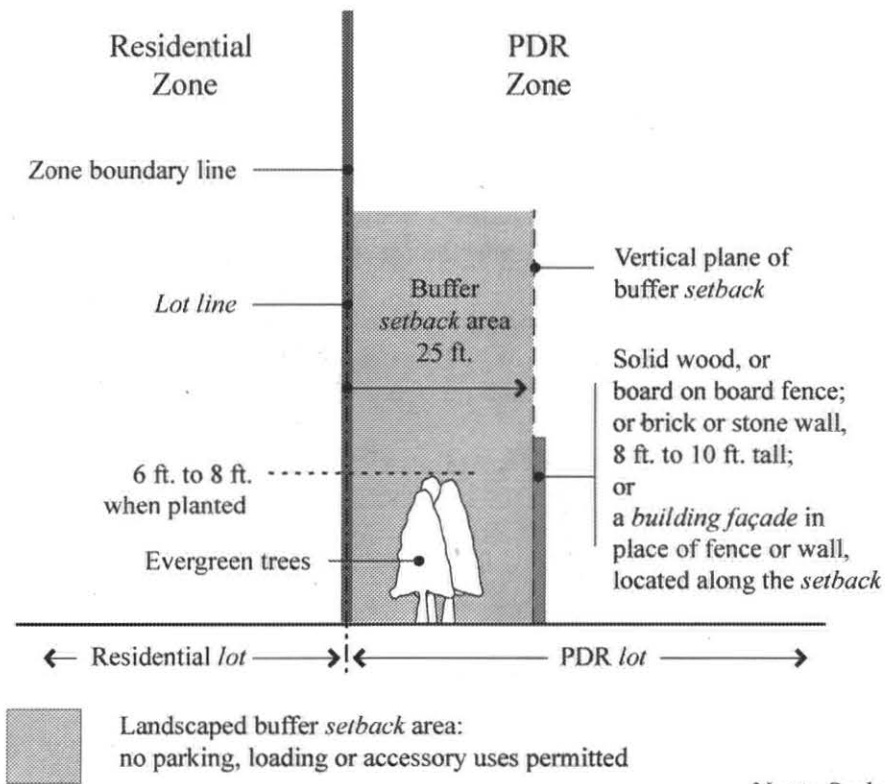
- (a) Fully expresses an applicable *transition regulation*; and
- (b) Only applies to a *zone* if referenced in the reference table included in J § 601.3.

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.

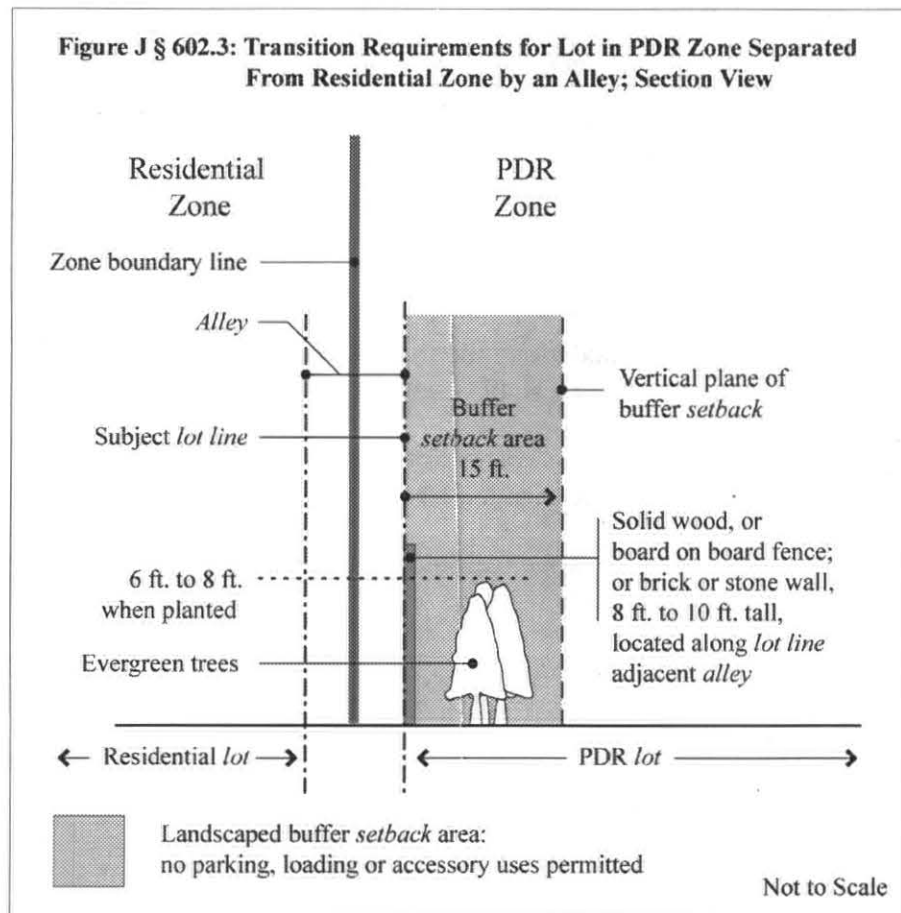
- (c) A form of *screening* shall be erected between the residential and PDR *lots*, and shall be located along the required *setback* identified in paragraph (a) above. The *screening* shall be either:
- (1) A solid wood or board on board fence, no less than eight feet (8 ft.) and no more than ten feet (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; and
- (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 either be:
 - (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*.

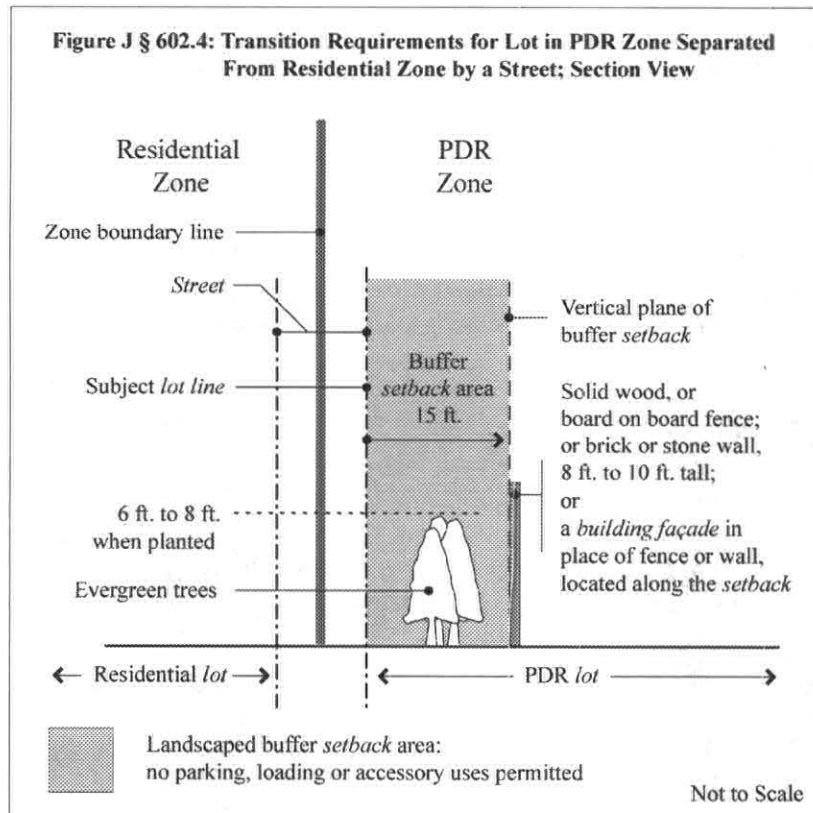


602.4

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; and
- (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*.



CHAPTER 7 PARKING REGULATIONS FOR PDR ZONES

700 INTRODUCTION TO PARKING REGULATIONS FOR PDR ZONES

701 PARKING STANDARDS FOR PDR ZONES

702 SPECIFIC CONDITIONS FOR PARKING IN 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.

On March 28, 2011, upon the motion of Chairman Hood, as seconded by Commissioner Turnbull, the Zoning Commission **APPROVED** this Petition at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Konrad W. Schlater, Peter G. May, Greg M. Selfridge, and Michael G. Turnbull to approve).

On May 23, 2011, upon motion of Chairman Hood, as seconded by Commissioner May, the Zoning Commission **ADOPTED** this Order by a vote of **5-0-0** (Anthony J. Hood, Konrad W. Schlater, Peter G. May, Greg M. Selfridge, and Michael G. Turnbull to adopt).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on July 8, 2011.