

## **SUBTITLE G MIXED USE (MU) ZONES**

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## **CHAPTER 1 INTRODUCTION TO MIXED USE (MU) ZONES**

### **100 GENERAL PROVISIONS**

- 100.1 The MU zones provide for mixed use developments that permit a broad range of commercial, institutional and multi-family residential development at varying densities.
- 100.2 The MU zones are designed to provide facilities for housing, shopping and business needs, including residential, office, service and employment centers.
- 100.3 In addition to the purpose statements of individual chapters, the purposes of the MU zones are to:
- (a) Provide for the orderly development and use of land and structures in the MU zones, characterized by a mixture of land uses.
  - (b) Provide for a varied mix of residential, employment, retail, service, and other related uses at appropriate densities and scale throughout the city;
  - (c) Reflect a variety of building types, including, but not limited to, shop-front buildings which may include a vertical mixture of residential and non-residential uses, buildings made up entirely of residential uses, and buildings made up entirely of non-residential uses;
  - (d) Encourage safe and efficient conditions for pedestrian and motor vehicle movement;
  - (e) Ensure that infill development is compatible with the prevailing development pattern within the zone and surrounding areas; and
  - (f) Preserve and enhance existing commercial nodes and surroundings by providing an appropriate scale of development and range of shopping and service opportunities.
  - (g) Ensure that buildings and developments around fixed rail stations, transit hubs and streetcar lines are oriented to support active use of public transportation and safety of public spaces;
- 100.4 In the MU zones, buildings may be entirely residential, or may be a mixture of non-residential and residential uses.

### **101 DEVELOPMENT STANDARDS**

- 101.1 The bulk of structures in the MU zones shall be controlled through the combined General Development Standards of this subtitle, the zone-specific Development Standards of this subtitle, and the requirements and standards of Subtitle C.

- 101.2 The development standards are intended to:
- (a) Control the bulk or volume of structures, including height, floor-area ratio, and lot occupancy;
  - (b) Control the location of building bulk in relation to adjacent lots and streets, by regulating rear setbacks, side setbacks, and the relationship of buildings to street lot lines;
  - (c) Regulate the mixture of uses; and
  - (d) Ensure the environmental performance of development.
- 101.3 The development standards may include allowances for the provision of affordable housing consistent with the Inclusionary Zoning provisions of Subtitle C, Chapter 22 and will be so indicated by the letters “IZ” in the development standards table.
- 101.4 The bulk of Public Buildings and Structures in the MU zones shall be controlled through the development standards specified in G Chapter 10 and the regulations of this chapter.
- 101.5 Development standards may be varied or waived by The Board of Zoning Adjustment as a variance or, as indicated in this title, as a special exception. Additional zone specific special exception criterion, if applicable, shall be considered and are referenced in this Subtitle.
- 102 USE PERMISSIONS**
- 102.1 Use permissions for the MU zones are as specified in Subtitle U.
- 103 PARKING**
- 103.1 Parking requirements for the MU zones are as specified in Subtitle C.

## CHAPTER 2 GENERAL DEVELOPMENT STANDARDS FOR MU ZONES

### 200 GENERAL PROVISIONS

200.1 The provisions of this chapter apply to all zones except as may be modified or otherwise provided for in a specific zone.

200.2 When modified or otherwise provided for in the development standards for a specific zone, the modification or zone specific standard shall apply.

### 201 DENSITY

### 202 COURTYARDS

202.1 A courtyard is not required in an MU zone, but where it is provided, it shall have the following minimum dimensions.

|                                            | <b>Open Courtyard Width:</b>                                                                           | <b>Closed Courtyard Area:</b>                                                                                                  |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>Residential, more than three units:</b> | Four inches per foot (4 in./ft.) of height of courtyard;<br><br>Ten feet (10 ft.) minimum              | Twice the square of the required width of courtyard dimension;<br><br>Three hundred and fifty square feet (350 sq.ft.) minimum |
| <b>Non-Residential and Lodging:</b>        | Two and one-half inches per foot (2 ½ in./ft.) of height of courtyard;<br><br>Six feet (6 ft.) minimum | Twice the square of the required width of courtyard dimension;<br><br>Two hundred and fifty square feet (250 sq.ft.) minimum   |

## **CHAPTER 3 MIXED USE ZONES - GROUP 1 (MU-1 AND MU-2)**

### **300 PURPOSE AND INTENT**

- 300.1 The purpose of the MU-1 and MU-2 zones (SP-1 and SP-2) is to:
- (a) Act as a buffer between adjoining non-residential and residential areas, and to ensure that new development is compatible in use, scale, and design with the transitional function of this zone;
  - (b) Preserve and protect areas adjacent to non-residential uses or zones that contain a mix of row houses, apartments, offices, and institutions at a medium to high density, including buildings of historic and architectural merit; and
  - (c) Permit new residential development at a higher density than new office or institutional developments.
- 300.2 The MU-1 zone (SP-1) is intended to permit moderate density areas predominantly developed with residential buildings but also permitting non-residential buildings.
- 300.3 The MU-2 zone (SP-2) is intended to permit medium density areas predominantly developed with residential buildings but also permitting non-residential buildings.

### **301 DEVELOPMENT STANDARDS**

- 301.1 The development standards of this chapter modify the General Development Standards in Chapter 2.

### **302 DENSITY**

- 302.1 The maximum floor area ratio (FAR) permitted in the MU-1 zone shall be 4.0 (4.8 with IZ) with a maximum non-residential FAR of 2.5.
- 302.2 The maximum FAR permitted in the MU-2 zone shall be 6.0 (7.2 with IZ) with a maximum non-residential FAR of 3.5.

### **303 HEIGHT**

- 303.1 The maximum height in the MU-1 zone shall be sixty-five (65) feet (seventy (70) feet with IZ).
- 303.2 The maximum height in the MU-2 zone shall be ninety (90) feet.

### **304 LOT OCCUPANCY**

- 304.1 The maximum permitted lot occupancy for residential use shall be eighty (80) percent in the MU-1 and MU-2 zones.

304.2 The maximum permitted lot occupancy for residential use in the MU-2 zone with IZ shall be ninety (90) percent.

**305 REAR SETBACK**

305.1 A minimum rear setback of twelve (12) feet shall be required above a horizontal plan as described in G § 305.2 in the MU-1 and MU-2 zones.

305.2 A horizontal plane may be established at twenty-five feet (25 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear setbacks

305.3 A rear setback is not required to be provided below a horizontal plane as described in § 305.2.

305.4 Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure.

305.5 Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

**306 SIDE SETBACKS**

306.1 No side setback is required for a building or structure other than a single family detached or semi-detached dwelling; however, if a side setback is provided it shall be at least two inches (2 in.) wide for each foot of height of building but no less than five feet (5 ft.).

306.2 A side setback for a single family detached or semi-detached dwelling shall be a minimum of eight feet (8 ft.).

306.3 Any portion of a building setback from the side lot line shall be considered a side setback and not a courtyard.

**307 GREEN AREA RATIO**

307.1 The minimum required Green Area Ratio (GAR) for the MU-1 and MU-2 zones shall be 0.3.

**308 SPECIAL EXCEPTION**

308.1 The Special Exception Criteria of G chapter 12 shall apply to all Group 1 zones.



## **CHAPTER 4 MIXED USE ZONES – GROUP 2 (MU-3, MU-4, MU-5, MU-6, MU-7, MU-8, MU-9, AND MU-10)**

### **400 PURPOSE AND INTENT**

- 400.1 The MU-3 through MU-10 zones are mixed use zones that are intended to be applied throughout the city consistent with the density designation of the Comprehensive Plan. A zone may be applied to more than one density designation
- 400.2 The MU-3 zone (C-1):
- (a) Is intended to permit low density mixed use development; and
  - (b) Is designed to provide convenient retail and personal service establishments for the day-to-day needs of a local neighborhood, as well as residential and limited community facilities with a minimum impact upon surrounding residential development.
- 400.3 The MU-4 zone (C-2-A):
- (a) Is intended to permit moderate density mixed use development;
  - (b) Is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and
  - (c) Shall be located in low and moderate density residential areas with access to main roadways or rapid transit stops, and shall include office employment centers, shopping centers, and moderate bulk mixed use centers.
- 400.4 The MU-5 zone (C-2-B):
- (a) Is intended to permit medium density, compact mixed-use development with an emphasis on residential use;
  - (b) Is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and
  - (c) Shall be located on arterial streets, in uptown and regional centers, and at rapid transit stops.
- 400.5 The MU-6 zone (C-2-C):
- (a) Is intended to permit medium to high density mixed-use development with a focus on residential use; and

- (b) Is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core.

400.6 The MU-7 zone (C-3-A):

- (a) Is intended to permit medium density mixed-use development; and
- (b) Shall be located on arterial streets, in uptown and regional centers, and at rapid transit stops.

400.7 The MU-8 zone (C-3-B):

- (a) Is intended to permit medium density mixed-use development with a focus on employment;
- (b) Is intended for uptown locations, where a large component of development will be office-retail and other nonresidential uses; and
- (c) Shall be located in or near the Central Employment Area, on arterial streets, in uptown and regional centers, and at rapid transit stops.

400.8 The MU-9 zone (C-3-C):

- (a) Is intended to permit high density mixed-use development including office, retail, housing with a focus on employment;
- (b) Shall be located in or near the Central Employment Area, on arterial streets, in uptown and regional centers, and at rapid transit stops.

400.9 The MU-10 zone (CR):

- (a) Is intended to permit medium to high density mixed-use development with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions;
- (b) Shall be applied to areas where a mixture of uses and building densities is intended to carry out elements of the Comprehensive Plan, small area plans or framework plans, including goals in employment, population, transportation, housing, public facilities, and environmental quality;
- (c) Requires a level of public space at the ground level; and
- (d) Allows residential and nonresidential bulk to be apportioned between two or more lots in the same square.

## **401 DEVELOPMENT STANDARDS**

401.1 The development standards of this chapter modify the General Development Standards in Chapter 2.

## **402 DENSITY**

402.1 The maximum permitted FAR of buildings in the MU-3 through MU-10 zones shall be given in the following table:

| Zone            | Maximum Permitted FAR |                          |
|-----------------|-----------------------|--------------------------|
|                 | Total Permitted       | Max. Non-Residential Use |
| MU-3<br>(C-1)   | 1.0<br>1.2 (IZ)       | 1.0                      |
| MU-4<br>(C-2-A) | 2.5<br>3.0 (IZ)       | 1.5                      |
| MU-5<br>(C-2-B) | 3.5<br>4.2 (IZ)       | 1.5                      |
| MU-6<br>(C-2-C) | 6.0<br>7.2 (IZ)       | 2.0                      |
| MU-7<br>(C-3-A) | 4.0<br>4.8 (IZ)       | 2.5                      |
| MU-8<br>(C-3-B) | 5.0<br>6.0 (IZ)       | 4.0                      |
| MU-9<br>(C-3-C) | 6.5<br>7.8 (IZ)       | 6.5                      |
| MU-10<br>(CR)   | 6.0<br>7.2 (IZ)       | 3.0                      |

402.2 In the MU-4 and MU-5 zones (C-2-A and C-2-B), an existing building on a lot with an area ten thousand (10,000) square feet or less, may have a maximum floor area ratio of 2.0 for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story. For new construction, any additional use is limited to 0.5 FAR.

402.3 In the MU-10 zone, combined lot development is permitted for the purposes of allocating gross floor area devoted to residential and non-residential uses in accordance with the provisions of G § 100.4. Both lots shall be located within the same square, and shall be zoned MU-10.

## **403 HEIGHT**

403.1 The maximum permitted height and number of stories of buildings in the MU-3 through MU-10 zones shall be given in the following table:

| Zone            | Max. Height | Max. Stories |
|-----------------|-------------|--------------|
| MU-3<br>(C-1)   | 40 ft.      | 3            |
| MU-4<br>(C-2-A) | 50 ft.      | N/A          |

|                 |                        |     |
|-----------------|------------------------|-----|
| MU-5<br>(C-2-B) | 65 ft.<br>70 ft. (IZ)  | N/A |
| MU-6<br>(C-2-C) | 90 ft.                 | N/A |
| MU-7<br>(C-3-A) | 65 ft.                 | N/A |
| MU-8<br>(C-3-B) | 70 ft.                 | N/A |
| MU-9<br>(C-3-C) | 90 ft.                 | N/A |
| MU-10<br>(CR)   | 90 ft.<br>100 ft. (IZ) | N/A |

#### 404 LOT OCCUPANCY

404.1 The maximum permitted lot occupancy for residential use in the MU-3 through MU-10 zones shall be given in the following table:

| Zone            | Lot Occupancy Maximum for Residential Use. |
|-----------------|--------------------------------------------|
| MU-3<br>(C-1)   | 60%<br>60% (IZ)                            |
| MU-4<br>(C-2-A) | 60%<br>75% (IZ)                            |
| MU-5<br>(C-2-B) | 80%<br>80% (IZ)                            |
| MU-6<br>(C-2-C) | 80%<br>90% (IZ)                            |
| MU-7<br>(C-3-A) | 75 %<br>80% (IZ)                           |
| MU-8<br>(C-3-B) | 100%                                       |
| MU-9<br>(C-3-C) | 100%                                       |
| MU-10<br>(CR)   | 75%<br>100% (IZ)                           |

#### 405 REAR SETBACK

405.1 A minimum rear setback of twenty (20) feet shall be required in the MU-3 zone.

405.2 A minimum rear setback of fifteen (15) feet shall be required in the MU-4, MU-5, and MU-6 zones.

405.3 A minimum rear setback of two and one-half (2 ½) inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than twelve (12) feet shall be required in the MU-7, MU-8, MU-9, and MU-10 zones.

405.4 In the MU-3 through MU-9 zones, a horizontal plane may be established at twenty-five feet (25 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear setbacks.

- 405.5 In the MU-3 through MU-7 zones, rear setbacks shall be measured as follows:
- (a) Where a lot abuts an alley:
    - (1) For that portion of the structure below a horizontal plane described in G § 405.4 from the center line of the alley to the rear wall of the portion; and
    - (2) For that portion of the structure above the horizontal plane described in § 405.4, from the rear lot line to the rear wall of that portion immediately above the plane.
  - (b) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

- 405.6 In the MU-8 and MU-9 zones, rear setbacks shall be established subject to the following conditions:
- (a) A rear setback is not required to be provided below a horizontal plane as described in G § 405.4;
  - (b) Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure;
  - (c) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure

- 405.7 In the MU-10 zone, rear setbacks are required only for residential uses and shall be established subject to the following conditions:
- (a) A rear setback shall be established no lower than the first level of residential use;
  - (b) Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure;
  - (c) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

## **406 SIDE SETBACK**

- 406.1 No side setback is required for a building or structure other than a single family detached or semi-detached dwelling; however, if a side setback is provided it shall be at least two inches (2 in.) wide for each foot of height of building but no less than five feet (5 ft.).
- 406.2 A side setback for a single family detached or semi-detached dwelling shall be a minimum of eight feet (8 ft.).

406.3 Any portion of a building setback from the side lot line shall be considered a side setback and not a court.

**407 PLAZA**

407.1 Within the MU-10 zone, a plaza comprising eight (8) percent of the lot area shall be provided for development on a lot of greater than 10,000 sq.ft., in accordance with the provisions of Subtitle C Chapter 14.

407.2 Where preferred use space is required under this Chapter and provided, the requirement to provide plaza space shall not apply.

**408 SPECIAL EXCEPTION**

408.1 The Special Exception Criteria of G chapter 12 shall apply to all Group 2 zones.

## CHAPTER 5 MIXED USE ZONES – GROUP 3 WATERFRONT (MU-11, MU-12, MU-13 AND MU-14)

### 500 PURPOSE AND INTENT

500.1 The MU-11 through MU-14 zones are mixed use zones that are intended to be applied generally in the vicinity of the waterfront.

500.2 The MU-11 zone: (W-0) is intended to:

- (a) Permit open space, park, and low-density and low-height waterfront-oriented retail and arts uses; and
- (b) Be applied in undeveloped waterfront areas.

500.3 The MU-12 zone (W-1) is intended to permit moderate density mixed-use development generally in the vicinity of the waterfront.

500.4 The MU-13 zone (W-2) is intended to permit medium density mixed-use development generally in the vicinity of the waterfront.

500.5 The MU-14 zone (W-3) is intended to permit high density mixed-use development generally in the vicinity of the waterfront.

### 501 DEVELOPMENT STANDARDS

501.1 The development standards of this chapter modify the General Development Standards in Chapter 2.

### 502 DENSITY

502.1 The maximum permitted FAR of buildings in the MU-11 through MU-14 zones shall be given in the following table:

| Zone           | Floor Area Ratio Max. |                          |
|----------------|-----------------------|--------------------------|
|                | Total Permitted       | Max. Non-Residential Use |
| MU-11<br>(W-0) | 0.5                   | 0.5                      |
| MU-12<br>(W-1) | 2.5<br>3.0 (IZ)       | 1.0                      |
| MU-13<br>(W-2) | 4.0<br>4.8 (IZ)       | 2.0                      |
| MU-14<br>(W-3) | 6.0<br>7.2 (IZ)       | 5.0                      |

502.2 In the MU-11 through MU-14 zones, the guestroom areas and service areas within lodging uses which may be charged against the “Total Permitted” floor area ratio.

502.3 In the MU-11 zone, the floor area ratio on a lot used exclusively for recreational use, marina, yacht club, or boathouse buildings and structures shall not exceed

0.75; and for the purposes of this sub-section, floor area ratio shall be the gross floor area of all buildings and structures located on land and any associated permanent structure located on, in, or over water, other than a floating home, divided by the total area of the lot.

## 503 HEIGHT

503.1 The maximum permitted height of buildings in the MU-11 through MU-14 zones shall be given in the following table:

| Zone           | Max. Height            |
|----------------|------------------------|
| MU-11<br>(W-0) | 40 ft.                 |
| MU-12<br>(W-1) | 45 ft.<br>50 ft. (IZ)  |
| MU-13<br>(W-2) | 60 ft.<br>80 ft. (IZ)  |
| MU-14<br>(W-3) | 90 ft.<br>100 ft. (IZ) |

503.2 In the MU-11 zone, the following conditions apply:

- (a) A building or structure located on, in or over the water; or a watercraft, including a floating home shall have a maximum height of twenty five (25) feet. For the purposes of this subsection, the maximum height shall be measured from the mean high water level along the shore directly in front of the building, structure or watercraft to the highest point of the building or structure, not including sailboat masts.
- (b) The requirements and permissions of Chapter 12 of this subtitle shall apply in addition to the height limitations of the development standards table and this section except that roof structures shall not exceed ten (10) feet in height above the roof upon which they are located.
- (c) Roof structures less than ten (10) feet in height above a roof or parapet wall of a structure on Kingman Island shall not be subject to the requirements of Chapters 11 and 12 of this subtitle when the top of the roof structure is below maximum building height prescribed for the MU-11 zone.

## 504 LOT OCCUPANCY

504.1 The maximum permitted lot occupancy for residential use of buildings in the MU-11 through MU-14 zones shall be given in the following table:

| Zone           | Lot Occupancy Maximum for Residential Use. |
|----------------|--------------------------------------------|
| MU-11<br>(W-0) | 25%                                        |



|                |                  |
|----------------|------------------|
| MU-12<br>(W-1) | 80%<br>80 % (IZ) |
| MU-13<br>(W-2) | 75%<br>75% (IZ)  |
| MU-14<br>(W-3) | 75%<br>80% (IZ)  |

504.2 Within the MU-11 zone, no building or portion of a building, including accessory buildings, shall occupy greater than twenty-five percent (25%) of the lot upon which it is located, provided that:

- (a) The lot occupancy on a lot used exclusively for a recreational use, marina, yacht club, or boathouse buildings and structures shall not exceed fifty percent (50%) and
- (b) For the purposes of this section, the lot occupancy shall be the total area occupied by all buildings and structures located on land and by any associated permanent structure located on, in, or over water, other than a floating home, divided by the total area of the lot.

## **505 REAR SETBACK**

505.1 Rear setbacks are required only for residential uses and shall be established no lower than the first level of residential use.

505.2 A required rear setback of not less than 12 feet shall be provided in the MU-11, MU-12, MU-12, and MU-14 zones.

505.3 Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure;

505.4 Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

505.5 The Board of Zoning Adjustment may waive rear setback requirements pursuant to Subtitle Y, Chapters 8 and Chapter 12 of this Subtitle.

## **506 SIDE SETBACK**

506.1 In the MU-11 through MU-14 zones, a side setback for any building or structure located in whole or in part on land, shall be no less than twelve (12) feet.

506.2 Any portion of a building setback from the side lot line shall be considered a side setback and not a courtyard.

## **507 GREEN AREA RATIO**

507.1 The minimum required Green Area Ratio (GAR) for the MU-11 through MU-14 zones shall be 0.3.

**508 WATERFRONT SETBACK**

508.1 A waterfront setback shall be provided in accordance with the provisions of Subtitle C Chapter 11.

508.2 A setback of not less than one hundred feet (100 ft.) to any building or structure, shall be provided.

**509 SPECIAL EXCEPTION**

509.1 Relief to the requirements of this chapter may be approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle Y. In addition to meeting the general conditions for being granted a special exception as set forth in that Subtitle, the applicant must demonstrate that conditions relating to the application for a special exception are not in conflict with the criteria of C § chapter 11.

## **CHAPTER 6 MIXED USE ZONES – GROUP 4 DUPONT CIRCLE (MU-15 - MU-22)**

### **600 PURPOSE AND INTENT**

- 600.1 The purpose of the Dupont Circle Mixed Use zones is to:
- (a) Require a scale of development consistent with the nature and character of the Dupont Circle area in height and bulk and ensure a general compatibility in the scale of new buildings with older, low scale buildings;
  - (b) Enhance the residential character of the area by maintaining existing residential uses and controlling the scale, location, and density of commercial and residential development;
  - (c) Protect the integrity of “contributing buildings”, as that term is defined by the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144, as amended; D.C. Official Code §§ 6-1101 to 6-1115 (formerly codified at D.C. Code §§ 5-1001 to 5-1015 (1994 and 1999 Supp.)));
  - (d) Preserve areas planned as open gardens and backyards and protect the light, air, and privacy that they provide;
  - (e) Enhance the streetscape by maintaining the public space in front of buildings as landscaped green spaces and limited curb cuts on Connecticut Avenue; and
  - (f) Encourage greater use of public transportation and the free circulation of vehicles through public streets and alleys.
- 600.2 The MU-15 (SP-1/DC) is intended to permit moderate density areas predominantly developed with residential buildings.
- 600.3 The MU-16 (SP-2/DC) is intended to permit medium density areas predominantly developed with residential buildings.
- 600.4 The MU-17 zone (C-2-A/DC) is intended to permit moderate density mixed use development.
- 600.5 The MU-18 zone (C-2-B/DC) is intended to permit medium density, compact mixed use development with an emphasis on residential development.
- 600.6 The MU-19 zone (C-2-C/DC) is intended to permit medium density mixed-use development with a focus on residential use.
- 600.7 The MU-20 zone (C-3-B/ DC) is intended to permit medium density mixed-use development with a focus on employment.

- 600.8 The MU-21 zone (C-3-C/DC) is intended to permit high density mixed-use development with a focus on employment.
- 600.9 The MU-22 zone (CR/DC) is intended to permit medium to high density mixed-use development with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions.
- 600.10 No driveway providing access to required parking spaces or loading berths shall be permitted along Connecticut Avenue from N Street, N.W., to Florida Avenue, N.W.

## **601 DEVELOPMENT STANDARDS**

- 601.1 The development standards of this chapter modify the General Development Standards in Chapter 2.

## **602 DENSITY**

- 602.1 The maximum permitted FAR of buildings in the MU-15 through MU-22 zones shall be given in the following table:

| Zone                | Floor Area Ratio Max. |                          |
|---------------------|-----------------------|--------------------------|
|                     | Total Permitted       | Max. Non-Residential Use |
| MU-15<br>(SP-1/DC)  | 4.0<br>4.8 (IZ)       | 2.5                      |
| MU-16<br>(SP-2/DC)  | 6.0<br>7.2 (IZ)       | 3.5                      |
| MU-17<br>(C-2-A/DC) | 2.5<br>3.0 (IZ)       | 1.5                      |
| MU-18<br>(C-2-B/DC) | 3.5<br>4.2 (IZ)       | 1.5                      |
| MU-19<br>C-2-C/DC)  | 6.0<br>7.2 (IZ)       | 2.0                      |
| MU-20<br>C-3-B/DC   | 5.0<br>6.0 (IZ)       | 4.0                      |
| MU-21<br>(C-3-C/DC) | 6.5<br>7.8 (IZ)       | 6.5                      |
| MU-22<br>(CR/DC)    | 6.0<br>7.2 (IZ)       | 3.0                      |

- 602.2 In the MU-17 and MU-18 zones (C-2-A and C-2-B) an existing building on a lot with an area ten thousand (10,000) square feet or less, may have a maximum floor area ratio of 2.0 for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story.
- 602.3 In the MU-22 zone, combined lot development is permitted for the purposes of allocating gross floor area devoted to residential and non-residential uses in accordance with the provisions of G § 100.4. Both lots shall be located within the same square, and shall be zoned MU-22.

602.4 The following combined lot development provision shall apply to the MU-10 zone only:

- (a) The allowable residential and nonresidential bulk of a MU-10 zone may be apportioned between two (2) or more lots in the same square, regardless of the limits on floor area; provided, that the aggregate residential and nonresidential floor area may not exceed the zone limits.
- (b) A covenant running with the land and applicable to all properties involved in the apportionment shall be executed by all of the owners of the properties and the District of Columbia government prior to the issuance of any building permits. The covenant shall be for the purpose of insuring that the aggregate residential and nonresidential floor area does not exceed the limits applicable to residential and nonresidential uses.
- (c) For the purposes of this section, the term "residential purposes" shall include dwellings, flats, multiple dwellings, rooming and boarding houses, community-based residential facilities, inns, and guest room areas and service areas within hotels.

## 603 HEIGHT

603.1 The maximum permitted height and number of stories of buildings in the MU-15 through MU-22 zones shall be given in the following table:

| Zone                | Max. Height            |
|---------------------|------------------------|
| MU-15<br>(SP-1/DC)  | 65 ft.<br>70 ft. (IZ)  |
| MU-16<br>(SP-2/DC)  | 90 ft.                 |
| MU-17<br>(C-2-A/DC) | 50 ft.                 |
| MU-18<br>(C-2-B/DC) | 65 ft.<br>70 ft. (IZ)  |
| MU-19<br>C-2-C/DC)  | 90 ft.                 |
| MU-20<br>C-3-B/DC   | 70 ft.                 |
| MU-21<br>(C-3-C/DC) | 90 ft.                 |
| MU-22<br>(CR/DC)    | 90 ft.<br>100 ft. (IZ) |

## 604 LOT OCCUPANCY

604.1 The maximum permitted lot occupancy for residential use shall be one-hundred (100) percent in the MU-15 through MU-22 zones.

**605 REAR SETBACK**

- 605.1 A minimum rear setback of twelve (12) feet shall be required in the MU-15 and MU-16 zones.
- 605.2 A minimum rear setback of fifteen (15) feet shall be required in the MU-17, MU-18, and MU-19 zones.
- 605.3 A minimum rear setback of two and one-half (2 ½) inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than twelve (12) feet shall be required in the MU-20, MU-21, and MU-22 zones.
- 605.4 In the MU-15 and MU-16 zones, rear setbacks shall be measured as follows:
- (a) Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure.
  - (b) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.
- 605.5 In the MU-17 through MU-21 zones, a horizontal plane may be established at twenty-five feet (25 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear setbacks.
- 605.6 In the MU-17 through MU-19 zones, rear setbacks shall be measured as follows:
- (a) Where a lot abuts an alley:
    - (1) For that portion of the structure below a horizontal plane described in G§ 605.5 from the center line of the alley to the rear wall of the portion; and
    - (2) For that portion of the structure above the horizontal plane described in G§ 605.5, from the rear lot line to the rear wall of that portion immediately above the plane.
  - (b) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure
- 605.7 In the MU-20 and MU-21 (C-3-B/C) zones, rear setbacks shall be established subject to the following conditions:
- (a) A rear setback is not required to be provided below a horizontal plane as described in G § 605.5;
  - (b) Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure;

- (c) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure

605.8 In the MU-22 (CR) zone, rear setbacks are required only for residential uses and shall be established subject to the following conditions:

- (a) A rear setback shall be established no lower than the first level of residential use;
- (b) Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure;
- (c) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

## **606 SIDE SETBACK**

606.1 In the MU-15, MU-16, and MU-22 zones, no side setback is required; however, if a side setback is provided it shall be at least two inches (2 in.) wide for each foot of height of building but no less than five feet (5 ft.).

606.1 In the MU-17, MU-18, MU-19 MU-20, and MU-21 zones, no side setback is required for a building or structure other than a single family detached or semi-detached dwelling; however, if a side setback is provided it shall be at least two inches (2 in.) wide for each foot of height of building but no less than five feet (5 ft.).

606.2 A side setback for a single family detached or semi-detached dwelling shall be a minimum of eight feet (8 ft.).

606.3 Any portion of a building setback from the side lot line shall be considered a side setback and not a courtyard.

## **607 GREEN AREA RATIO**

607.1 The minimum required Green Area Ratio (GAR) for the MU-15 through MU-19 zones shall be 0.3.

607.2 The minimum required GAR for the MU-20 and MU-21 zones shall be 0.25.

607.3 The minimum required GAR for the MU-22 zone shall be 0.2.

## **608 PLAZA**

608.1 Within the MU-22 zone, a plaza comprising eight (8) percent of the lot area shall be provided for development on a lot of greater than 10,000 sq.ft., in accordance with the provisions of C Chapter 14.

608.2 Where preferred use space is required under this Chapter and provided, the requirement to provide plaza space shall not apply.

**609 SPECIAL EXCEPTION**

609.1 The Special Exception Criteria of G chapter 12 shall apply to all Group 4 zones.



## **CHAPTER 7 MIXED USE ZONES – GROUP 5 CAPITOL INTEREST/CAPITOL HILL (MU-23, MU-24, MU-25 AND MU-26)**

### **700 PURPOSE AND INTENT**

- 700.1 The purpose of the Capitol Interest Mixed Use zones (MU-23, MU-24, and MU-25) is to:
- (a) Promote and protect the public health, safety, and general welfare of the U.S. Capitol precinct and the area adjacent to this jurisdiction, in a manner consistent with the goals and mandates of the United States Congress in Title V of the Legislative Branch Appropriation Act, 1976 (Master Plan for Future Development of the Capitol Grounds and Related Areas), approved July 25, 1975 (Pub. L. No. 94-59, 89 Stat. 288), and in accordance with the plan submitted to the Congress pursuant to the Act;
    - (1) Respect the importance of and provide sufficient controls for the area adjacent to the U.S. Capitol;
    - (2) Provide particular controls adjacent to properties having a well-recognized general public interest; and
    - (3) Restrict some of the permitted uses to reduce the possibility of harming the site, building, or district to be protected.
- 700.2 The MU-23 zone (SP-2/CAP) is intended to permit medium density areas predominantly developed with residential buildings consistent with the purposes of G § 800.1.
- 700.3 The MU-24 zone (C-2-A/CAP) is intended to permit moderate density mixed use development consistent with the purposes of G § 800.1.
- 700.4 The Capitol Hill Commercial Mixed Use zones include the MU-25 (C-2-A/CHC) and MU-26 (C-2-A/CAP/CHC) zones and are intended to:
- (a) Encourage the adaptive use and reuse of existing buildings, many of which are located in the Capitol Hill Historic District, particularly with respect to the portions of the buildings that exceed the commercial floor area ratio permitted in the underlying zone districts;
  - (b) Concentrate nonresidential uses in Commercial Zone Districts in certain areas of Capitol Hill, thereby enhancing and protecting the residential character of the areas surrounding the Commercial Districts and relieving pressure to use properties zoned residential for commercial uses; and
  - (c) Provide appropriate incentives for new infill construction that is compatible with the Capitol Hill Historic District and its predominance of low scale row house structures.

700.5 The MU-25 zone (C-2-A/CHC) is intended to permit moderate density mixed use development consistent with the purpose of G § 800.4.

700.6 The MU-26 zone (C-2-A/CAP/CHC) is intended to permit moderate density mixed use development consistent with the purposes of G §§ 800.1 and 800.4.

## **701 DEVELOPMENT STANDARDS**

701.1 The development standards of this chapter modify the General Development Standards in Chapter 2.

## **702 DENSITY**

702.1 The maximum permitted FAR of buildings in the MU-23 through MU-26 zones shall be given in the following table:

| Zone                     | Floor Area Ratio Max. |                          |
|--------------------------|-----------------------|--------------------------|
|                          | Total Permitted       | Max. Non-Residential Use |
| MU-23<br>(SP-2/CAP)      | 1.8<br>2.16 (IZ)      | N/A                      |
| MU-24<br>(C-2-A/CAP)     | 1.8<br>2.16 (IZ)      | 1.5                      |
| MU-25<br>(C-2-A/CHC)     | 2.5<br>3.0 (IZ)       | 3.0                      |
| MU-26<br>(C-2-A/CAP/CHC) | 2.5<br>3.0 (IZ)       | 1.5                      |

702.2 In the MU-24 zone an existing building on a lot with an area ten thousand (10,000) square feet or less, may have a maximum floor area ratio of 1.8 for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story.

In the MU-25 and MU-26 zones an existing building on a lot with an area ten thousand (10,000) square feet or less, may have a maximum floor area ratio of 2.0 for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story.

## **703 HEIGHT**

703.1 The maximum height in the MU-23, MU-24, and MU-26 zones shall be forty (40) feet and three (3) stories.

703.2 The maximum height in the MU-25 zone shall be fifty (50) feet.

703.3 In the MU-23, MU-24, and MU-26 zones, the requirements and permissions of Chapter 12 of this subtitle shall apply in addition to the height limitations of § 703.1, except that roof structures shall not exceed ten (10) feet in height above the roof upon which they are located.

703.4 In the MU-25 zone, the requirements and permissions of Chapter 12 of this subtitle shall apply in addition to the height limitations of § 703.2.

#### **704 LOT OCCUPANCY**

704.1 The maximum lot occupancy for residential use shall be eighty (80) percent in the MU-23 zone and seventy-five (75) percent in the MU-24, MU-25, and MU-26 zones.

#### **705 REAR SETBACK**

705.1 In the MU-23 zone a twelve-foot (12 ft.) rear setback shall be required.

705.2 In the MU-23 zone, rear setbacks shall be measured as follows:

- (a) Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure.
- (b) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

705.3 In the MU-24 through MU-26 zones a fifteen-foot (15 ft.) rear setback shall be required.

705.4 In the MU-24 through MU-26 zones a horizontal plane may be established at twenty-five feet (25 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear setbacks.

705.5 In the MU-24 through MU-26 zones, rear setbacks shall be measured as follows:

- (a) Where a lot abuts an alley:
  - (1) For that portion of the structure below a horizontal plane described in § 705.4 from the center line of the alley to the rear wall of the portion; and
  - (2) For that portion of the structure above the horizontal plane described in § 705.4, from the rear lot line to the rear wall of that portion immediately above the plane.
- (b) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

#### **706 SIDE SETBACK**

706.1 No side setback is required for a principal building other than a single family detached or semi-detached dwelling; however, if a side setback is provided it shall

be at least two inches (2 in.) wide for each foot of height of building but no less than five feet (5 ft.).

706.2 A side setback for a single family detached or semi-detached dwelling shall be a minimum of eight feet (8 ft.).

706.3 Any portion of a building setback from the side lot line shall be considered a side setback and not a courtyard.

## **707 GREEN AREA RATIO**

707.1 The minimum required Green Area Ratio (GAR) for the MU-23 through MU-26 zones shall be 0.3.

## **708 SPECIAL EXCEPTIONS**

708.1 The Special Exception Criteria of G § chapter 12 shall apply to all Group 5 zones.

708.2 In addition to the Special Exception Criteria of G chapter 12 and Subtitle Y, any special exception application shall be subject to the following conditions in addition to any conditions relative to the specific special exception.

- (a) Compatible with the present and proposed development of the neighborhood;
- (b) Consistent with the goals and mandates of the United States Congress in title V of the Legislative Branch Appropriation Act, 1976 (Master Plan for Future Development of the Capitol Grounds and Related Areas), approved July 25, 1975 (Pub. L. No. 94-59, 89 Stat. 288); and
- (c) In accordance with the plan promulgated under the Act.

708.3 Upon receipt of the application, the Board shall submit the application to the D.C. Office of Planning for coordination, review, report, and impact assessment along with reviews in writing of all relevant District departments and agencies including the Departments of Transportation, Housing and Community Development, and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.

708.4 Upon receipt of the application, the Board shall submit the application to the National Capital Planning Commission for review and report.

708.5 The Board may require special treatment and impose reasonable conditions as it deems necessary to mitigate any adverse impacts identified in the consideration of the application.

## **CHAPTER 8 MIXED USE ZONES – GROUP 6 NAVAL OBSERVATORY (MU-27)**

### **800 PURPOSE AND INTENT**

800.1 The purpose of the Naval Observatory zone (MU-27 (C-2-A/NO)) is to:

- (a) Permit moderate density mixed use development;
- (b) Promote the public health, safety, and general welfare on land adjacent to or in close proximity to the highly sensitive and historically important Naval Observatory in keeping with the goals and policies of the Federal and District elements of the Comprehensive Plan and the adopted Master Plan for that facility;
- (c) Ensure that public land within the zone shall be used in a manner consistent with the historic or ceremonial importance and special mission of the Naval Observatory;
- (d) Reflect the importance of the Naval Observatory to the District of Columbia and the Nation;
- (e) Reduce or eliminate any possible harm or restrictions on the mission of the Federal establishment within the zone; and
- (f) Provide additional controls on private land, in order to protect Federal interest concerns, including the critical scientific mission performed at the Naval Observatory and the security needs of the Vice President's residence.

800.2 The MU-27 zone (C-2-A/NO) is intended to permit moderate density mixed use development.

### **801 DEVELOPMENT STANDARDS**

801.1 The development standards of this chapter modify the General Development Standards in Chapter 2.

801.2 The provisions of X Chapter 3 of this title shall not operate to permit a planned unit development in the MU-27 zone to exceed either the limits of G § 901.1, or the area, bulk, and setback standards that apply as a matter of right in the MU-27 zone.

### **802 DENSITY**

802.1 The maximum permitted Floor Area Ratio in the MU-27 zone shall be 3.0 with a maximum FAR of 1.5 for non-residential use.

802.2 In the MU-27 zone an existing building on a lot with an area ten thousand (10,000) square feet or less, may have a maximum floor area ratio of 2.0 for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story.

**803 HEIGHT**

803.1 The maximum permitted height in the MU-27 zone shall be forty (40) feet.

**804 LOT OCCUPANCY**

804.1 The maximum permitted lot occupancy for residential use in the MU-27 zone shall be sixty (60) percent.

**805 REAR SETBACK**

805.1 A required rear setback shall be provided with a minimum depth of fifteen (15) feet.

805.2 A horizontal plane may be established at twenty-five feet (25 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear setbacks.

805.3 Rear setbacks shall be measured as follows:

(a) Where a lot abuts an alley:

- (1) For that portion of the structure below a horizontal plane described in § 805.2 from the center line of the alley to the rear wall of the portion; and
- (2) For that portion of the structure above the horizontal plane described in § 805.2, from the rear lot line to the rear wall of that portion immediately above the plane.

(b) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure

**806 SIDE SETBACK**

806.1 No side setback is required for a principal building other than a single family detached or semi-detached dwelling; however, if a side setback is provided it shall be at least two inches (2 in.) wide for each foot of height of building but no less than five feet (5 ft.).

806.2 A side setback for a single family detached or semi-detached dwelling shall be a minimum of eight feet (8 ft.).

806.3 Any portion of a building setback from the side lot line shall be considered a side setback and not a courtyard.

**807 GREEN AREA RATIO**

807.1 The minimum required Green Area Ratio (GAR) for the MU-27 zone shall be 0.3.

**808 SPECIAL EXCEPTIONS**

808.1 The Special Exception Criteria of G chapter 12 shall apply to all Group 6 zones.

## CHAPTER 9 MIXED USE ZONES – GROUP 7 FORT TOTTEN (MU-28, MU-29)

### 900 PURPOSE AND INTENT

900.1 The purpose of the Fort Totten Mixed Use zones (MU-28, MU-29) is to:

- (a) Encourage future residential and commercial development while enabling existing industries to remain in the District; and
- (b) Protect surrounding residential areas from the adverse impacts of existing industrial support uses by means of the buffering standards.

900.2 The MU-28 zone (C-3-A/FT) is intended to permit medium density mixed-use development with a focus on employment.

900.3 The MU-29 zone (CR/FT) is intended to permit medium to high density development with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions.

### 901 DEVELOPMENT STANDARDS

901.1 The development standards of this chapter modify the General Development Standards in Chapter 2.

### 902 DENSITY

902.1 The maximum Floor Area Ratio The maximum permitted FAR of buildings in the MU-28 and MU-29 zones shall be given in the following table:

| Zone                | Floor Area Ratio Max. |                          |
|---------------------|-----------------------|--------------------------|
|                     | Total Permitted       | Max. Non-Residential Use |
| MU-28<br>(C-3-A/FT) | 4.0<br>4.8 (IZ)       | 2.5                      |
| MU-29<br>(CR/FT)    | 5.0<br>6.0 (IZ)       | 3.0                      |

902.2 FAR may be increased in the MU-28 and MU-29 zones (C-2-A/B) in an existing building on a lot with an area ten thousand (10,000) square feet or less, and may have a maximum floor area ratio of 2.0 for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story.

902.3 In the MU-29 zone, combined lot development is permitted for the purposes of allocating gross floor area devoted to residential and non-residential uses in accordance with the provisions of G § 100.4. Both lots shall be located within the same square, and shall be zoned MU-29.

### 903 HEIGHT

903.1 The maximum permitted height in the MU-28 zone shall be sixty-five (65) feet.



- 903.2 The maximum permitted height in the MU-29 zone shall be eighty (80) feet and ninety (90) feet with IZ.
- 903.3 Buildings proposed to have a height in excess of sixty-five feet (65 ft.) shall 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. The D.C. Office of Planning shall review and provide a report with recommendation to the Zoning Administrator prior to the issuance of a building permit.

**904 LOT OCCUPANCY**

- 904.1 The maximum permitted lot occupancy for residential use in the MU-35 and MU-36 zones shall be one-hundred (100) percent.

**905 REAR SETBACK**

- 905.1 A required rear setback shall be provided with a minimum depth of 2-1/2 inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet.
- 905.2 In the MU-28 (C-3-A/FT) zone, a horizontal plane may be established at twenty-five feet (25 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear setbacks.
- 905.3 In the MU-28 (C-3-A/FT) zone, rear setbacks shall be measured as follows:
- (a) Where a lot abuts an alley:
    - (1) For that portion of the structure below a horizontal plane described in G § 905.2 from the center line of the alley to the rear wall of the portion; and
    - (2) For that portion of the structure above the horizontal plane described in G § 905.2, from the rear lot line to the rear wall of that portion immediately above the plane.
  - (b) Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.
- 905.4 In the MU-29 (CR/FT) zone, rear setbacks are required only for residential uses and shall be established subject to the following conditions:
- (a) A rear setback shall be established no lower than the first level of residential use;

- (b) Where a lot abuts an alley, the rear setback may be measured from the center line of the alley to the rear wall of the building or other structure;

905.5 Where a lot does not abut an alley, the rear setback shall be measured from the rear lot line to the rear wall of the building or other structure.

## **906 SIDE SETBACK**

906.1 No side setback is required for a principal building; however, if a side setback is provided it shall be at least two inches (2 in.) wide for each foot of height of building but no less than five feet (5 ft.).

906.2 Any portion of a building setback from the side lot line shall be considered a side setback and not a courtyard.

## **907 GREEN AREA RATIO**

907.1 The minimum required Green Area Ratio (GAR) shall be 0.25 for the MU-28 zone and 0.2 for the MU-36 zone.

## **908 SETBACKS AND SCREENING**

908.1 A business or industrial use that expands consistent with the development standards of this chapter shall comply with the following setback and screening standards:

- (a) If the lot line of the lot being developed coincides with the lot line of a property in a residential zone, or is separated only by a street or alley from a property in a residential zone, where the property is not owned by a business or industrial user, and the property is not being used for residential purposes, the following standards shall apply:
  - (1) Where there is a street or an alley between the residential lot and the lot subject to the MU-28, P-6 or P-7 zones, the required setback shall be fifteen feet (15 ft.) measured from the lot line;
  - (2) The yard shall not be used for parking, loading, or accessory uses;
  - (3) The yard shall be landscaped with evergreen trees in a healthy growing condition which shall be a minimum of six feet to eight feet (6 ft. to 8 ft.) in height when planted; and
  - (4) Planting locations and soil preparation techniques shall be shown on a landscape plan submitted with the building permit application
- (b) A setback of twenty-five feet (25 ft.) shall be provided on the portion of the lot adjacent to the residential zone; provided, that the following requirements are met;

to the D.C. 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 soil and drainage mechanisms as necessary; and

- (c) A fence or wall shall be erected as a buffer between the residential lot(s) not owned by a business or industrial user that abut a lot affected by this zone; provided, that the fence or wall shall be no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height, and shall be either a solid, wood, board-on-board fence or a brick or stone wall.

## **909 SPECIAL EXCEPTIONS**

909.1 The Special Exception Criteria of G chapter 12 shall apply to all Group 6 zones.

**CHAPTER 10 DEVELOPMENT STANDARDS FOR PUBLIC EDUCATION  
BUILDINGS AND STRUCTURES, PUBLIC RECREATION AND  
COMMUNITY CENTER, AND PUBLIC LIBRARY FOR MU ZONES**

- 1000.1      Public education buildings and structures, public recreation and community center, or public library in the MU zones shall be permitted subject to the conditions of C chapter 16.
- 1000.2      Development standards not otherwise addressed by C chapter 16 shall be those development standards for the zone in which the buildings or structures is proposed.

## **CHAPTER 11 ALLEY LOT REGULATIONS FOR MU ZONES**

### **1100 GENERAL PROVISIONS**

- 1100.1 All alley lots must be recorded in the records of the Office of the Surveyor, District of Columbia, as a record lot.
- 1100.2 An alley lot that is only recorded on the records of the D.C. Office of Tax and Revenue as an assessment and taxation lot (tax lot) may be recorded by the Surveyor, District of Columbia as a record lot if the tax lot was created on or before May 12, 1958.
- 1100.3 New alley lots may be created as provided in **C § 403**.

### **1101 DEVELOPMENT STANDARDS**

- 1101.1 The development standards in §§ **1102** through **1107** shall apply to buildings on alley lots in MU zones.

### **1102 HEIGHT**

- 1102.1 The maximum height and stories of the building in MU-6, MU-8, MU-9, MU-10, MU-20, MU-21, MU-22, MU-23, MU-32 and MU-36 zones shall be thirty feet (30 ft.) and three (3) stories.
- 1102.2 The maximum height and stories of the building in other MU zones shall be twenty feet (20 ft.) and two (2) stories.

### **1103 REAR SETBACK**

- 1103.1 A required rear setback shall be provided with a minimum depth of five (5) feet from any lot line of all abutting non-alley lots.

### **1104 SIDE SETBACK**

- 1104.1 A required side setback shall be provided with a minimum depth of five (5) feet from any lot line of all abutting non-alley lots.

### **1105 ALLEY CENTERLINE SETBACK**

- 1105.1 A required twelve foot (12 ft.) setback from the centerline of all alleys to which the alley lot abuts shall be provided.

### **1106 GREEN AREA RATIO**

- 1106.1 The minimum required Green Area Ratio (GAR) shall be as required by the zone.



## **CHAPTER 12 RELIEF FROM DEVELOPMENT STANDARDS**

### **1200 GENERAL PROVISIONS**

- 1200.1 The Board of Zoning Adjustment may grant special exception relief to the development standards of this subtitle subject to any applicable conditions of this chapter.
- 1200.2 As set forth in this chapter, specific conditions or criteria may be applicable in the consideration of relief and shall be considered in combination with the conditions Subtitle Y .
- 1200.3 Requested relief that does not comply with the applicable conditions or limitations for a special exception as set out in this chapter shall be processed as a variance.
- 1200.4 Relief may be granted as a special exception by the Board of Zoning Adjustment to the development standards and regulations of this subtitle where, in the judgment of the Board:
- (a) The special exception will be in harmony with the general purpose and intent of the RA zone, the Zoning Regulations and Zoning Maps;
  - (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
  - (c) Subject in each case to any applicable conditions specified in this chapter.

### **1201 SPECIAL EXCEPTION CRITERIA REAR SETBACK RELIEF**

- 1201.1 The Board of Zoning Adjustment may grant relief to the rear setback requirements of this subtitle as a special exception pursuant to Subtitle Y, provided:
- (a) No apartment window shall be located within forty feet (40 ft.) directly in front of another building;
  - (b) No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen feet (18 ft.) in front of a blank wall;
  - (c) In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate setbacks;
  - (d) Provision shall be included for service functions, including parking and loading access and adequate loading areas; and

- (e) Upon receiving an application to waive rear setback requirements in the subject zone, the Board shall submit the application to the D.C. Office of Planning for coordination, review, report, and impact assessment, along with reviews in writing from all relevant District of Columbia departments and agencies, including the Department of Transportation, the District of Columbia Housing Authority and, if a historic district or historic landmark is involved, the Historic Preservation Office.

**1202 SPECIAL EXCEPTION CRITERIA NAVAL OBSERVATORY ZONES  
(MU-27 (C-2-A/NO))**

1202.1 In consideration of a special exception in the MU-28 zone, in addition to any other criteria of this title, the following conditions shall apply:

- (a) The Board shall consider whether the proposed development is compatible with the:
  - (1) Present and proposed development within and adjacent to the MU-27 zone;
  - (2) Goals, objectives, and policies pertaining to Federal facilities, as found in the Comprehensive Plan and the Master Plans for the Federal facilities within the MU-27 zone; and
  - (3) Role, mission, and functions of the Federal facilities within the MU-27 zone, considering the effect that the proposed development would have on such facilities.
- (b) Upon receipt of the application, the Board shall submit the application to the D.C. Office of Planning for coordination, review, report, and impact assessment along with reviews in writing of all relevant District departments and agencies including the Departments of Transportation, Housing and Community Development, and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.
- (c) Upon receipt of the application, the Board shall submit the application to the Architect of the Capitol for review and report.
- (d) The Board may require special treatment and impose reasonable conditions as it deems necessary to mitigate any adverse impacts identified in the consideration of the application.