



Office of the Director

SET DOWN REPORT

DATE: March 3, 2006

TO: District of Columbia Zoning Commission

FROM: *ESF*
Ellen McCarthy, Director OP

SUBJECT: Zoning Commission Case No. 05-02 - Residential Recreation Space Text Amendment

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I. APPLICATION-IN-BRIEF

Applicant: District of Columbia Office of Planning

Location: All properties within the District zoned SP, C or CR, for which the zoning regulations currently require the provision of residential recreation space.

Proposal: A text amendment to the Zoning Regulations to:

- Eliminate residential recreation space requirements within areas mapped under the Inclusionary Zoning program for affordable housing,
- Provide for the provision of affordable housing in lieu of otherwise required recreation space in areas not mapped under the Inclusionary Zoning program, and
- Amend specific residential recreation space requirements to provide additional clarity, consistency, and ease of use

This report also serves as the pre-hearing statement as required under Section 3013.

II. RECOMMENDED ACTION

In keeping with ongoing efforts to update and clarify Zoning Regulations, and in keeping with the District wide objective to promote the provision of affordable housing, the DC Office of Planning recommends that the Zoning Commission set down for public hearing proposed zoning text amendments to the following provisions of DCMR 11:

- Roof-top structure requirements of Chapter 4, Section 411: allow incidental and accessory roof-top enclosed areas for residential recreation space (at present, such uses are permitted for swimming pools only);
- Residential recreation space provisions of Chapters 5 (Special Purpose District - SP), 6 (Mixed Use Commercial Residential District - CR), and 7 (Commercial District - C):
 - eliminate the residential recreation space requirement for properties in areas mapped within the Inclusionary Zoning (IZ) Overlay District;
 - permit the replacement of recreation space with housing, provided a minimum of 25% of the space is devoted to affordable housing, for properties not within the Inclusionary Zoning (IZ) Overlay District;
 - reduce the minimum dimension for roof-top recreation space from 25' to 8'; and
 - add additional clarity and consistency in wording.

ZONING COMMISSION
District of Columbia

III. BACKGROUND

Residential Recreation Space Amendments: (refer also to OP Report dated February 14, 2005)

For many years following their adoption, residential recreation space regulations within the commercial (C and CR) and special purpose (SP) districts (there is no equivalent requirement in the residential zones) rarely applied, as there was limited residential or mixed-use development proposed within these zones. However, in more recent years, there have been many residential or mixed-use projects proposed and constructed within the commercial districts. Often, residential recreation space provisions have proven difficult to address, and the Board of Zoning Adjustment (BZA) and the Zoning Commission have reviewed and approved many requests for relief. In early 2005, OP reviewed BZA cases in which variances from the residential recreation space regulation were requested, identifying 29 requests between 2001 and early 2005 which were approved. These projects, had they fully met recreation space requirements, would have collectively provided almost 430,000 square feet of residential recreation space for 2,850 residential units, an average of almost 15,000 square feet per building, or 166 square feet per unit.

The difficulty in providing this space was first addressed by the Zoning Commission in 2001 with amendments to reduce the requirement to 5% within the Downtown District (DD) Overlay (Zoning Commission Order 943). A reduction to the required amount, also to five percent, was also approved as part of the Southeast Federal Center (SEFC) Overlay District (Order 03-06). Both of these initiatives focused on the provision of residential and mixed use developments.

As a result of the difficulty in meeting these requirements, there were requests from the Zoning Commission, the Board of Zoning Adjustment (BZA), and the public to review and amend these regulations to be more in line with current standards and expectations. At its March 14, 2005 public meeting, the Zoning Commission set down a series of amendments to the recreation space zoning requirements, to establish a Special Exception process for review of relief requests and to clarify and simplify requirements. A public hearing was held June 27, 2005, at which some limited support for the changes were expressed as being better than existing, but representatives of the development community indicated a preference for the elimination of the regulation, or the standardization of requirements. In November, 2005, the Commission decided to not take proposed action on the OP proposed amendment, and discussed the possibility of re-advertising and holding a new public hearing to consider eliminating the recreation space requirement. The Office of Planning requested that the Commission postpone setting down such action, pending receipt of an additional report from the Office of Planning examining the reallocation of some of this space towards the affordable housing provision of inclusionary zoning, since the elimination or reduction of recreation space within residential buildings does not result in a smaller building, but rather the space would become additional residential square footage within the building.

Inclusionary Zoning:

The Zoning Commission is currently considering methods to require or promote the provision of affordable housing in the District. This is being done because, in recent years, the District has seen a dramatic increase in housing prices which has left many individuals and families unable to afford to remain in or move to the District. In specific, the affordable housing, or inclusionary zoning (IZ) program is intended to address the housing needs of a wider range of people, especially the provision of "workforce" housing, and to encourage affordable units to be seamlessly mixed in with

market rate housing in individual development projects. The IZ program being considered by the Zoning Commission would require developers to provide the greater of:

- 8 to 10% of the matter of right FAR to be devoted to affordable housing (depending on the zone and type of construction); or
- up to 20% more gross floor area than permitted as a matter of right (“bonus density”), provided that 50 - 75% of it is devoted to affordable units (again, depending on the zone and type of construction).

The Commission has given preliminary approval to proposed text amendments to the zoning regulations. In a separate, second phase, the Commission would begin action to delineate where the program would be applied through the adoption of a new Inclusionary Zoning Overlay. The “mapping” of this overlay has not yet been proposed.

Among the issues raised as part of the review of the IZ text amendment was a desire to provide bonus density to help offset additional costs that may be associated with the provision of affordable housing. Reducing residential recreation space requirements may be a way to further help ensure a successful IZ program, since the elimination of the recreation space requirement would directly result in an opportunity for more marketable residential units within the current FAR limits.

IV. EXISTING RECREATION SPACE REQUIREMENTS – refer also to Maps I and II

As shown on the Appendix I map, SP, CR and C zones are found throughout the city, although they are concentrated in the downtown and along major traffic corridors. The recreation space requirement varies from zone to zone, from 5% to 20% of gross residential area, as shown on the chart below.

Chart I –Recreation Space Requirement (all land areas are approximate)				
applicable zone	requirement	total developable area		% of total developable area
		sq.ft. ¹	acres	
C-1, C-2-A	20%	28,475,000	653	32.0%
C-2-B, C-2-C, C-3-A, CR	15%	20,240,000	465	22.8%
C-3-B, C-3-C, SP-1, SP-2	10%	26,480,000	608	29.8%
DD/C-2-A, DD/C-2-C, DD/C-3-A, DD/C-3-C, C-4, DD/C-5, SEFC/CR	5%	13,690,000	314	15.4%
TOTAL		88,885,000	2,040	100.0%
DISTRICT (total land area):			39,296	

However, each zone requires that a portion of the required recreation space (varying from 50% to 70%) be located outside and accessible to all residents of the building as external recreation space, such as on a rooftop or at grade. A more detailed and comprehensive review of existing recreation space regulations and the locations of lands included in zones which require this space is found in the OP Report dated February 14, 2005.

¹ Includes any land in an overlay that does not alter residential recreation space requirements

V. PROPOSAL – refer also to Proposed Text Amendment, Attachment III

OP is proposing the following amendments to the Zoning Regulations as they pertain to the C, SP, and CR Zone districts:

1. Eliminate the residential recreation space requirement for developments which are both within one of the applicable C, SP or CR districts, and which are mapped within the IZ Overlay District. This is intended to help insure a successful IZ program in mixed use zoned areas.
2. Permit the reduction of the residential recreation space requirement in developments which are within one of the applicable C, SP or CR districts, but are not mapped within the IZ Overlay District, if affordable housing is provided in an amount equivalent to 25% of the total minimum required recreation space amount, and in conformance to the IZ regulations and guidelines

The following chart summarizes, in the simplest form, the potential impact of these changes on the amount of market rate housing possible on hypothetical properties which permit 100,000 square feet of development under the base zone. The Chart assumes that only the minimum required amount of external recreation space is provided, and assumes concrete construction (refer to Attachment IV for the detailed chart).

Zone	Existing:					Existing With IZ Program (20% bonus):			
	Rec. Space Req'd	Internal Rec. Space ²	Affordable Housing	Market Rate Housing	Total	Internal Rec. Space	Affordable Housing ³	Market Rate Housing	Total
C-1	20%	10,000	0	90,000	100,000	10,000	10,000	100,000	120,000
CR	15%	4,500	0	95,500	100,000	4,500	10,000	105,500	120,000
C-3-C	10%	5,000	0	95,000	100,000	5,000	10,000	105,000	120,000
C-4	5%	2,500	0	97,500	100,000	2,500	10,000	107,500	120,000

Proposed Amendments to Recreation Space:

Zone	Proposed - Within IZ Mapped Area:				Outside IZ Mapped Area:			
	Rec Space	Affordable Housing	Market Rate Housing	Total	Rec Space	Affordable Housing ⁴	Market Rate Housing	Total
C-1	0	10,000	110,000	120,000	0	5,000	95,000	100,000
CR	0	10,000	110,000	120,000	0	3,750	96,250	100,000
C-3-C	0	10,000	110,000	120,000	0	2,500	97,500	100,000
C-4	0	10,000	110,000	120,000	0	1,250	98,750	100,000

² Internal Recreation Space refers to total required amount, minus the amount required by zoning regulations to be external (therefore having no impact on marketable FAR). None of the required recreation space need be internal

³ For concrete construction, affordable housing would = up to 50% of the "bonus" density, for wood frame construction, the affordable housing = up to 75% of bonus density

⁴ 25% of recreation space required, assuming no internal recreation space is provided OP analysis of past BZA cases indicates that, where a variance is requested, approximately 5% of FAR is normally provided as internal recreation space in the form of lobbies or community rooms The above figures are simplified for comparison purposes

Overall, the impact of the proposed recreation space amendment would be to eliminate or reduce the amount of recreation space provided, and to increase the amount of housing – market rate within mapped IZ areas, and both affordable and market rate outside the mapped areas. Outside the mapped areas, a developer would have the option of providing some or all of the required residential recreation space instead of the combination of market and affordable housing. The impact on the amount of affordable housing is greatest in the lower density commercial zones, such as C-1 and C-2-A, where 20% of gross floor area is required to be devoted to recreation space.

Should a developer wish to construct neither the recreation space nor the affordable housing, a variance application to the Board of Zoning Adjustment would be required, similar to the existing situation, proving the unique factors of the site leading to practical difficulty, and the lack of impact on the integrity of the zoning regulations. For clarification, this provision, if adopted by the Commission, would apply throughout the District until such time as the Inclusionary Zoning boundaries are established and adopted by the Commission. In the alternative, the Commission may wish to delay making these provisions effective until such time as the IZ Overlay is mapped.

3. Reduction of the rooftop recreation dimension requirement from 25 feet to 8 feet. This regulation is particularly difficult to meet on smaller lots that have small roof areas. This recommended change was also made as part of the earlier OP proposal considered by the Commission.
4. Amendment to Section 411.1 (Roof Structures) to permit penthouses for storage and washrooms for all forms of rooftop recreation space (whether required by zoning regulation or not), not just swimming pools as is currently the case. This is proposed to provide flexibility for the provision of normally anticipated and functional accessory spaces associated with rooftop leisure and recreation space. Such space would be subject to all other normally applied regulations pertaining to rooftop enclosures, including height, setback, and maximum area. This recommended change was also made as part of the earlier OP proposal considered by the Commission.

OP's suggested changes are shown incorporated into Proposed Amendments, Attachment IV, in which additions are marked in **bold, underlined text** and deletions in **~~bold, strike-through text~~**. A brief description of changes is included, and where the change is simply a reordering, the existing Section number is noted.

VI. SUMMARY AND RECOMMENDATION

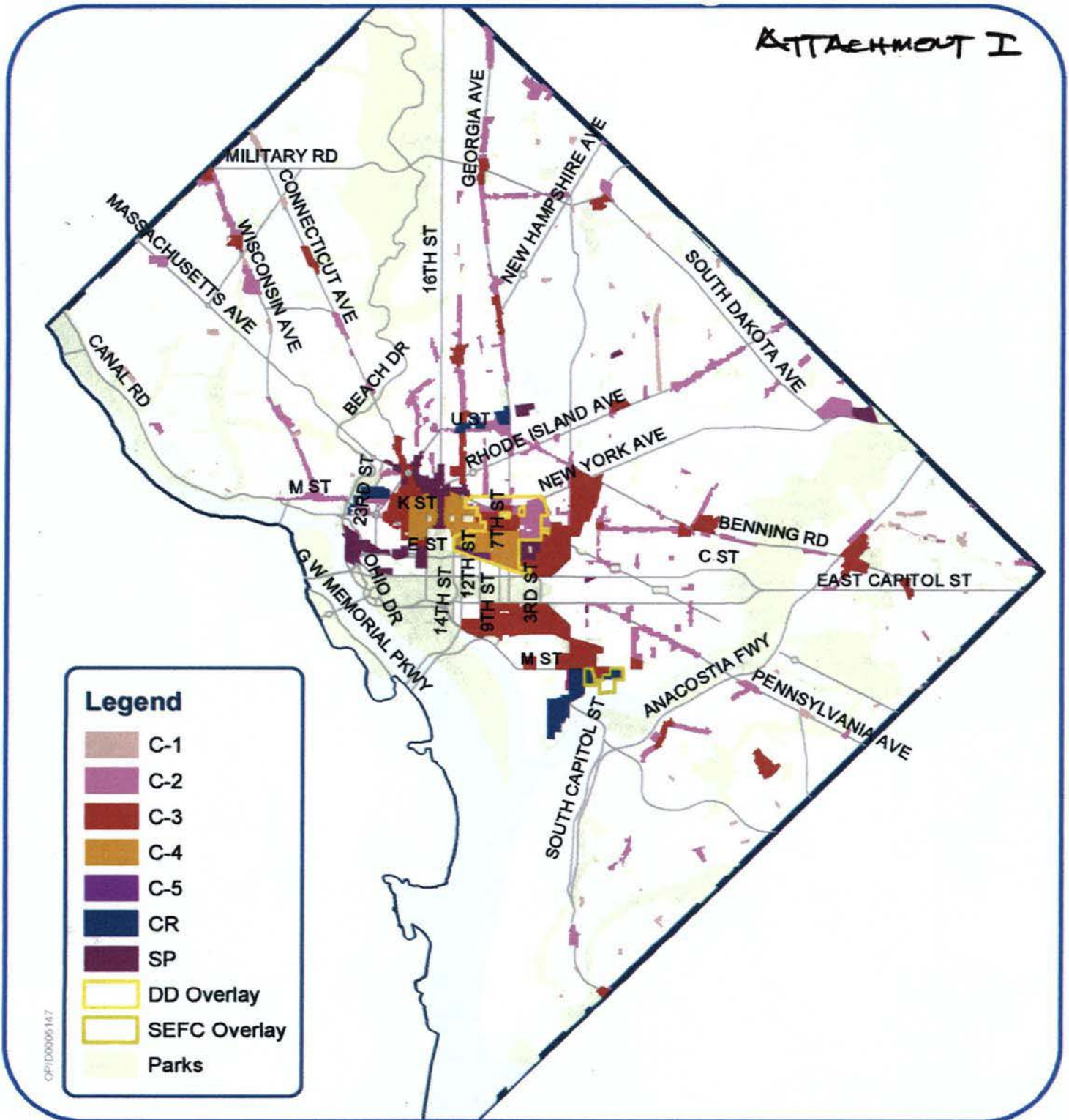
The Office of Planning recommends that the Zoning Commission set down for public hearing this proposed text amendment to the zoning regulation residential recreation space requirements.

EM/jl

ATTACHMENTS:

- I. Map showing SP, C and CR zone districts
- II. Map showing areas where residential recreation space is required, by amount required
- III. Detailed chart showing examples of potential impacts of the proposed amendments
- IV. Proposed Text Amendment

ATTACHMENT I



Zoning Commission Case 05-02 Zones In which Recreation Space Is Required

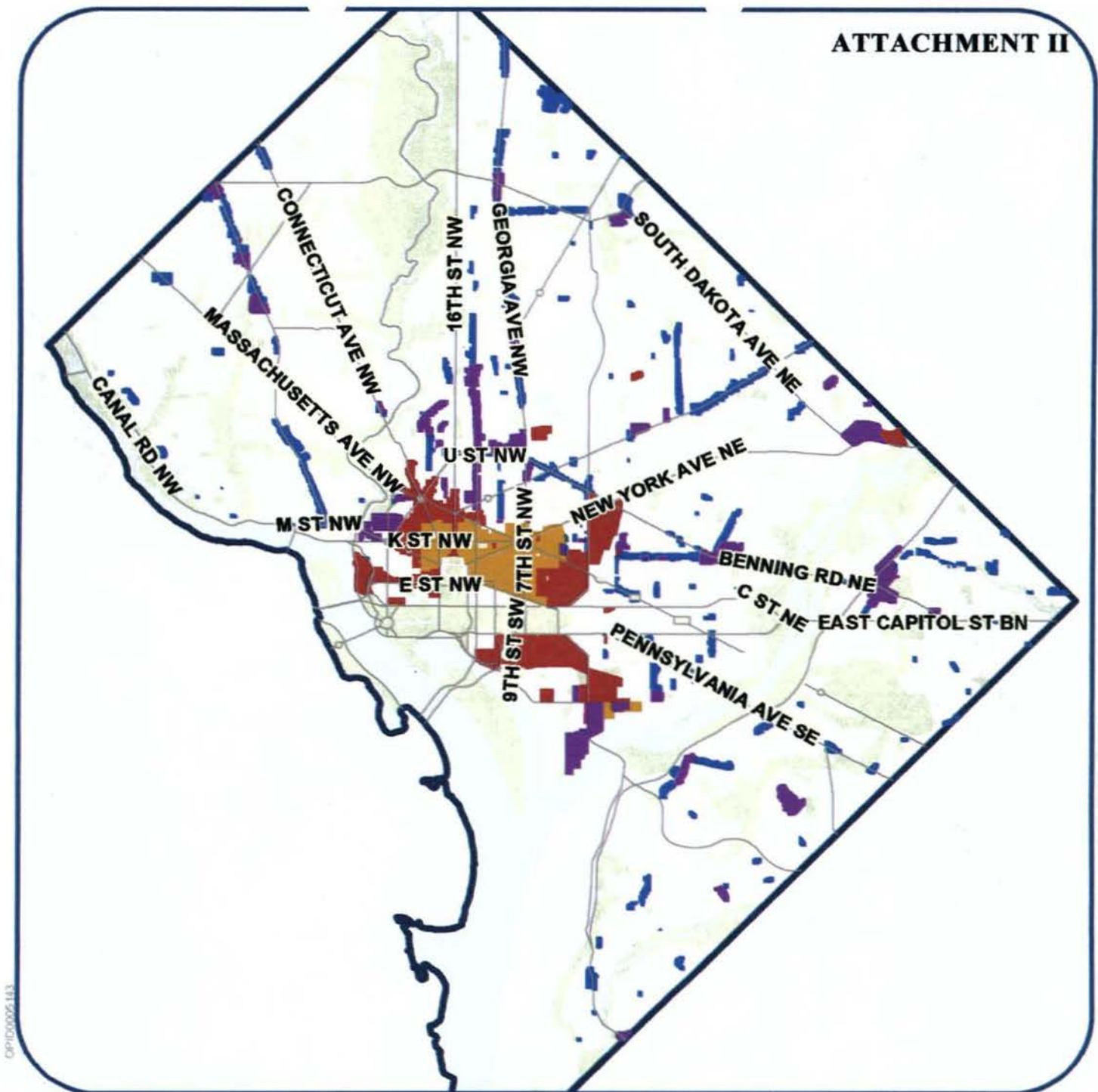
★ ★ ★ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ March, 2006

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.



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ZC Case 05-02 Residential Recreation Space Zone Requirements

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District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ February, 2006

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Legend

- 20 Percent Required
- 15 Percent Required
- 10 Percent Required
- 5 Percent Required
- Parks

Residential Recreation Space Requirements

Comparison of Market Rate and Affordable Housing Sq.Ft. and Recreation Space Required, assuming 100,000 total sq.ft. base development

Existing - Recreation Space Requirement Without IZ Program:						
Zone	Max Dev't	Residential Recreation Space Required		interior		net market rate
		%	sq ft.			
C-1	100,000	20%	20,000	50 0%	10,000	90,000
CR	100,000	15%	15,000	30 0%	4,500	95,500
SP-1	100,000	10%	10,000	50.0%	5,000	95,000
C-4	100,000	5%	5,000	50 0%	2,500	97,500

Existing - Rec Space Requirement With IZ Program:						
Max Dev't w/ 20% IZ bonus	Residential Recreation Space Required		interior		affordable housing 50% bonus	net market rate
	%	sq ft				
120,000	20%	20,000	50 0%	10,000	10,000	100,000
120,000	15%	15,000	30 0%	4,500	10,000	105,000
120,000	10%	10,000	50 0%	5,000	10,000	105,000
120,000	5%	5,000	50 0%	2,500	10,000	107,500

Proposal - Within an IZ Mapped Area:						
Zone	Max Dev't w/ 20% IZ bonus	Residential Recreation Space Required		affordable housing 50% bonus	net market rate	difference from existing
		%	sq ft			
C-1	120,000	0%	0	10,000	110,000	10,000
CR	120,000	0%	0	10,000	110,000	4,500
SP-1	120,000	0%	0	10,000	110,000	5,000
C-4	120,000	0%	0	10,000	110,000	2,500

Proposal - Outside IZ Mapped Area, assuming maximum permitted amount of internal space is converted to affordable housing						
Max. Dev't (no IZ bonus)	RRS Required		interior		affordable housing, 25% of total *	net market rate
	%	sq ft				
100,000	20%	20,000	50 0%	10,000	5,000	95,000
100,000	15%	15,000	30.0%	4,500	3,750	96,250
100,000	10%	10,000	50.0%	5,000	2,500	97,500
100,000	5%	5,000	50.0%	2,500	1,250	98,750

* 25% of total required is approximately equivalent to 50% of the total interior recreation space normally required

Regulation	Current #	Change
CHAPTER 1 DEFINITIONS		
Residential recreation space - an area on the lot or within the building or other structure that is equipped or landscaped for recreational use by the residents of the building or other structure and is freely accessible to the residents. (24 DCR 10787)	199.1	Unchanged
CHAPTER 4 RESIDENCE DISTRICTS: HEIGHT, AREA, AND DENSITY REGULATIONS		
411 ROOF STRUCTURES (R)		
411.1 To exercise a reasonable degree of architectural control upon roof structures in all districts, housing for mechanical equipment, stairway and elevator penthouses, and, when not in conflict with An Act To Regulate the Height of Buildings in the District of Columbia, approved June 10, 1910 (36 Stat. 452, as amended; D.C. Code, 2001 Ed. §§ 6-601.01 to 6-601.09 (formerly codified at D.C. Code §§ 5-401 to 5-409 (1994 Repl. & 1999 Supp.))), penthouses for storage and toilets incidental and accessory to roof swimming pools <u>or recreation space</u> shall be subject to conditions and variable floor area ratio credit specified in this section.	411.1	To allow incidental and accessory enclosed space associated with rooftop recreation space
CHAPTER 5 SPECIAL PURPOSE (SP)		
533 RESIDENTIAL RECREATION SPACE (SP)		
533.1 When all or a portion of a building in an SP District is devoted to a residential use other than a <u>one-family dwelling, flat, or</u> hotel, <u>residential</u> recreation space shall be provided.	533.1	Clarify that it is not required for a SFD or flat; make wording consistent
533.2 An area equal to not less than ten percent (10%) of the gross floor area devoted to residential use shall be provided as residential recreation space, in accordance with the provisions of. §§ 533.5 through 533.12.	533.3 and 533.4	Amount unchanged; moved and numbering corrected
<u>533.3 Notwithstanding §533.2, residential recreation space need not be provided within any area mapped within an Inclusionary Zoning Overlay District.</u>	new	Exempts new buildings or renovations within the IZ Overlay areas from recreation space requirements

Regulation	Current #	Change
<u>533.4 Notwithstanding §533.2, residential recreation space need not be provided within any area not mapped within an Inclusionary Zoning Overlay District, provided that not less than twenty-five percent (25%) of the gross floor area otherwise required to be devoted to residential recreation space shall be provided as affordable housing in conformance to the regulations of the Inclusionary Zoning Overlay District, DCMR 11 Chapter 26.</u>	<i>new</i>	<i>Exempts new buildings or renovations NOT within the IZ Overlay areas from recreation space requirements, provided 25% of the area that would have been recreation space is provided as affordable housing.</i>
533.5 Residential recreation space may be located at ground level, on or above the residential plane, on rooftops, or within a building or ~~other~~ structure.	533.5	<i>Minor wording change for consistency</i>
533.6 No less than fifty percent (50%) of the total residential recreation space shall be outdoors.	533.9	<i>Unchanged</i>
533.7 The recreation space shall be safe, secure, and equipped or landscaped for the active or passive recreation use of the residents.	533.2	<i>Unchanged</i>
533.8 The area of a balcony shall not be counted to satisfy the residential recreation space requirement of a building where the balcony, or portion of it, adjoins an individual residential unit and is accessible only from that unit.	533.6	<i>Unchanged</i>
533.9 Rooftops that contain recreation space may have a parapet wall not to exceed five feet (5 ft.) in height.	533.7	<i>Unchanged</i>
533.10 ~~If a~~ Any portion of a roof ~~is~~ to be used for residential recreation space, ~~the roof area~~ shall have no dimension less than ~~twenty-five eight (8) feet (25 ft.)~~ .	533.8	<i>Reworded for clarity, and reduce width from 25 to 8 feet minimum.</i>
533.11 Residential recreation space shall be physically accessible to all residents of the building served by that space.	533.10	<i>Unchanged</i>
533.12 The floor area devoted to residential recreation space shall not be counted in determining the amount of off-street parking spaces or loading berths.	533.11	<i>Unchanged</i>
CHAPTER 6 MIXED USE COMMERCIAL RESIDENTIAL (CR)		
635 RESIDENTIAL RECREATION SPACE (CR)		
635.1 ~~For the purposes of this section, the phrase “residential purposes” shall include~~ <u>When all or a portion of a building in a CR District is devoted to a residential use, including dwellings, flats, multiple dwellings, rooming and boarding houses, and community-based residential facilities, residential recreation space shall be provided.</u>	635.4	<i>Reworded for consistency</i>
635.2 An area equal to ~~not less than~~ fifteen percent (15%) of the gross floor area devoted to residential ~~purposes use~~ shall be provided as private residential recreation space, <u>in accordance with the provisions of. §§ 635.5 through 635.10.</u>	635.3	<i>Amount unchanged, reworded for consistency and clarity</i>

Regulation	Current #	Change
<u>635.3 Notwithstanding § 635.2, residential recreation space need not be provided within any area mapped within an Inclusionary Zoning Overlay District.</u>	new	Exempts new buildings or renovations within the IZ Overlay areas from recreation space requirements
<u>635.4 Notwithstanding §635.2, residential recreation space need not be provided within any area not mapped within an Inclusionary Zoning Overlay District, provided that not less than twenty-five percent (25%) of the gross floor area otherwise required to be devoted to residential recreation space shall be provided as affordable housing in conformance to the regulations of the Inclusionary Zoning Overlay District, DCMR 11 Chapter 26.</u>	new	Exempts new buildings or renovations NOT within the IZ Overlay areas from recreation space requirements, provided 25% of the area that would have been recreation space is provided as affordable housing.
635.5 Private residential recreation space may be located at ground level, on or above the residential plane, on rooftops, or within the building or structure.	635.2	Split into two provisions for consistency
635.6 <u>No less than</u> seventy percent (70%) of the total ~~of this space~~ <u>residential recreation space</u> shall be ~~open to the sky outdoors~~ .	635.2	Amount unchanged; reworded for consistency and clarity
635.7 ~~The~~ private residential recreation space shall be ~~that space~~ <u>suitably safe, secure, and</u> equipped ~~and devoted to or landscaped for the~~ active or passive recreation ~~for use of the residents of a particular building or structure.~~	635.1	Reworded for consistency
<u>635.8 Rooftops that contain recreation space may have a parapet wall not to exceed five feet (5 ft.) in height.</u>	New	Added for consistency
<u>635.9 Any portion of a roof to be used for residential recreation space shall have no dimension less than eight (8) feet.</u>	New	Added for consistency
<u>635.10 The floor area devoted to residential recreation space shall not be counted in determining the amount of off-street parking spaces or loading berths.</u>	New	Added for consistency
CHAPTER 7 COMMERCIAL (C)		
773 RESIDENTIAL RECREATION SPACE (C)		
773.1 When all or a portion of a building in a C-1, C-2, C-3, C-4, or C-5 (PAD) District is devoted to a residential use other than a one-family dwelling, flat, or hotel, recreation space shall be provided.	773.1	Last clause separated and moved to 773.5 for consistency

¹ The term "open to the sky" in this zone could be defined as more restrictive than the term "outdoors" used in other regulations.

Regulation	Current #	Change										
773.2 An area equal to not less than the following percentage of the gross floor area devoted to residential use shall be provided as residential recreation space <u>in accordance with the provisions of §§ 773.5 through 773.12:</u>	773.2 and 773.3	Combined for consistency; amount unchanged										
<table><tr><th>ZONE DISTRICT</th><th>MAXIMUM PERCENTAGE OF GROSS FLOOR AREA</th></tr><tr><td>C-1, C-2-A</td><td>20%</td></tr><tr><td>C-2-B, C-2-C, C-3-A</td><td>15%</td></tr><tr><td>C-3-B, C-3-C</td><td>10%</td></tr><tr><td>C-4, C-5 (PAD)</td><td>5%</td></tr></table>	ZONE DISTRICT	MAXIMUM PERCENTAGE OF GROSS FLOOR AREA	C-1, C-2-A	20%	C-2-B, C-2-C, C-3-A	15%	C-3-B, C-3-C	10%	C-4, C-5 (PAD)	5%		
ZONE DISTRICT	MAXIMUM PERCENTAGE OF GROSS FLOOR AREA											
C-1, C-2-A	20%											
C-2-B, C-2-C, C-3-A	15%											
C-3-B, C-3-C	10%											
C-4, C-5 (PAD)	5%											
<u>773.3 Notwithstanding § 773.2, residential recreation space need not be provided within any area mapped within an Inclusionary Zoning Overlay District.</u>	new	Exempts new buildings or renovations within the IZ Overlay areas from recreation space requirements										
<u>773.4 Notwithstanding § 773.2, residential recreation space need not be provided within any area not mapped within an Inclusionary Zoning Overlay District, provided that not less than twenty-five percent (25%) of the gross floor area otherwise required to be devoted to residential recreation space shall be provided as affordable housing in conformance to the regulations of the Inclusionary Zoning Overlay District, DCMR 11 Chapter 26.</u>	new	Exempts new buildings or renovations NOT within the IZ Overlay areas from recreation space requirements, provided 25% of the area that would have been recreation space is provided as affordable housing.										
773.5 Residential recreation space may be located at ground level, on or above the residential plane, on rooftops, or within a building or other structure.	773.4	Unchanged										
773.6 No less than fifty percent (50%) of the total residential recreation space shall be outdoors.	773.8	Unchanged										
773.7 <u>The recreation space shall be</u> safe, secure, and equipped or landscaped for the active or passive recreation use of the residents.	773.1	Unchanged										
773.8 The area of a balcony shall not be counted to satisfy the residential recreation space requirement of a building where the balcony or a portion of it adjoins an individual residential unit and is accessible only from that unit.	773.5	Unchanged										
773.9 Rooftops that contain recreation space may have a parapet wall not to exceed five feet (5 ft.) in height.	773.6	Unchanged										
773.10 <u>If</u> Any portion of a roof <u>is</u> to be used for residential recreation space, <u>the roof area</u> shall have no dimension less than <u>twenty-five eight (8) feet (25 ft.)</u> .	773.7	Rewording for clarity and consistency, and reduce width from 25 to 8 feet minimum.										

Regulation	Current #	Change
773.11 Residential recreation space shall be physically accessible to all residents of the building served by that space.	773.9	<i>Unchanged</i>
773.12 The floor area devoted to residential recreation space shall not be counted in determining the number of off-street parking spaces or loading berths.	773.10	<i>Unchanged</i>
CHAPTER 17 DOWNTOWN DEVELOPMENT OVERLAY DISTRICT (DD)		
1706 RESIDENTIAL AND MIXED USE DEVELOPMENT		
1706.4 In the DD/C-2-C Overlay District, the following residential and mixed-use provisions apply:		
(f) The residential recreation space required in § ~~773.1~~ 773.2 shall be reduced to five percent (5%) of the gross floor area devoted to residential use, provided the gross floor area made available by this paragraph shall be devoted entirely to residential use.		<i>Minor numbering change.</i>
1706.5 In the DD/C-3-C Overlay District, the following residential and mixed-use provisions apply:		
(f) The residential recreation space required in § ~~773.1~~ 773.2 shall be reduced to five percent (5%) of the gross floor area devoted to residential use, provided the gross floor area made available by this paragraph shall be devoted entirely to residential use.		<i>Minor numbering change.</i>
CHAPTER 18 SOUTHEAST FEDERAL CENTER OVERLAY (SEFC)		
1803 SEFC/CR DISTRICT		
1803.12 Notwithstanding § ~~635.3~~ 635.2 , within the SEFC/CR District, an area equal to a minimum of five percent (5%) of the gross floor area devoted to residential purposes shall be provided as private residential recreation space. This requirement may be met anywhere within the square wherein the residential building is located.	1803.12	<i>Minor numbering and wording change for consistency.</i>