301 MATTER-OF-RIGHT USES (RF)

301.1 The following uses shall be permitted as a matter of right in an RF zone subject to any applicable conditions:

(a) Any use permitted in the R zones under Subtitle U §§ 201 and 202, except that an accessory apartment shall not be permitted in any RF Zone; instead, principal dwelling units are permitted pursuant to Subtitle E, Chapter 2, and Subtitle U Chapter 3;

(b) Residential uses with a maximum number of principal dwelling units per lot as follows:

TABLE U § 301.1(b) MAXIMUM NUMBER OF PRINCIPAL DWELLING UNITS:	
RF Zone	Number of Principal Dwelling Units
RF-1	2
RF-4	3
RF-5	4

(c) A permitted principal dwelling unit within an accessory building subject to the following conditions of:

(1) There shall be permanent access to the accessory building dwelling from a dedicated and improved right of way; and

(2) Permanent access shall be provided by one (1) of the following:

(A) An easement for a permanent passage, open to the sky, no narrower than eight feet (8 ft.) in width, and extending from the accessory building to a public street through a side setback recorded in the land records of the District of Columbia; or

(B) Through an improved public alley or alleys with an alley width of not less than fifteen feet (15 ft.) at any point between the lot and a public street;

(3) An accessory building that houses a principal dwelling unit shall not have a roof deck;

(4) An accessory building that houses a principal dwelling unit shall not be used simultaneously for any accessory use other than as a private vehicle garage for a dwelling unit on the lot, storage, or as an artist studio; and

(5) Any proposed use of an accessory building for a dwelling unit not meeting the provisions of Subtitle U §§ 301.1 (c) through (e) shall be permitted as a special exception approval pursuant to Subtitle X Chapter 9.

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(d) An accessory building that houses a principal dwelling unit shall not have a roof deck;

(e) An accessory building constructed as a matter-of-right after January 1, 2013, and that is located within a required setback shall not be used as, or converted to, a dwelling unit for a period of five (5) years after the approval of the building permit for the accessory building, unless approved as a special exception;

(f) An accessory building that houses a principal dwelling unit shall not be used simultaneously for any accessory use other than as a private vehicle garage for a dwelling unit on the lot, storage, or as an artist studio; and

(g) Any proposed expansion of an accessory building for residential purposes shall be permitted only as a special exception approval pursuant to Subtitle X, and shall be evaluated against the standards of this section.

(h) A boarding house subject to the following conditions:

(1) No more than eight (8) total persons shall live on the premises;

(2) Accommodations are not provided to transient guests who stay less than ninety (90) days at the premises;

(3) No sign is displayed on the premises;

(4) No advertisement is displayed or published on or off the premises holding out the establishment to be a hotel, motel, inn, hostel, bed and breakfast, private club, tourist home, guest house, or other transient accommodation; and

(5) Cooking facilities are not provided in any individual unit;

(i) Community Residence Facility for not more than six (6) persons not including resident supervisors or staff and their families. The facility may accommodate seven (7) to eight (8) persons, not including resident supervisors or staff and their families, provided there shall be no property containing an existing Community Residence Facility for eight (8) or more persons within a radius of five hundred feet (500 ft.) from, any portion of the subject property;

(j) A corner store use subject to the matter-of-right conditions of Subtitle U § 254;

(k) Any uses permitted within a District of Columbia former public school building subject to the matter-of-right conditions of Subtitle U § 252;

(l) Medical care uses;

(m) A multiple dwelling in Squares 2580, 2581, 2582, 2583, 2584, 2586W, 2587, or 2589, in existence as of December 14, 2015 with a valid certificate of occupancy, or a building permit application for a multiple dwelling that was officially accepted by DCRA as being complete prior to December 14, 2015, provided that the multiple dwelling shall not be expanded in gross floor area, lot occupancy, number of stories, building height,

penthouse or rooftop structure height, or number of units. Said multiple dwelling, however, may be repaired, renovated, remodeled, or structurally altered;

(n) Child/elderly development center located in a building that was built as a place of worship and that has been used continuously as a place of worship since it was built;

(o) Child/elderly development center or adult day treatment facility, provided, that the use shall be limited to no more than sixteen (16) individuals, not including staff; and

(p) Youth Residential Care Home for not more than six (6) persons not including resident supervisors or staff and their families. The facility may accommodate seven (7) to eight (8) persons, not including resident supervisors or staff and their families, provided there shall be no property containing an existing youth residential care home for eight (8) or more persons within a radius of five hundred feet (500 ft.) from, any portion of the subject property.

301.2 The conversion of an existing non-residential building or structure to an apartment house shall be permitted as a matter of right in any of the RF-1 zones subject to the following conditions:

(a) The building or structure to be converted is in existence on the property at the time the building permit application for the conversion is accepted as complete by the Department of Consumer and Regulatory Affairs; and

(b) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.

301.3 An apartment house in any of the RF-1 zones converted from a non-residential building prior to June 26, 2015, shall be considered a conforming use and structure, but shall not be permitted to expand, either structurally or through increasing the number of units, except as provided by Subtitle U § 320.4.

301.4 An apartment house in any of the RF-1 zones that was converted from a residential building either prior to June 26, 2015, or pursuant to Subtitle A §§ 301.9, 301.10, or 301.11, shall be considered a conforming use and structure, but shall not be permitted to expand, either structurally or through increasing the number of units, except as provided by Subtitle U § 320.2.

301.5 An apartment house in any of the RF-1 zones that was constructed as an apartment house prior to May 12, 1958, or that was lawfully constructed as an apartment house prior to August 7, 1981, in compliance with the then-applicable zoning regulations, shall be considered a conforming use and may renovate or expand in conformance with the applicable provisions of this title, provided that:

(a) The apartment house has not been expanded pursuant to a special exception approved by the Board of Zoning Adjustment per Subtitle U §§ 301.4, 320.2, or 320.4;

(b) An apartment house with less than nine hundred square feet (900 sq. ft.) of lot area per existing dwelling unit does not increase the number of dwelling units; and

(c) An apartment house with more than nine hundred square feet (900 sq. ft.) of lot area per existing dwelling unit may only add additional dwelling units if the apartment house has a minimum of nine hundred square feet (900 sq. ft.) of lot area for each existing and new dwelling unit.

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