

Height Worksheet

Based on the OP report and on public comments concerning "Height in the Zoning Regulations", the following recommendations are predicated on incorporating all height measurement regulations within the Zoning Regulations. Since the Zoning Commission cannot interpret or change the Height Act, the Zoning Regulations would need to require height measurement both by the width and classification of the street, *and* by the zone district. The most restrictive would always apply.

1. Maximum Height for Buildings with Multiple Frontages

OPTION ONE (OP Recommendation)

- Any street abutting a building's property line may be used to determine the maximum height allowable, based on the street's width, designation (i.e. business or residence street), and height restrictions imposed by this Chapter. There should be no requirement for the presence of an entrance to designate a building "front" or "face."

OPTION TWO

- A building may draw its maximum permitted height only from a particular street (or streets) based on a definition of the building's "front" or "face."

Relevant Height Act: Provisions: D.C. Official Code § 6-601.05

(a) No building shall be erected, altered, or raised in the District of Columbia in any manner so as to exceed in height above the sidewalk the width of the street, avenue, or highway in its front, increased by 20 feet, but

(d) The height of a building on a corner lot will be determined by the width of the wider street.

Relevant Zoning Regulations: Definition "Building – Height"

If a building fronts on more than one (1) street, any front may be used to determine the maximum height of the building; ...

2. Streets Fronting on Open Space

OPTION ONE (OP Recommendation)

- When any portion of a building abuts a property line that is directly across a street from a public open space or reservation, the building's maximum allowable height may be determined by the width of any single right of way that is not divided by the public open space or reservation and that is adjacent and parallel to any single side of the open space or reservation.

ZONING COMMISSION
District of Columbia

CASE NO. 08-06-1

EXHIBIT NO. 50
ZONING COMMISSION
District of Columbia
CASE NO.08-06-1
EXHIBIT NO.50

OPTION TWO

- When any portion of a building abuts a property line that is directly across a street from a public open space or reservation, the building's maximum allowable height may be determined by the right-of-way width measured across and including the open space or reservation.

Relevant Height Act: Provision: D.C. Official Code § 6-601.05

(a) ... where a building or proposed building confronts a public space or reservation formed at the intersection of 2 or more streets, avenues, or highways, the course of which is not interrupted by said public space or reservation, the limit of height of the building shall be determined from the width of the widest street, avenue, or highway

3. Business vs. Residence Streets

OPTION ONE (OP Recommendation)

- Change existing definitions of Residence street and Business street as follows:
 - A "Residence street" is any block face that contains any residential property located in a low to moderate density zone district, as those zones may be described after completion of the zoning review process, or any block face made up entirely of properties of any residential zone.
 - A "Business street" is any other block face. A property adjacent to both a commercial and a residence street could choose its frontage and utilize the greater of the zones' permitted heights.

OPTION TWO

- Maintain the existing definition of Residence and Business street that differentiates property by property:
 - A "Business street" is any lot zoned SP, W, CR, C, CM, or M.
 - A "Residence street" is any other lot.

Relevant Height Act: Provision: D.C. Official Code § 6-601.05

(b) No buildings shall be erected, altered, or raised in any manner as to exceed the height of 130 feet **on a business street or avenue as** the same is now or hereafter may be lawfully designated, except on the north side of Pennsylvania Avenue between 1st and 15th Streets Northwest, where an extreme height of 160 feet will be permitted.

(c) **On a residence street, avenue, or highway** no building shall be erected, altered, or raised in any manner so as to be over 90 feet in height at the highest part of the roof or parapet, nor shall the highest part of the roof or parapet exceed in height the width of the street, avenue, or highway upon which it abuts,

4. Single vs. Multiple Buildings

A “building” is a structure having a roof and providing for the shelter, support, or enclosure of persons, animals, or tangible property. The current definition of “building” allows for separate portions of a structure to be considered a single building with the “existence of communications between separate portions of a structure” above ground. The following options would define when two or more structures shall be considered a single building or multiple buildings, whether separated by common division walls or having a physical distance from each other.

OPTION ONE (OP Recommendation)

- In order to be considered one “building” for zoning purposes, separate structures must be connected in the following way:
 - 1) the connection is above ground, and
 - 2) the connection is enclosed, and
 - 3) the connection either:
 - a) is common space available, even if by a fee, to all occupants of, or visitors to, any portions of the structure (e.g. a lobby or recreation room), or
 - b) allows unrestricted passage between separate portions of the structure (e.g. an unrestricted doorway or walkway).

OPTION TWO (Existing Practice)

- A less restrictive standard than that above, including above-ground covered connections across alleys and covered walkways.

OPTION THREE

- A more restrictive standard than above, including requirements for shared functionality between or among structures and/or shared floorplate requirements.

5. Location of Bottom Measuring Point

OPTION ONE (OP Recommendation)

- The midpoint of the building along any abutting street may be used to determine the measuring point regardless of which abutting street is used to determine maximum allowable height.

OPTION TWO

- The measuring point of a building shall be the middle of the building along the same street used to determine maximum allowable height.

Relevant Height Act: Provision: D.C. Official Code § 6-601.05

...If the building has more than 1 front, the height shall be measured from the elevation of the sidewalk opposite the middle of the front that will permit of the greater height.

Relevant Zoning Regulations: Definition "Building – Height"

If a building fronts on more than one (1) street, any front may be used to determine the maximum height of the building; but the basis for the height of the building shall be determined by the width of the street selected as the front of the building.

6. Elevation of Bottom Measuring Point

The height of a building shall be measured from the midpoint of the building's property line along a public street (except buildings removed from all lot lines). The elevation of this midpoint shall be determined as follows:

OPTION ONE (OP Recommendation)

- The elevation for this point is determined by the level of the curb as approved by the District government plus a 2% gradient between the curb and the property line, up to a maximum height difference of 12 inches.

OPTION TWO

- The height of a building shall be measured from the level of the curb

OPTION THREE

- The height of a building shall be measured from the level of the sidewalk or natural grade at the front along a front of a building.

7. Natural Grade & Artificial Grade

OPTION ONE (OP Recommendation)

- The "natural elevation" or "natural grade" of a property is the ground elevation that existed prior to the issuance of the first special or building permit, including a raze permit, needed to begin the construction of the building for which a height measurement is being made.
- Where natural elevation, is interrupted by a bridge, viaduct, embankment, ramp, abutment, excavation, tunnel or other type of artificial elevation, the height of a building will not be measured from the human-constructed elevation ~~but from~~ The applicant may choose to measure from either a street frontage not affected by the artificial elevation, or from a level determined by the Zoning Administrator to represent the logical continuation of the surrounding street grid where height is not affected by the discontinuation of the natural elevation. Where the measuring point

elevation has previously been determined for purposes of buildings and/or elevated streets, the previously recognized elevation will control.

OPTION TWO

- Any other definition of natural grade or other treatment of artificial grade.

8. Top Measuring Point

OPTION ONE (OP Recommendation)

- Buildings shall be measured to the top of the roof including any parapet or balustrade on exterior walls, or any other continuation of the exterior walls. When a building's measurement, inclusive of the full height of a parapet or balustrade or any other continuation of the exterior walls, is below the maximum height permitted under the Height Act, any such continuation, such as a parapet or balustrade of up to 4', may be excluded from the height measurement.

OPTION TWO

- Choose any other top measuring point or do not exclude parapets from measurement.

9. Structures Permitted Atop a Roof

OPTION ONE (OP Recommendation)

- The following features may exceed the limitations on height set forth in this title, subject to the provisions of this section:
 - (a) Ornamental features limited to spires, towers, domes, pinnacles, and minarets, that are aesthetic, primarily vertical elements of a building, even if used to cover/hide/mask utilitarian or amenity features;
 - (b) Utilitarian features including, but not limited to, mechanical equipment, safety railings, stairwell access enclosures, elevator penthouses, and building components or appurtenances dedicated to the environmental sustainability of the building; and
 - (c) Amenity features such as structures accessory to communal outdoor recreation space, communal pergolas, communal enclosed recreation space, and structures limited to providing individual unit access to private, unroofed space atop a roof.

- No structures for human habitation shall be constructed on a building's roof unless otherwise authorized by District law or regulation.

OPTION TWO

- More restrictive limitations on roof structures. This could remove communal enclosed recreation space or other any other listed features above.

OPTION THREE

- Less restrictive limitations on roof structures. This could add private recreation space or other additional types of features to the list above.

10. Height, Width and Massing of Structures Atop a Roof

OPTION ONE (OP Recommendation)

- Space enclosed by walls on a roof shall be limited to 40% of the building's total footprint, but shall not count toward overall building FAR. The enclosing walls need not be vertical or of uniform height, and multiple roof structure enclosures shall be permitted.
- Utilitarian and amenity features may not rise more than twenty feet (20 ft) above the roof.
- Under special exception review, utilitarian and amenity features could be entirely enclosed within ornamental features not setback from exterior walls.

OPTION TWO

- Change any of the bullets above. Possible revisions include:
 1. Continuing to count roof space as FAR and providing a credit;
 2. Maintaining existing requirements for single roof structures of uniform height;
 3. Maintaining existing 18' 6" roof structure height limit;
 4. Prohibit, or allow as MOR, utilitarian and amenity features within ornamental features.

11. Roof Structure Setbacks

OPTION ONE (OP Recommendation)

- Utilitarian and amenity features shall be set back at a distance at least equal to their height above the adjacent roof from (a) any exterior wall; (b) any wall facing an alley; (c) any wall facing a court open to a street; (d) any wall that is set back from and facing a lot line; and (e) any lot line wall built higher than the greater of the neighboring building's actual height or matter-of-right height.

- The following shall not be subject to the requirements of this section:
Skylights; gooseneck exhaust ducts; and plumbing vent stacks.
- The Board of Zoning Adjustment may approve relief as a special exception from the requirements of this section when compliance would be impracticable because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area, provided that the intent and purpose of this chapter and title shall not be affected adversely.
- For a utilitarian or amenity features to be considered for special exception relief from the set-back provisions, it must be enclosed within ornamental features.

OPTION TWO

- Change any portion of the above recommendation. Possible revisions include:
 1. Add or remove types of walls requiring setback for roof structures;
 2. Add or remove any or all exemptions;
 3. Limit special exception relief or only allow relief through variances.

12. Exterior Walls

OPTION ONE (OP Recommendation)

- An exterior wall is any wall facing a public street.

OPTION TWO

- Expand definition to include other walls such as alley-facing walls, court-facing walls, or side walls.