OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

ERRATA NOTICE

The Administrator of the Office of Documents and Administrative Issuances, pursuant to the authority set forth in § 309 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-559), hereby gives notice of the following correction to the Notice of Final Rulemaking issued by the District of Columbia Office of Administrative Hearings and published in the *District of Columbia Register* on July 10, 2026 (73 DCR 00999 – 010047).

The Final Rulemaking made a number of changes to the Zoning Regulations in what was described as an "Omnibus" of many small amendments or "subcases" that the Office of Planning had been considering for several years but were not consequential enough to justify as individual cases. The Zoning Commission heard and decided these amendments as one case.

One of the subcases was listed as number 20 in the Final Rulemaking and titled "New dwelling in an Accessory Building in RF zone – Subtitle U § 301". This subcase was intended to:

- Remove the existing requirement that an accessory building must be in existence for five (5) years before a dwelling unit is permitted within it, and expansion of an accessory building for a residence be permitted only by special exception. These requirements were in Subtitle U § 301.1(e), and a portion of Subtitle U § 301.1(g);
- Renumber three (3) other provisions, Subtitle U § 301.1(d), (f), and the remaining portion of (g) as Subtitle U § 301.1(c)(3), (4), and (5); and
- Make conforming changes to the numbering and cross-references.

Due to a scrivener's error, when the text published in the Proposed Rulemaking and approved by the Zoning Commission was re-formatted for the Final Rulemaking Notice, a number of inadvertent formatting errors resulted. As a result:

- Subtitle U § 301.1(e) was not removed;
- Subtitle U § 301.1(d), (f), and the remainder of (g) appear twice as both Subtitle U § 301.1(c)(3), (4), and (5) and Subtitle U, § 301.1(d), (f), and (g);
- Subtitle U § 301.1(c)(5) contains an incorrect cross-reference to U §§ 301.1(c) through (e); and
- Conforming changes to the subsequent numbering are necessary.

This Errata Notice corrects these errors in Subtitle U § 301.1. The deletions are shown in ~~**bold and strikethrough**~~ and additions are shown in **bold and underlined**:

Subsection 301.1, of § 301, MATTER-OF-RIGHT USES (RF), of Chapter 3, USE PERMISSIONS RESIDENTIAL FLATS (RF) ZONES, of Subtitle U, USE PERMISSIONS, is amended to read as follows:

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

Board of Zoning Adjustment
District of Columbia
CASE NO. 21349A
EXHIBIT NO. 65

(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

Zones	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 (c)**~~ shall be permitted as a special exception approval pursuant to Subtitle X Chapter 9.

~~**(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.~~

(**d**~~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;

(**e**~~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;

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

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

(**h**~~**l**~~) Medical care uses;

(**i**~~**m**~~) A multiple dwelling in Squares 2580, 2581, 2582, 2583, 2584, 2586W, 2587, 2589, in existence as of December 14, 2015, with a valid certificate of occupancy, or a building permit application 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;

(**j**~~**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; and

(**k**~~**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

(**l**~~**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.

This Errata Notice's correction to the Notice of Final Rulemaking is non-substantive in nature and does not alter the intent, application, or purpose of the proposed rules. The rules are effective upon the original publication date of July 10, 2026.

Any questions or comments regarding this notice shall be addressed by mail to Victor L. Reid, Esq., Administrator, Office of Documents and Administrative Issuances, 899 North Capital Street, N.E., Suite 8700, Washington, D.C. 20002, email at victor.reid@dc.gov, or via telephone at (202) 727-5090.