SUBTITLE H NEIGHBORHOOD MIXED USE (NC) ZONES

SUBTITLE H NEIGHBORHOOD MIXED USE (NC) ZONES 1
Chapter 1 INTRODUCTION TO NEIGHBORHOOD MIXED USE (NC) ZONES 4
100 GENERAL PROVISIONS 4
101 DEVELOPMENT STANDARDS 4
102 USE PERMISSIONS 5
103 PARKING 5
Chapter 2 GENERAL DEVELOPMENT STANDARDS 6
200 GENERAL PROVISIONS 6
201 DENSITY 6
202 REAR SETBACK 6
203 MISCELLANEOUS 7
Chapter 3 MACOMB-WISCONSIN NEIGHBORHOOD MIXED USE ZONE (NC-1) 8
300 PURPOSE AND INTENT 8
301 DEVELOPMENT STANDARDS 8
302 DENSITY 8
303 HEIGHT 8
304 LOT OCCUPANCY 9
305 REAR SETBACKS 9
306 SIDE SETBACK 9
307 COURTYARD 9
308 GREEN AREA RATIO 9
Chapter 4 TAKOMA NEIGHBORHOOD MIXED USE ZONE (NC-2) (C-2-A/TK) 10
400 PURPOSE AND INTENT 10
401 DEVELOPMENT STANDARDS 11
402 DENSITY 11
403 HEIGHT 11
404 LOT OCCUPANCY 11
405 REAR SETBACK 11
406 SIDE SETBACK 11
407 COURTYARD 11
408 GREEN AREA RATIO 12
409 DESIGN REQUIREMENTS TAKOMA NEIGHBORHOOD MIXED USE ZONE (NC-2) (C-2-A/TK) 12
Chapter 5 CLEVELAND PARK NEIGHBORHOOD MIXED USE (NC-3) (C-2-A/CP) 13
500 PURPOSE AND INTENT 13
501 DEVELOPMENT STANDARDS 13
502 DENSITY 13
503 HEIGHT 13
504 LOT OCCUPANCY 14
505 REAR SETBACKS 14
506 SIDE SETBACK 14
507 COURTYARD 14
508 GREEN AREA RATIO 14
Chapter 6 WOODLEY PARK NEIGHBORHOOD MIXED USE (NC-4 and NC-5) 15

ZONING COMMISSION
District of Columbia
CASE NO.08-06A
EXHIBIT NO.890H

600 PURPOSE AND INTENT 15
601 DEVELOPMENT STANDARDS 15
602 DENSITY 15
603 HEIGHT 15
604 LOT OCCUPANCY 16
605 REAR SETBACK 16
606 SIDE SETBACK 16
607 COURTYARD 16
608 GREEN AREA RATIO 16
Chapter 7 EIGHTH STREET SOUTHEAST NEIGHBORHOOD MIXED USE ZONE (NC-6) 17
700 PURPOSE AND INTENT 17
701 DEVELOPMENT STANDARDS 17
702 DENSITY 17
703 HEIGHT 17
704 LOT OCCUPANCY 17
705 REAR SETBACK 18
706 SIDE SETBACK 18
707 COURTYARD 18
708 GREEN AREA RATIO 18
Chapter 8 GEORGIA AVENUE NEIGHBORHOOD MIXED USE ZONES (NC-7 and NC-8) 19
800 PURPOSE AND INTENT 19
801 DEVELOPMENT STANDARDS 19
802 DENSITY 20
803 HEIGHT 20
804 LOT OCCUPANCY 20
805 REAR SETBACK 20
806 SIDE SETBACK 20
807 COURTYARD 21
808 GREEN AREA RATIO 21
809 DESIGN REQUIREMENTS - GEORGIA AVENUE NEIGHBORHOOD MIXED USE ZONES 21
810 SPECIAL EXCEPTION 22
Chapter 9 H STREET NORTHEAST NEIGHBORHOOD MIXED USE ZONES (NC-9 through NC-17) 23
900 PURPOSE AND INTENT 23
901 DEVELOPMENT STANDARDS 25
902 DENSITY 25
903 HEIGHT 26
904 LOT OCCUPANCY 27
905 REAR SETBACK 27
906 SIDE SETBACK 28
907 COURTYARD 28
908 GREEN AREA RATIO 28

909 DESIGN REQUIREMENTS - H STREET NORTHEAST NEIGHBORHOOD MIXED USE ZONES 28
910 SPECIAL EXCEPTION 29
Chapter 10 DEVELOPMENT STANDARDS FOR PUBLIC EDUCATION BUILDINGS AND STRUCTURES, PUBLIC RECREATION AND COMMUNITY CENTER, AND PUBLIC LIBRARY FOR nc ZONES 31
1000 DEVELOPMENT STANDARDS FOR PUBLIC EDUCATION BUILDINGS AND STRUCTURES, PUBLIC RECREATION AND COMMUNITY CENTER, AND PUBLIC LIBRARY 31
Chapter 11 USE PERMISSIONS FOR NC ZONES 32
1100 GENERAL USE PERMISSIONS FOR NC ZONES 32
1101 DESIGNATED AND RESTRICTED USES 32
1102 USES IN NC ZONES 34
1103 MATTER OF RIGHTMATTER OF RIGHT USES – ZONE GROUPS A 35
1104 SPECIAL EXCEPTION USES - ZONE GROUP A 37
1105 MATTER OF RIGHT USES – ZONE GROUPS B 39
1106 SPECIAL EXCEPTION USES - ZONE GROUP B 40
1107 MATTER OF RIGHT USES – ZONE GROUPS C 43
1108 SPECIAL EXCEPTION USES - ZONE GROUP C 44
1109 USES NOT PERMITTED IN NC ZONES 46
Chapter 12 RELIEF FROM DEVELOPMENT STANDARDS 47
1200 GENERAL PROVISIONS 47
1201 SPECIAL EXCEPTION CRITERIA - GEORGIA AVENUE NEIGHBORHOOD MIXED USE ZONES 47
1202 SPECIAL EXCEPTION CRITERIA - H STREET NORTHEAST NEIGHBORHOOD MIXED USE ZONES 48

CHAPTER 1 INTRODUCTION TO NEIGHBORHOOD MIXED USE (NC) ZONES

100 GENERAL PROVISIONS

100.1 The Neighborhood Mixed Use (NC) zones are designed to provide for stable mixed use areas permitting a range of commercial and multi-household residential development in defined neighborhood commercial areas.

100.2 In addition to the purpose statements of each individual chapter, the purposes of the NC zones are to:

(a) Provide for a varied mix of residential, employment, retail, service, and other related uses in the area;

(b) Encourage safe and efficient conditions for pedestrian and motor vehicle movement;

(c) Preserve and enhance neighborhood shopping areas, by providing the scale of development and range of uses that are appropriate for neighborhood shopping and services;

(d) Encourage a general compatibility in scale between new and older buildings;

(e) Encourage retention and establishment of a variety of retail, entertainment, and personal service establishments, predominantly in a continuous pattern at ground level, to meet the needs of the surrounding area's residents, workers, and visitors;

(f) Encourage a scale of development, a mixture of building uses, and other attributes, such as safe and efficient conditions for pedestrian and vehicular movement;

(g) Identify designated roadways within NC zones with limitations on driveways and curb cuts; and

100.3 Identify Designated Use Areas within NC zones within which use restriction shall apply to the ground floor.

101 DEVELOPMENT STANDARDS

101.1 The bulk of structures in the NC 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-are-ratio,

and lot occupancy;

(b) Control the location of building bulk in relation to adjacent lots and streets, by regulating rear setbacks, and the relationship of buildings to street lot lines;

(c) Regulate the mixture of uses;

(d) Ensure the environmental performance of development.

101.3 The bulk of Public Buildings and Structures in the NC zones shall be controlled through the development standards specified in H Chapter 10.

101.4 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 as established in H Chapter 12. Additional zone specific special exception criteria, if applicable, shall be considered and are found at H Chapter 12.

102 USE PERMISSIONS

102.1 Use permissions for the NC zones are as specified in Subtitle U.

103 PARKING

103.1 Parking requirements for the NC zones are as specified in Subtitle C.

CHAPTER 2 GENERAL DEVELOPMENT STANDARDS

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

201.1 The maximum floor area ratio in all NC zones may be used for residential purposes. All other non-residential uses shall be limited as set forth in the Development Standards Tables.

201.2 The matter of right height and floor area ratio limits shall serve as the guidelines for Planned Unit Developments except if specifically stated otherwise.

201.3 The development standards for lodging uses shall be those for non-residential uses except as specifically stated in Floor Area Ratio,

202 REAR SETBACK

202.1 Rear Setbacks as required in the NC zones may be measured according to the following rules, except NC-13:

(a) If the subject lot does not abut an alley, the rear setback shall be measured as follows:

(1) Measure a horizontal plane, from the mean elevation of the rear lot-line, parallel to the rear lot line, into the lot, the distance of the required minimum setback identified in the development standards table, corresponding to the NC zone; and

(2) From the furthest point from the rear lot-line, along the horizontal plane, identified in the previous paragraph, define a vertical plane, up to the maximum height limit of the zone. This vertical plane will form the rear setback.

(b) If the subject lot abuts an alley, the rear setback shall be measured as follows:

(1) Measure a horizontal plane twenty-five feet (25 ft.) above the mean elevation of the rear lot-line, parallel to the rear lot line, into the lot, the distance of the required minimum setback identified in the development standards table, corresponding to the NC zone; and

(2) From the furthest point from the rear lot-line, along the horizontal plane identified in the previous paragraph, measure a vertical plane, up to the maximum height limit of the zone. This vertical plane will form the rear setback.

203 MISCELLANEOUS

203.1 No driveway providing access from any designated roadway to required parking spaces or loading berths shall be permitted in an NC zone.

CHAPTER 3 MACOMB-WISCONSIN NEIGHBORHOOD MIXED USE ZONE (NC-1)

300 PURPOSE AND INTENT

300.1 The purpose of the NC-1 zone (C-1/MW) is to:

(a) Provide for public review of large developments to ensure that they are compatible with and enhance the primary neighborhood retail function of the area;

(b) Ensure new construction is compatible with and enhances the primary neighborhood retail function of the area; and

(c) Limit the scale and massing of new buildings and a mix of uses that is general compatibility in scale with existing buildings.

300.2 The NC-1 (C-1/MW) zone is intended to permit mixed use development at a low density.

300.3 The NC-1 zone (C-1/MW) shall be mapped on the mixed use area near and extending from the intersection of Macomb Street and Wisconsin Avenue, N.W., comprising those non-residentially zoned lots in Squares 1920 and 1920N.

300.4 The designated use area in the NC-1 zone shall include any lot that fronts on Wisconsin Avenue or Macomb or Newark Streets.

300.5 The designated roadway in the NC-1 zone shall be Wisconsin Avenue and Macomb Street, N.W.

301 DEVELOPMENT STANDARDS

301.1 The development standards in §§ 302 through 308 modify the General Development Standards in Chapter 2.

302 DENSITY

302.1 The maximum Floor Area Ratio (FAR) permitted in the NC-1 zone shall be 1 (1.2 with IZ) with a maximum non-residential FAR of 1.

302.2 On a lot that has ten thousand square feet (10,000 sq. ft.) or more in land area, construction of a new building or enlargement of the gross floor area of an existing building by fifty percent (50%) or more, shall be permitted, subject to review and approval as a special exception by the Board of Zoning Adjustment, pursuant to the standards and criteria in Subtitle Y.

303 HEIGHT

303.1 The maximum permitted height in the NC-1 zone shall be forty (40) feet and three (3) stories.

304 LOT OCCUPANCY

304.1 The maximum lot occupancy for a building or portion thereof devoted to Residential use shall be sixty (60) percent. The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

305 REAR SETBACKS

305.1 In the NC-1 zone a minimum rear setback of twenty feet (20 ft.) shall be provided.

306 SIDE SETBACK

306.1 No side setback is required for a building or structure other than a 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 six feet (6 ft.).

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

307 COURTYARD

307.1 Where a courtyard is provided, it shall have the following minimum dimensions:

	Open Courtyard Width:	**Closed Courtyard Area:**
Residential, more than three units:	Four inches per foot (4 in./ft.) of height of court; 10 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum
Non-Residential and Lodging:	Two and one-half inches per foot ($2\ ^{1}/_{2}$ in./ft.) of height of court; 6 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

308 GREEN AREA RATIO

308.1 The minimum required Green Area Ratio (GAR) for the NC-1 zone shall be 0.3.

CHAPTER 4 TAKOMA NEIGHBORHOOD MIXED USE ZONE (NC-2) (C-2-A/TK)

400 PURPOSE AND INTENT

400.1 The purpose of the NC-2 zone (C-2-A/TK) is to:

(a) Reserve sufficient open space to provide adequate light and air to encourage retail and service uses, and pedestrian circulation in the vicinity of the Takoma Metro station;

(b) Require a minimum clear floor-to-ceiling height on the ground floor sufficient to accommodate the needs of neighborhood-serving retail, service and office uses;

(c) Allow and encourage residential development to help meet the need for housing, enhance safety, and provide sufficient resident population to support neighborhood-serving retail, service, and office uses;

(d) Permit mixed use development at a moderate density;

(e) Encourage residential development to enhance safety and provide resident population to support neighborhood serving commercial uses; and

(f) Limit the height of new buildings and encourage a scale of development and a mixture of building uses that is generally compatible in scale with existing buildings.

400.2 The NC-2 zone (C-2-A/TK) shall be mapped on Squares 3188 and 3278 in their entirety, and on the mixed use area of certain lots and portions of lots on:

(a) Square 3187 along the frontages of Blair Road and Cedar Street, N.W.;

(b) Squares 3275 and 3276 along the frontage of 4th Street, N.W.;

(c) Squares 3352, 3353, 3354, 3356, and 3357 along the frontages of Cedar Street and Carroll Street, N.W.; and

(d) Square 3280 along the frontages of Blair Road, Butternut Street, and 4th Street, N.W.

400.3 The NC-2 zone begins at the street right-of-way lines abutting the squares listed in H § 300.2 and extends to a depth of one hundred feet (100 ft.).

400.4 The designated use area shall coincide with the boundaries of the NC-2 zone.

400.5 The designated roadways shall be portions of 4th Street, N.W., Blair Road, N.W., Carroll Street, N.W., and Cedar Street, N.W. to the intersection with Carroll Street, N.W., in the NC-2 zone.

401 DEVELOPMENT STANDARDS

401.1 The development standards in §§ 402 through 408 modify the General Development Standards in Chapter 2.

402 DENSITY

402.1 The maximum Floor Area Ratio (FAR) in the NC-2 zone shall be 2.5 (3.0 with IZ) with a maximum non-residential FAR of 1.5.

402.2 An existing building on a lot ten thousand (10,000) square feet or less may exceed the maximum floor area ratio standard for non-residential uses, provided the uses are located in the ground story and the story directly above the ground story.

403 HEIGHT

403.1 The maximum height in the NC-2 zone shall be fifty (50) feet (fifty-five (55) feet with IZ).

404 LOT OCCUPANCY

404.1 The maximum lot occupancy for a building or portion thereof devoted to Residential use shall be sixty (60) percent (75% with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

405 REAR SETBACK

405.1 In the NC-2 zone a minimum rear setback of fifteen feet (15 ft.) shall be provided.

406 SIDE SETBACK

406.1 No side setback is required for a building or structure other than a 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 six feet (6 ft.).

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

407 COURTYARD

407.1 Where a courtyard is provided, it shall have the following minimum dimensions:

	Open Courtyard Width:	**Closed Courtyard Area:**
Residential, more than three units:	Four inches per foot (4 in./ft.) of height of court; 10 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum

Non-Residential and Lodging:	Two and one-half inches per foot ($2\ ^{1}/_{2}$ in./ft.) of height of court; 6 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

408 GREEN AREA RATIO

408.1 The minimum required Green Area Ratio (GAR) for the NC-2 zone shall be 0.3.

409 DESIGN REQUIREMENTS TAKOMA NEIGHBORHOOD MIXED USE ZONE (NC-2) (C-2-A/TK)

409.1 The street wall of each new building fronting on Blair Road, N.W., Cedar Street, N.W., and Carroll Street, N.W., or any addition to an existing building frontage on any of these streets, shall setback for its entire height and frontage not less than thirteen feet (13 ft.), measured from the adjacent curb line.

409.2 Except as provided in H § 409.4, the ground floor level of each new building or building addition shall have a minimum clear floor-to-ceiling height of fourteen feet (14 ft.).

409.3 Those portions of buildings with a minimum clear floor-to-ceiling height of fourteen feet (14 ft.) on the ground floor level shall be permitted a total building height of fifty-five feet (55 ft.).

409.4 Buildings occupying or constructed on lots along the Blair Road frontage of Square 3187 and Cedar Street frontage of Squares 3352 and 3353 within the Takoma Neighborhood Mixed Use zones, do not have to provide the designated retail and service establishments on the ground floor level required by H § 1101.1, nor comply with the ground floor level floor-to-ceiling height requirement of H § 409.2, if the ground floor level is devoted exclusively to residential uses.

409.5 If ground floor residential uses are established pursuant to H § 409.4, no certificate of occupancy for a permitted non-residential use on the ground floor level may be issued, unless the ground floor level of the subject building complies with the floor-to-ceiling height requirement of H § 409.2.

CHAPTER 5 CLEVELAND PARK NEIGHBORHOOD MIXED USE (NC-3) (C-2-A/CP)

500 PURPOSE AND INTENT

500.1 The purpose of the NC-3 zone (C-2-A/CP) is to:

(a) Encourage compatibility of development with the purposes of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144, as amended; D.C. Code §§ 6-1101 to 6-1115 (formerly codified at D.C. Code §§ 5-1001 to 5-1015 (1994 Repl. & 1999 Supp.))); and

(b) Limit the height of new buildings and encourage a scale of development and a mixture of building uses that is generally compatible in scale with existing buildings;

(c) Provide for retention of existing housing within the Cleveland Park commercial area to help meet the need for affordable housing and to enhance pedestrian activity, safety, and consumer support for businesses in the commercial area; and

500.2 The NC-3 zone (C-2-A/CP) is intended to permit mixed use development at a moderate density.

500.3 The NC-3-M zone (C-2-A/CP) shall be mapped to a compact geographic area surrounding the Cleveland Park Metrorail Station and within the Cleveland Park Historic District, comprising those non-residentially zoned lots in Squares 2218, 2219, 2222, 2068, 2069, and 2082.

500.4 The designated use area shall include any lot within the NC-3 zone that fronts on Connecticut Avenue or Macomb, Newark, Ordway, or Porter Streets.

500.5 The designated roadway in the NC-3 zone shall be Connecticut Avenue NW.

501 DEVELOPMENT STANDARDS

501.1 The development standards in §§ 502 through 507 modify the General Development Standards in Chapter 2.

502 DENSITY

502.1 The maximum Floor Area Ratio (FAR) in the NC-3 zone shall be 2.0 (2.4 with IZ) with a maximum non-residential FAR of 1.0.

502.2 In the NC-3 zone, the maximum FAR shall be 2.0 for detached dwellings and hotels.

503 HEIGHT

503.1 The maximum permitted height in the NC-3 zone shall be forty (40) feet (forty-five (45) feet with IZ).

504 LOT OCCUPANCY

504.1 The maximum lot occupancy for a building or portion thereof devoted to Residential use shall be sixty (60) percent (75% with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

505 REAR SETBACKS

505.1 In the NC-3 zone a minimum rear setback of fifteen feet (15 ft.) shall be provided.

506 SIDE SETBACK

506.1 No side setback is required for a building or structure other than a 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 six feet (6 ft.).

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

507 COURTYARD

507.1 Where a courtyard is provided, it shall have the following minimum dimensions:

	Open Courtyard Width:	**Closed Courtyard Area:**
Residential, more than three units:	Four inches per foot (4 in./ft.) of height of court; 10 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum
Non-Residential and Lodging:	Two and one-half inches per foot ($2\ ^{1}/_{2}$ in./ft.) of height of court; 6 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

508 GREEN AREA RATIO

508.1 The minimum required Green Area Ratio (GAR) for the NC-3 zone shall be 0.3.

CHAPTER 6 WOODLEY PARK NEIGHBORHOOD MIXED USE (NC-4 AND NC-5)

600 PURPOSE AND INTENT

600.1 The purpose of the NC-4 (C-2-A/WP) and NC-5 (C-2-B/WP) zones is to:

(a) Limit the height of new buildings; and

(b) Encourage a scale of development and a mixture of building uses that is general compatibility in scale with existing buildings in the Woodley Park neighborhood.

600.2 The NC-4 zone (C-2-A/WP) is intended to permit mixed use development at a moderate density.

600.3 The NC-5 zone (C-2-B/WP) is intended to permit compact mixed use development at a medium density with an emphasis on residential development.

600.4 The NC-4 and NC-5 zones shall be mapped to a compact geographic area comprising those non-residentially zoned lots in Squares 2202 and 2203 and in Square 2204.

600.5 The designated use area shall include any lot within the NC-4 and NC-5 zones that fronts on Connecticut Avenue, Calvert Street, or 24th Street.

600.6 The designated roadway in the NC-4 and NC-5 shall be Connecticut Avenue NW.

601 DEVELOPMENT STANDARDS

601.1 The development standards in §§ 602 through 608 modify the General Development Standards in Chapter 2.

602 DENSITY

602.1 The maximum Floor Area Ratio (FAR) in the NC-4 zone shall be 2.5 (3.0 with IZ) with a maximum non-residential FAR of 1.0.

602.2 The maximum Floor Area Ratio (FAR) in the NC-5 zone shall be 3.0 (3.6 with IZ) with a maximum non-residential FAR of 1.0.

603 HEIGHT

603.1 The maximum height in the NC-4 zone shall be forty (40) feet (fifty (50) feet with IZ).

603.2 The maximum height in the NC-5 zone shall be fifty (50) feet (fifty-five (55) feet with IZ.

604 LOT OCCUPANCY

604.1 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-4 zone shall be sixty (60) percent (75% with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

604.2 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-5 zone shall be eighty (80) percent (80% with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

605 REAR SETBACK

605.1 In the NC-4 and NC-5 zones a minimum rear setback of fifteen feet (15 ft.) shall be provided.

606 SIDE SETBACK

606.1 No side setback is required for a building or structure other than a 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 six feet (6 ft.).

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

607 COURTYARD

607.1 Where a courtyard is provided, it shall have the following minimum dimensions:

	Open Courtyard Width:	**Closed Courtyard Area:**
Residential, more than three units:	Four inches per foot (4 in./ft.) of height of court; 10 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum
Non-Residential and Lodging:	Two and one-half inches per foot (2 $^{1}/_{2}$ in./ft.) of height of court; 6 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

608 GREEN AREA RATIO

608.1 The minimum required Green Area Ratio (GAR) shall be 0.3 for the NC-4 and NC-5 zones.

CHAPTER 7 EIGHTH STREET SOUTHEAST NEIGHBORHOOD MIXED USE ZONE (NC-6)

700 PURPOSE AND INTENT

700.1 The purpose of the NC-6 zone (C-3-A/ES) zone is to:

(a) Encourage and allow new neighborhood-serving retail and service businesses and office development in close proximity to the Navy Yard, with emphasis on firms that will conduct business with the Navy, as well as neighborhood-serving retail and service businesses;

(b) Allow and encourage mixed use development at a medium density, in the interest of securing economic development, while restricting building heights to a low level to respect the historic scale of buildings and the entrance to the adjacent Navy Yard; and

(c) Provide for safe and efficient pedestrian movement by reducing conflicts between pedestrian and vehicular traffic, so as to improve access to retail and other businesses in the area.

700.2 The NC-6 zone (C-3-A/ES) shall be mapped to a compact geographic area along Eighth Street, S.E., near the entrance to the Navy Yard, comprising those non-residentially zoned properties in Squares 906, 907, 929, and 930.

700.3 The designated use area shall include any lot that fronts on Eighth Street, L Street, M Street, or Potomac Avenue, S.E. in the NC-6 zone.

700.4 The designated roadways shall be Eighth Street, M Street; and Potomac Avenue, S.E.

701 DEVELOPMENT STANDARDS

701.1 The development standards in §§ 702 through 708 modify the General Development Standards in Chapter 2.

702 DENSITY

702.1 The maximum Floor Area Ratio (FAR) in the NC-6 zone shall be 3.0 with a maximum non-residential FAR of 2.5.

703 HEIGHT

703.1 The maximum permitted height in the NC-6 zone shall be forty-five (45) feet.

704 LOT OCCUPANCY

704.1 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-6 zone shall be seventy-five (75) percent. The

maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

705 REAR SETBACK

705.1 In the NC-6 zone a minimum rear setback of twelve feet (12 ft.) shall be provided.

706 SIDE SETBACK

706.1 No side setback is required for a building or structure other than a 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 six feet (6 ft.).

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

707 COURTYARD

707.1 Where a courtyard is provided, it shall have the following minimum dimensions:

	Open Courtyard Width:	**Closed Courtyard Area:**
Residential, more than three units:	Four inches per foot (4 in./ft.) of height of court; 10 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum
Non-Residential and Lodging:	Two and one-half inches per foot (2 $^{1}/_{2}$ in./ft.) of height of court; 6 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

708 GREEN AREA RATIO

708.1 The minimum required Green Area Ratio (GAR) in the NC-6 zone shall be 0.25.

CHAPTER 8 GEORGIA AVENUE NEIGHBORHOOD MIXED USE ZONES (NC-7 AND NC-8)

800 PURPOSE AND INTENT

800.1 The purpose of the NC-7 (C-2-A/GA) and NC-8 (C-3-A/GA) zones is to:

(a) Implement the objectives of the Georgia Avenue - Petworth Metro Station Area and Corridor Plan, approved by the Council of the District of Columbia on July 7, 2006 (Res. 16-686; 53 DCR 5444);

(b) Implement the goals of the Great Streets Framework Plan for 7th Street - Georgia Avenue, published by the District Department of Transportation and dated 2006;

(c) Encourage additional residential uses along the Georgia Avenue corridor;

(d) Encourage improved commercial uses;

(e) Provide uniform building design standards;

(f) Set guidelines for development review through PUD and special exception proceedings; and

(g) Encourage vertically-mixed uses (ground floor commercial and residential above) within a quarter mile of the Georgia Avenue - Petworth Metrorail Station along Georgia Avenue, from Park Road to Shepherd Street.

800.2 The NC-7 zone (C-2-A/GA) is intended to permit mixed use development at a moderate density, including additional residential uses above improved commercial uses; and

800.3 The NC-8 zone (C-3-A/GA) is intended to permit mixed use development at a medium density with a focus on employment, including additional residential uses above improved commercial uses.

800.4 The Georgia Avenue Neighborhood Mixed Use zones (NC-7 and NC-8) applies to non-residential properties along both sides of Georgia Avenue, N.W., from the north side of the intersection of Georgia Avenue and Kenyon Street to the south side of the intersection of Georgia Avenue and Varnum Street.

800.5 The designated use area shall coincide with the boundaries of the NC-7 and NC-8 zones.

800.6 The designated roadway in the NC-7 and NC-8 zones shall be Georgia Avenue N.W.

801 DEVELOPMENT STANDARDS

801.1 The development standards in §§ 802 through 810 modify the General Development Standards in Chapter 2.

802 DENSITY

802.1 The maximum Floor Area Ratio (FAR) in the NC-7 zone shall be 2.5 (3.0 with IZ) with a maximum non-residential FAR of 1.5.

802.2 The maximum FAR in the NC-8 zone shall be 4.0 (4.8 with IZ) with a maximum non-residential FAR of 2.5.

802.3 A planned unit development (PUD) in the NC-7 and NC-8 zones shall be subject to the following provisions in addition to those of X Chapter 3:

(a) Any additional height and floor area above that permitted as a matter-of-right in the zone shall be for residential use only; and

(b) The minimum area included within the proposed PUD, including the area of public streets or alleys proposed to be closed, shall be a total of ten thousand square feet (10,000 sq. ft.).

803 HEIGHT

803.1 The maximum permitted height in the NC-7 zone shall be fifty (50) feet and fifty-five (55) feet with IZ.

803.2 The maximum permitted height in the NC-8 zone shall be sixty-five (65) feet.

804 LOT OCCUPANCY

804.1 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-7 zone shall be seventy (70) percent (seventy-five (75) percent with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

804.2 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-8 zone shall be seventy-five (75) percent (eighty (80) percent with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

805 REAR SETBACK

805.1 In the NC-7 zone a minimum rear setback of fifteen (15 ft.) shall be provided.

805.2 In the NC-8 zone a minimum rear setback of twelve feet (12 ft.) shall be provided

806 SIDE SETBACK

806.1 No side setback is required for a building or structure other than a 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 six feet (6 ft.).

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

807 COURTYARD

807.1 Where a courtyard is provided, it shall have the following minimum dimensions:

	Open Courtyard Width:	**Closed Courtyard Area:**
Residential, more than three units:	Four inches per foot (4 in./ft.) of height of court; 10 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum
Non-Residential and Lodging:	Two and one-half inches per foot ($2\ ^{1}/_{2}$ in./ft.) of height of court; 6 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

808 GREEN AREA RATIO

808.1 The minimum required Green Area Ratio (GAR) in the NC-7 zone shall be 0.3.

808.2 The minimum required GAR in the NC-8 zone shall be 0.25.

809 DESIGN REQUIREMENTS - GEORGIA AVENUE NEIGHBORHOOD MIXED USE ZONES

809.1 The following design requirements shall apply to any lot in the NC-7 and NC-8 zones, other than a lot used for a public school:

(a) Buildings shall be designed and built so that not less than seventy-five percent (75%) of the street wall at the street level shall be constructed to the property line abutting the street right-of-way;

(b) Buildings on corner lots shall be constructed to all property lines abutting public streets;

(c) On-grade parking structures with frontage on Georgia Avenue, N.W. shall provide not less than sixty-five percent (65%) of the ground level frontage as commercial space;

(d) Each building on a lot that fronts on Georgia Avenue, N.W. shall devote not less than fifty percent (50%) of the surface area of the street wall at the ground level to entrances to commercial uses or to the building's main lobby, and to display windows having clear or clear/low emissivity glass.

Decorative or architectural accents do not count toward the fifty percent (50%) requirement;

(e) Security grilles over windows or doors shall have no less than seventy percent (70%) transparency;

(f) The ground floor level of each building or building addition shall have a uniform minimum clear floor-to-ceiling height of fourteen feet (14 ft.);

(g) Buildings subject to H § 809.1 (f) shall be permitted an additional five feet (5 ft.) of building height over that permitted as a matter-of-right in the zone;

(h) Each commercial use with frontage on Georgia Avenue, N.W. shall have an individual public entrance directly accessible from the public sidewalk;

(i) Buildings shall be designed so as not to preclude an entrance every forty feet (40 ft.) on average for the linear frontage of the building, excluding vehicular entrances, but including entrances to ground floor uses and the main lobby; and

(j) Off-street surface parking shall be permitted in rear yards or below grade only.

810 SPECIAL EXCEPTION

810.1 Construction of a new building, or enlargement of the gross floor area of an existing building by fifty percent (50%) or more, on a lot that has twelve thousand square feet (12,000 sq. ft.) or more of land area is permitted only as a special exception if approved by the Board of Zoning Adjustment, in accordance with the standards specified in Subtitle Y and H § 1201.

CHAPTER 9 H STREET NORTHEAST NEIGHBORHOOD MIXED USE ZONES (NC-9 THROUGH NC-17)

900 PURPOSE AND INTENT

900.1 The purpose of the H Street Northeast Neighborhood Mixed Use zones is to:

(a) Implement the policies and goals of the H Street NE Strategic Development Plan as approved by the Council of the District of Columbia on February 17, 2004 (R15-460);

(b) Encourage the clustering of uses into unique destination sub-districts along the corridor, specifically a housing district from 2nd Street to 7th Street, N.E.; a neighborhood-serving retail shopping district from 7th Street to 12th Street, N.E.; and an arts and entertainment district from 12th Street to 15th Street, N.E.;

(c) Establish design guidelines for new and rehabilitated buildings that are consistent with the historic character and scale of the H Street NE commercial corridor;

(d) Encourage new construction to preserve existing façades constructed before 1958; and

(e) Encourage residential uses, the reuse of existing buildings, and the redevelopment of those portions of Squares 1026, 1027, 1049, and 1050 within the Overlay but not fronting H Street.

900.1 The H Street Northeast Neighborhood Mixed Use zones include a housing, retail and arts subarea, and are comprised of the NC-9, NC-10, NC-11, NC-12, NC-13, NC-14, NC-15, NC-16, and NC-17 zones.

900.2 The H Street Northeast Neighborhood Mixed Use Housing sub-district is divided into the NC-9, NC-10, NC-11, NC-12, and NC-13 zones.

900.3 The H Street Northeast Neighborhood Mixed Use Housing sub-district zones are intended to:

(a) Encourage residential uses along the H Street, N.E. corridor, particularly provision of affordable units and reuse of upper floors;

(b) Establish design guidelines for new and rehabilitated buildings that are consistent with the historic character and scale of the H Street NE commercial corridor; and

(c) Encourage the reuse of existing buildings along the corridor.

900.4 The NC-9 zone (C-2-A/HS-H) is intended to permit mixed use development at a moderate density with an emphasis on the provision of residential uses, particularly affordable units and reuse of upper floors.

900.5 The NC-10 zone (C-2-B/HS-H) is intended to permit mixed use development at a moderate to medium density with an emphasis on the provision of residential uses, particularly affordable units and reuse of upper floors.

900.6 The NC-11 zone (C-2-C/HS-H), NC-12 zone (C-3-A/HS-H) and the NC-13 zone (C-3-B/HS-H) zones are intended to permit mixed use development at a medium density with an emphasis on the provision of residential uses, particularly affordable units and reuse of upper floors.

900.7 The H Street Northeast Neighborhood Mixed Use Commercial Arts sub-district is divided into the NC-14 and NC-15 zones.

900.8 The H Street Northeast Neighborhood Mixed Use Commercial Arts sub-district zones are intended to encourage arts and entertainment uses and a scale of development and a mixture of building uses that is generally compatible in scale with existing buildings;

900.9 The NC-14 zone (C-2-A/HS-A) is intended to permit mixed use development at a moderate density with an emphasis on arts and arts-related uses.

900.10 The NC-15 zone (C-3-A/HS-A) is intended to permit mixed use development at a medium density with an emphasis on employment and the provision of arts and arts-related uses.

900.11 The H Street Northeast Neighborhood Mixed Use Retail sub-district is divided into the NC-16 and NC-17 zones.

900.12 The H Street Northeast Neighborhood Mixed Use Retail sub-district zones are intended to encourage retail uses and a scale of development and a mixture of building uses that is generally compatible in scale with existing buildings.

900.13 The NC-16 zone (C-2-A/HS-R) is intended to permit mixed use development at a moderate density with an emphasis on the provision of retail uses.

900.14 The NC-17 zone: (C-2-B/HS-R) is intended to permit mixed use development at a moderate to medium density with an emphasis on the provision of retail uses.

900.15 The H Street Northeast Neighborhood Mixed Use zones shall be mapped along the H Street NE commercial corridor between the western side of 2nd Street, NE and the eastern side of 15th Street, NE.

900.16 The designated street lot lines in the H Street Northeast Neighborhood Mixed Use zones are:

(a) The street lot lines abutting H Street, NE; and

(b) The street lot lines abutting Florida Avenue NE, Maryland Avenue NE, 13th Street NE, 14th Street NE, and 15th Street NE, applicable only if the building would have ground floor space occupied by one (1) or more service, retail, or office uses permitted by-right in the zone.

900.17 The designated roadway within the H Street Northeast Neighborhood Mixed Use zones shall be H Street, NE.

901 DEVELOPMENT STANDARDS

901.1 The development standards in §§ 902 through 910 modify the General Development Standards in Chapter 2.

902 DENSITY

902.1 The maximum permitted FAR of buildings in the NC-9 through NC-17 zones shall be given in the following table:

Zone	Max. Residential FAR	Max. FAR Other Uses	Max. FAR Permitted
NC-9 (C-2-A/HS-H)	2.5	0.5	2.5 3.0 (IZ)
NC-10 (C-2-B/HS-H)	3.5	0.5	3.5 4.2 (IZ)
NC-11 (C-2-C/HS-H)	6.0	0.5	6.0 7.2 (IZ)
NC-12 (C-3-A/HS-H)	4.0	0.5	4.0 4.8 (IZ)
NC-13 (C-3-B/HS-H)	5.0	0.5	5.0 6.0 (IZ)
NC-14 (C-2-A/HS-A)	2.5	1.0	2.5 3.0 (IZ)
NC-15 (C-3-A/HS-A)	4.0	1.0	4.0 4.8 (IZ)
NC-16 (C-2-A/HS-R)	2.5	1.5	2.5 3.0 (IZ)
NC-17 (C-2-B/HS-R)	3.5	1.5	3.5 4.2 (IZ)

902.2 In the NC-9, NC-10, NC-11, NC-12, NC-13, NC-14, NC-15 zones, new construction that preserves a building façade constructed before 1958 is permitted a non-residential FAR of 1.5 maximum, provided that at least 1.0 FAR shall be occupied by uses in the following categories:

(a) Office, provided that the Office use shall not be on the ground story;

(b) Retail;

(c) Service; or

(d) Eating and Drinking Establishments.

902.3 In the NC-9 through NC-17 zones, new construction that preserves an existing façade constructed before 1958 is entitled to an increase of 0.5 FAR in addition to the non-residential density permitted.

902.4 In the event that a grocery store is constructed on Square 776, a maximum non-residential density of 1.5 FAR shall be permitted on that Square in which the grocery store shall be included.

902.5 A planned unit development (PUD) in the H Street Northeast Neighborhood Mixed Use zones shall be subject to the following provisions in addition to those of X Chapter 2:

(a) Any additional height and floor area above that permitted as a matter-of-right shall be used only for housing or the designated uses;

(b) The PUD process shall not be used to reduce requirements in this chapter for designated uses, specifically retail, service, entertainment, and arts uses;

(c) The minimum area included within the proposed PUD, including the area of public streets or alleys proposed to be closed, shall be ten thousand square feet (10,000 sq. ft.);

(d) Developments properties subject to the set-aside requirements of Inclusionary Zoning pursuant to C Chapter 22 may use the height and lot occupancy and bonus to FAR as the basis of calculating the set-aside requirements for Inclusionary Zoning units;

(e) The use of bonus FAR by a property also eligible to use the bonus provided for in H § 902.2 shall be deemed to first utilize the bonus authorized for inclusionary zoning units;

(f) Use of the bonus FAR authorized in H § 902.2 shall not count towards the Inclusionary Zoning set-aside requirements of Subtitle C Chapter 22; and

(g) Bonus density achieved through H § 902.2 that is in addition to the inclusionary zoning requirements shall not count toward the Inclusionary Zoning set-aside requirements of Subtitle C Chapter 22.

903 HEIGHT

903.1 The maximum permitted height in the NC-9, NC-14, and NC-16 zones shall be fifty (50) feet.

903.2 The maximum permitted height in the NC-12 and NC-15 zones shall be sixty-five (65) feet.

903.3 The maximum permitted height in the NC-10 and NC-17 zones shall be sixty-five (65) feet and seventy (70) feet with IZ.

903.4 The maximum permitted height in the NC-13 zone shall be seventy (70) feet.

903.5 The maximum permitted height in the NC-11 zone shall be ninety (90) feet and one-hundred (100) feet with IZ.

904 LOT OCCUPANCY

904.1 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-9, NC-14 and NC-16 zones shall be seventy (70) percent (seventy-five (75) percent with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

904.2 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-12 and NC-15 zones shall be seventy-five (75) percent (eighty (80) percent with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

904.3 The maximum permitted lot occupancy for a building or portion thereof devoted to Residential use in the NC-10, NC-11 and NC-17 zones shall be eighty (80) percent (eighty (80) percent with IZ). The maximum lot occupancy for all other buildings shall be one-hundred (100) percent.

904.4 In the NC-13 zone all buildings shall be permitted a lot occupancy of one hundred percent (100 %).

904.5 For the purposes of this chapter, the percentage of lot occupancy may be calculated on a horizontal plane located at the lowest level where residential uses begin.

905 REAR SETBACK

905.1 In the NC-9, NC-10, NC-11, NC-14, NC-16 and NC-17 zones, a minimum rear setback of fifteen (15 ft.) shall be provided.

905.2 In the NC-12, NC-13, and NC-15 zones, a minimum rear setback of twelve feet (12 ft.) shall be provided.

906 SIDE SETBACK

906.1 In the NC zones, no side setback is required for a building or structure other than a 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 six feet (6 ft.).

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

907 COURTYARD

907.1 Where a courtyard is provided, it shall have the following minimum dimensions:

	Open Courtyard Width:	**Closed Courtyard Area:**
Residential, more than three units:	Four inches per foot (4 in./ft.) of height of court; 10 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum
Non-Residential and Lodging:	Two and one-half inches per foot ($2\ ^1/_2$ in./ft.) of height of court; 6 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

908 GREEN AREA RATIO

908.1 The minimum required Green Area Ratio (GAR) shall be 0.25 for the NC-12, NC-13, and NC-15 zones and 0.3 for the NC-9, NC-10, NC-11, NC-14, NC-16, and NC-17 zones.

909 DESIGN REQUIREMENTS - H STREET NORTHEAST NEIGHBORHOOD MIXED USE ZONES

909.1 The following design requirements of §§ 909.2 through 909.13 apply to all new construction for which a building permit is required in the H Street Northeast Neighborhood Mixed Use zones:

909.2 Buildings shall be designed and built so that not less than seventy-five percent (75%) of the streetwall(s) to a height of not less than twenty-five feet (25 ft.) shall be constructed to the property line abutting the street right-of-way. Buildings on corner lots shall be constructed to both property lines abutting public streets.

909.3 For the purposes of H § 903.1, "residential uses" includes single-household dwellings, flats, multiple dwellings, and rooming and boarding houses.

909.4 Parking structures with frontage on H Street, N.E., Florida Avenue, N.E., Maryland Avenue, N.E., 13th Street, N.E., 14th Street N.E., or 15th Street, N.E. shall provide not less than sixty-five percent (65%) of the ground level frontage as commercial space.

909.5 Each new building on a lot that fronts on H Street, N.E., Florida Avenue, N.E.,

Maryland Avenue, N.E., 13th Street, N.E., 14th Street N.E., or 15th Street, N.E. shall devote not less than fifty percent (50%) of the surface area of the streetwall(s) at the ground level of each building to display windows having clear or clear/low-emissivity glass, except for decorative or architectural accent, and to entrances to commercial uses or to the building.

909.6 Security grilles shall have no less than seventy percent (70%) transparency.

909.7 Each commercial use with frontage on H Street, N.E., Florida Avenue, N.E., Maryland Avenue, N.E., 13th Street, N.E., 14th Street N.E., or 15th Street, N.E. shall have an individual public entrance directly accessible from the public sidewalk. Multiple-dwellings shall have at least one primary entrance on H Street directly accessible from the sidewalk.

909.8 Buildings shall be designed so as not to preclude an entrance every forty feet (40 ft.) on average, for the linear frontage of the building, excluding vehicular entrances, but including entrances to ground floor uses and the main lobby.

909.9 The ground floor level of each new building or building addition shall have a uniform minimum clear floor-to-ceiling height of fourteen feet (14 ft.) if the building:

(a) Fronts H Street, N.E.; or

(b) Fronts Florida Avenue, N.E., Maryland Avenue, N.E., 13th Street, N.E., 14th Street, N.E., or 15th Street, N.E. and would have ground floor space occupied by one (1) or more service, retail, or office uses permitted as a matter of right in the underlying zone.

909.10 Buildings subject to H § 907.9 shall be permitted an additional 5 feet (5 ft.) of building height over that permitted in the zone.

909.11 Projection signs shall have a minimum clearance of eight feet (8 ft.) above a sidewalk and fourteen feet (14 ft.) above a driveway, project no more than three feet, six inches (3 ft., 6 in.) from the face of the building, and end a minimum of one foot (1 ft.) behind the curbline or extension of the curbline.

909.12 Façade panel signs shall not be placed so as to interrupt windows or doors and shall project no more than twelve inches (12 in.) from the face of the building.

909.13 Roof signs are prohibited.

910 SPECIAL EXCEPTION

910.1 Construction of a new building, or enlargement of the gross floor area of an existing building by fifty percent (50%) or more, on a lot that has six thousand square feet (6,000 sq. ft.) or more of land area is permitted only as a special

exception if approved by the Board of Zoning Adjustment, in accordance with the standards specified in Subtitle Y and H § 1202.

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

1000 DEVELOPMENT STANDARDS FOR PUBLIC EDUCATION BUILDINGS AND STRUCTURES, PUBLIC RECREATION AND COMMUNITY CENTER, AND PUBLIC LIBRARY

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 13.

1000.2 Development standards not otherwise addressed by this C chapter 13 shall be those development standards for the zone in which the buildings or structures is proposed.

CHAPTER 11 USE PERMISSIONS FOR NC ZONES

1100 GENERAL USE PERMISSIONS FOR NC ZONES

1100.1 This chapter contains use permissions, conditions, and special exceptions to Neighborhood Mixed Use zones.

1100.2 Uses are permitted as a matter of right (P), as a matter of right with conditions (C), or as a special exception (S).

1100.3 A condition on a matter of right use may limit a use category to one or more specific uses, modify the characteristic(s) of a use, or limit a use to specific zones.

1100.4 Uses are permitted as either principal or accessory uses and some uses are permitted only as an accessory use (A).

1100.5 "Other Accessory Uses" shall be those that are customarily incidental and subordinate to the principal uses permitted in this chapter.

1100.6 Designated uses, as described by this chapter, shall be provided pursuant to the requirements of H §1101. All other uses shall be provided pursuant to the requirements of this chapter.

1100.7 Antennas in NC zones shall be controlled by C Chapter 13.

1100.8 Zone Groups for uses in the NC zones are as follows:

(a) Zone Group A shall apply to the NC-1 (C-1/MW) zone.

(b) Zone Group B shall apply to the NC-2 (C-2-A/TK), NC-3 (C-2-A/CP), NC-4 (C-2-A/WP), NC-7 (C-2-A/GA), NC-9 (C-2-A/HS-H), NC-10 (C-2-B/HS-H), NC-11 (C-2-C/HS-H), NC-14 (C-2-A/HS-A), NC-16 (C-2-A/HS-R) and NC-17 (C-2-B/HS-R) zones.

(c) Zone Group C shall apply to the NC-5 (C-2-B/WP), NC-6 (C-3-A/ES), NC-8 (C-3-A/GA), NC-12 (C-3-A/HS-H), NC-13 (C-3-B/HS-H), and NC-15 (C-3-A/HS-A) zones.

1101 DESIGNATED AND RESTRICTED USES

1101.1 Any building that occupies or is constructed on a lot in a designated use area within an NC zone shall provide designated retail and service establishments on the ground level according to the requirements of this chapter and any additional requirements of the particular zone.

1101.2 The NC zone designated uses, for the purposes of this subtitle are those permitted in the following use groups subject to any conditions of this section:

(a) Animal Care;

(b) Arts, Design and Creation;

(c) Eating and Drinking Establishments;

(d) Entertainment and Performing Arts;

(e) Financial and General Services; and

(f) Retail.

1101.3 The designated uses shall occupy no less than fifty percent (50%) of the gross floor area of the ground floor level of the building within a designated use area, subject to the following requirements.

(a) No more than twenty percent (20%) of the ground floor level area shall be Financial Services, travel agencies, or other ticket offices;

(b) Except in the NC-9 through NC-17 zones, Eating and Drinking Establishments, and Fast Food Establishments where permitted, shall be subject to the following limitations:

(1) These uses shall occupy no more than twenty-five percent (25%) of the linear street frontage within a particular NC zone, as measured along the lots that face designated roadways in the particular district; and

(2) Except for Fast Food Establishments, Eating and Drinking Establishments may occupy the full ground floor requirements of § 1101.3; provided, that they shall remain subject to the linear street frontage requirement of paragraph 1101.3 (b) (1).

(c) In those parts of the affected building or lot other than as delineated in this chapter, the by-right use provisions of the zone shall apply.

1101.4 The following conditions shall apply to the matter of right designated uses in a designated use area in the specified NC zones:

(a) In the NC- zone, Entertainment and Performing Arts shall not be considered a designated use.

(b) In the NC-2, NC-9, NC-10, NC-11, NC-12, and NC-13 zones, residential uses may also be considered designated uses.

(c) In the NC-3 zone, no dwelling unit or rooming unit in existence as of October 1, 1987, shall be converted to any nonresidential use or to a transient use as hotel or inn; provided, that this restriction shall not apply to the ground floor of the building; that is, that floor that is nearest in grade elevation to the sidewalk.

(d) In the NC-6 zone, in addition to the requirements of H § 1101.3 (b), no more than half (1/2) of the fifty percent (50%) of the linear street frontage may be occupied by Fast Food Establishments.

(e) In the NC-7 and NC-8 zones liquor stores and pawn shops shall not be permitted.

(f) In the NC-12 and NC-13 zones, catering establishments and bakeries may also be considered designated uses.

(g) In the NC-14 and NC-15, designated uses shall be limited to uses within the Arts, Design and Creation, and the Eating and Drinking use categories.

(h) In all NC zones, animal care as a matter of right designated use shall be limited to:

(1) The use is limited to an establishment used by a licensed veterinarian for the practice of veterinary medicine subject to the following:

i. No more than fifty percent (50%) of the gross floor area of the veterinary office may be devoted to the boarding of animals;

ii. The veterinary office shall be located and designed to create no objectionable conditions to adjacent properties resulting from animal noise, odor, or waste;

iii. The veterinary office shall not abut an existing residential use or a residential zone;

iv. External yards or other external facilities for the keeping of animals shall not be permitted; and

v. Pet grooming, the sale of pet supplies, and incidental boarding of animals as necessary for convalescence, shall be permitted as accessory uses.

(2) An animal grooming business provided there are no boarding facilities, and no external yards or other external facilities for the keeping of animals

1101.5 No drive-through or drive-in operation shall be permitted in any NC zone as a principal or accessory use.

1102 USES IN NC ZONES

1102.1 Uses in those parts of a building or lot in an NC zone that are not within a

designated use area shall be permitted by H §§ 1103 and the remainder of this chapter.

1102.2 When there is a difference between use permissions and condition of this section and the designated use provisions, the more restrictive provisions or conditions shall apply.

1102.3 The following uses shall be permitted for each Zone Group by the permission indicated and subject to any conditions for each Zone Group.

Uses	**ZONE GROUP A** **NC-1**	**ZONE GROUP B** **NC-2, NC-3, NC-4, NC-7** **NC-9, NC-10, NC-11** **NC-14, NC-16, NC-17**	**ZONE GROUP C** **NC-5** **NC-6, NC-8, NC-12** **NC-13, NC-15**
NC Zone Designated uses	P	P	P
Agriculture, Large	P	P	P
Agriculture, Residential	P	P	P
Animal Care and Boarding	C, S	C, S	C, S
Art Design and Creation	P	P	P
Chancery	P	P	P
Community-based Inst. Facility	S	S	P
Daytime Care	C	C	P
Eating and Drinking Estab.	C, S	C, S	C, S
Educ. Coll. and Universities	S	C, S	P
Education, Private	P	P	P
Education. Public	P	P	P
Emergency Shelter	C, S	C, S	P
Entertainment & Performing Arts	C	P	P
Firearm Sales	-	C	C
Government, Local	P	P	P
Health Care	P	P	P
Institutional, General	P	P	P
Institutional, religious	P	P	P
Lodging	P	P	C
Motor vehicle-related	S	C, S	C, S
Office	P	P	P
Parking	P	P	P
Parks and Recreation	P	P	P
Residential	P	P	P
Retail	P	P	P
Services, Financial	P	P	P
Services, General	C	P	P
Transportation Infrastructure	P	P	P
Utilities	C	C	C, S

1103 MATTER OF RIGHT USES – ZONE GROUPS A

1103.1 The following uses shall be permitted:

(a) Uses permitted as a matter of right in any residential (R, RF, RA) zone;

and

(b) Uses identified as a matter of right (P) or as a matter of right with Conditions (C) in table 1102.3

1103.2 The following conditions shall apply to the matter of right with Conditions (C) uses:

(a) Animal Care and Boarding uses subject to the conditions of H § 1101.4 (h).

(b) Daytime Care Uses for no more than five (5) persons not including resident supervisors or staff and their families.

(c) Eating and Drinking Establishment uses, except for:

(1) A prepared food shop shall be permitted as a matter of right with seating for no more than twenty-four (24) patrons;

(2) A fast food establishment and a food delivery business shall not be permitted as a matter of right.

(d) Emergency Shelter Use for no more than four (4) persons, not including resident supervisors or staff and their families;

(e) Entertainment, Assembly, and Performing Arts uses, except for a bowling alley.

(f) Motor Vehicle Uses shall be limited to following and subject to the corresponding conditions:

(1) A Gasoline service station with a valid certificate of occupancy that has not been replaced by another use with a valid certificate of occupancy

(2) Gasoline service station as an accessory use to a parking garage or public storage garage; provided:

i. All portions of the gasoline service station shall be located entirely within the garage;

ii. No part of the accessory use shall be visible from a sidewalk; and

iii. Signs or displays indicating the existence of the accessory use shall not be visible from the outside of the garage.

(g) Service (General) uses subject to the following conditions:

(1) A self-service or full service laundry, or dry cleaning establishment shall not exceed 2,500 square feet of gross floor area and no dry-cleaning chemicals shall be used or stored on site.

(h) Utilities uses limited to optical transmission nodes shall be permitted Matter of right.

1104 SPECIAL EXCEPTION USES - ZONE GROUP A

1104.1 In areas other than designated use areas, the following uses shall be permitted if approved by the Board of Zoning Adjustment as a special exception under Subtitle Y, subject to the provisions of this section:

(a) Animal Care and Boarding uses not meeting the conditions of H § 1101.4 (h), subject to the following:

(1) The use shall not be located on a lot that abuts a Residential zone; and

(2) The use shall be located and designed to create no objectionable condition to adjacent properties resulting from animal noise, odor or waste.

(3) The use shall take place entirely within an enclosed and soundproofed building in such a way so as to produce no noise or odor objectionable to nearby properties. The windows and doors of the premises shall be kept closed.

(4) All animal waste shall be placed in closed waste disposal containers and shall utilize a qualified waste disposal company to collect and dispose of all animal waste at least weekly. Odors shall be controlled by an air filtration system (for example, High Efficiently Particulate Air "HEPA" filtration) or an equivalently effective odor control system.

(5) External yards or other external facilities for the keeping of animals shall not be permitted.

(6) The sale of pet supplies is permitted as an accessory use.

(7) The principal use shall not be for the housing, feeding and care of stray or abandoned animals whether for profit or not for profit.

(8) The Board may impose additional requirements pertaining to the location of buildings entrances or exits; buffers, fencing; soundproofing; odor control; waste storage and removal (including frequency); the species and/or number and/or breeds of animals; or other requirements, as the Board deems necessary to protect

adjacent or nearby property.

(b) Community Based Institutional Facilities provided that the use shall house no more than to fifteen (15) persons, not including resident supervisors or staff and their families.

(c) Emergency Shelter Uses for up to fifteen (15) persons, not including resident supervisors or staff and their families subject to the following conditions:

(1) There shall be no other property containing an Emergency Shelter for seven (7) or more persons in the same square, or within a radius of five hundred feet (500 ft.) from any portion of the property.

(2) There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.

(3) The proposed shelter shall meet all applicable code and licensing requirements.

(4) The shelter shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.

(5) The Board may approve more than one (1) Emergency Shelter use in a square or within five hundred feet (500 ft.) form the property only when the Board finds that the cumulative effect of the shelters will not have an adverse impact on the neighborhood because of traffic, noise, or operations.

(d) Eating and Drinking Establishment use that is a prepared food shop with more than twenty-four (24) seats.

(e) Education, College/University uses shall be permitted as a special exception subject to Subtitle X, § 102.

(f) Motor Vehicle-related uses limited to the following uses and subject to the corresponding conditions:

(1) The use is a gasoline service station to be established or enlarged, subject to the following conditions;

(2) The use shall not be located within twenty-five (25) feet of an R or A zone;

(3) The operation of the use shall not create dangerous or other objectionable traffic conditions; and

(4) Parking spaces may be arranged so that all spaces are not accessible at all times. All parking spaces shall be designed to allow parking and removal of any vehicles without moving any other vehicle onto public space.

(g) Utilities Uses, other than an optical transmission node, but not including an EEF use, subject to the following evaluation standards:

(1) The use will not, as a consequence of its design, operation, low employee presence, or proximity to other electronic equipment facilities inhibit future revitalization of the neighborhood, reduce the potential for vibrant streetscapes, deplete street life, or inhibit pedestrian or vehicular movement.

1105 MATTER OF RIGHT USES – ZONE GROUPS B

1105.1 The following uses shall be permitted:

(a) Uses permitted as a matter of right in any residential (R, RF, RA) zone; and

(b) Uses identified as Permitted as a matter of right (P) or as a matter of right with Conditions (C) in table 1102.3.

1105.2 The following conditions shall apply to the matter of right with Conditions (C) uses identified in table 1102.3:

(a) Animal Care and Boarding uses subject to the conditions of H § 1101.4 (h).

(b) Daytime Care Uses for no more than twenty (20) persons not including resident supervisors or staff and their families.

(c) Eating and Drinking Establishment uses, except for:

(1) A prepared food shop shall be permitted as a matter of right with seating for no more than twenty-four (24) patrons;

(2) A fast food establishment and a food delivery business shall not be permitted as a matter of right.

(d) Emergency Shelter Use for no more than four (4) persons, not including resident supervisors or staff and their families.

(e) Education Uses in the NC-10, NC-11 and NC-17 zones only.

(f) Firearms retail sales establishments subject to the following conditions:

(1) No portion of the establishment shall be located within three

hundred feet (300 ft.) of:

(2) A Residential zone or the MU-1 or MU-2 zone; or

(3) A church or other place of worship, public or private school, public library, or playground.

(g) Lodging uses shall not be permitted in the NC-3 and NC-4 zones.

(h) Motor Vehicle Uses shall be limited to the following and subject to the corresponding conditions:

(1) An automobile rental agency;

(2) An automobile laundry with stacking spaces for a minimum of fifteen (15) cars;

(3) A Gasoline service station with a valid certificate of occupancy that has not been replaced by another use with a valid certificate of occupancy

(4) Gasoline service station as an accessory use to a parking garage or public storage garage; provided:

i. All portions of the gasoline service station shall be located entirely within the garage;

ii. No part of the accessory use shall be visible from a sidewalk; and

iii. Signs or displays indicating the existence of the accessory use shall not be visible from the outside of the garage.

(i) Service (General) uses subject to the following limitations and corresponding conditions:

(1) A self-service or full service laundry, or dry cleaning establishment shall not exceed 2,500 square feet of gross floor area and no dry-cleaning chemicals shall be used or stored on site.

(2) Any establishment that has as a principal use the administration of massage shall not be permitted as a matter of right.

(j) Utilities uses limited to optical transmission nodes shall be permitted as a matter of right.

1106 SPECIAL EXCEPTION USES - ZONE GROUP B

1106.1 In areas other than designated use areas, the following uses shall be permitted if

approved by the Board of Zoning Adjustment as a special exception under Subtitle Y, subject to the provisions of this section:

(a) Animal Care and Boarding uses not meeting the conditions of H § 1101.4 (h), subject to the conditions of H § 1104.1(a).

(b) Community Based Institutional Facilities provided that the use shall house no more than to twenty (20) persons, not including resident supervisors or staff and their families.

(c) Emergency Shelter Uses for up to twenty-five (25) persons, not including resident supervisors or staff and their families subject to the following conditions H § 1104.1 (c).

(d) The following Eating and Drinking Establishment uses:

(1) Prepared Food Shop with seating for more than twenty-four patrons.

(2) Fast Food Establishments or Food Delivery Businesses shall be permitted subject to the following conditions:

i. The uses shall not be permitted in the NC-4 zone;

ii. No part of the lot on which the use is located shall be within twenty-five feet (25 ft.) of a residential zone unless separated therefrom by a street or alley.

iii. If any lot line of the lot abuts an alley containing a zone district boundary line for a residential zone, a continuous brick wall at least six feet (6 ft.) high and twelve inches (12 in.) thick shall be constructed and maintained on the lot along the length of that lot line. The brick wall shall not be required in the case of a building that extends for the full width of its lot.

iv. Any refuse dumpsters shall be housed in a three (3) sided brick enclosure equal in height to the dumpster or six feet (6 ft.) high, whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face a residential zone.

v. The use shall not include a drive-through.

vi. There shall be no customer entrance in the side or rear of a building that faces a street or alley containing a zone district boundary line for a residential zone.

vii. The use shall be designed and operated so as not to become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions.

(e) Education, College/University uses subject to Subtitle X, § 102, in all the other zones in Zone Group B that are not allowed as a matter of right.

(f) Motor Vehicle-related are not permitted except for the following uses subject to the corresponding conditions:

(1) The uses shall not be permitted in the NC-14 and NC-16 zones;

(2) A gasoline service station or repair garage not including body or fender work, subject to the following conditions:

i. The use shall not be located within twenty-five (25) feet of an R or RA zone;

ii. The operation of the use shall not create dangerous or other objectionable traffic conditions; and

iii. Parking spaces may be arranged so that all spaces are not accessible at all times. All parking spaces shall be designed to allow parking and removal of any vehicles without moving any other vehicle onto public space.

(3) Motorcycle sales and repair subject to the following conditions:

i. The use and all its accessory facilities shall be located within a building.

ii. No portion of a building used for motorcycle sales and repair shall be located within fifty feet (50 ft.) of a Residential or MU-1 and MU-2 zone.

(g) The following Service (General) uses:

(1) A self-service or full service laundry, or dry cleaning establishment that exceed 2,500 square feet of gross floor area; and

(2) An establishment that has as a principal use the administration of massage.

(h) Utilities Uses, other than an optical transmission node, but not including an EEF use, subject to the following evaluation standards:

(1) The use will not, as a consequence of its design, operation, low employee presence, or proximity to other electronic equipment

facilities inhibit future revitalization of the neighborhood, reduce the potential for vibrant streetscapes, deplete street life, or inhibit pedestrian or vehicular movement.

(i) Parking Uses: Accessory parking spaces elsewhere than on the same lot or part of the lot on which any principal use subject to the following conditions:

(1) The total number of parking spaces provided for the principal use shall not exceed the minimum number of spaces required for the principal use.

(2) It shall be considered economically impracticable or unsafe to locate the parking spaces within the principal building or on the same lot on which the building or use is permitted because of the following:

i. Strip zoning or shallow zoning depth;

ii. Restricted size of lot caused by adverse adjoining ownership or substantial improvements adjoining or on the lot;

iii. Unusual topography, grades, shape, size, or dimensions of the lot;

iv. The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets; or

v. Traffic hazards caused by unusual street grades or other conditions.

(3) The parking spaces shall be located and all facilities in relation to the parking spaces shall be designed so that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.

1107 MATTER OF RIGHT USES – ZONE GROUPS C

1107.1 The following uses shall be permitted:

(a) Uses permitted as a matter of right in any residential (R, RF, RA) zone; and

(b) Uses identified as Permitted as a matter of right (P) or as a matter of right with Conditions (C) in table 1102.3.

1107.2 The following conditions shall apply to the matter of right with Conditions (C)

uses identified in table 1102.3:

(a) Animal Care and Boarding uses subject to the conditions of H § 1101.4 (h).

(b) Daytime Care Uses for no more than twenty (20) persons not including resident supervisors or staff and their families.

(c) Eating and Drinking Establishment uses, except a fast food establishment shall not be permitted as a matter of right;

(d) Firearms retail sales establishments subject to the following conditions:

(1) No portion of the establishment shall be located within three hundred feet (300 ft.) of:

(2) A Residential zone or the MU-1 or MU-2 zone; or

(3) A church or other place of worship, public or private school, public library, or playground.

(e) Lodging Uses shall not be permitted in the NC-5 zone.

(f) Service (General) uses subject to the following limitations and corresponding conditions:

(1) A self-service or full service laundry, or dry cleaning establishment shall not exceed 5,000 square feet of gross floor area and no dry-cleaning chemicals shall be used or stored on site.

(2) Any establishment that has as a principal use the administration of massage shall not be permitted.

(g) Utilities uses subject to the following limitations and conditions:

(1) The use is an optical transmission nodes

(2) The use is an EEF that occupies no more than twenty-five percent (25%) of the above ground constructed gross floor area of the building; or is located below ground floor.

1108 SPECIAL EXCEPTION USES - ZONE GROUP C

1108.1 In areas other than designated use areas, the following uses shall be permitted if approved by the Board of Zoning Adjustment as a special exception under Subtitle Y, subject to the provisions of this section:

(a) Animal Care and Boarding uses not meeting the conditions of H § 1101.4 (h), subject to the conditions of H § 1104.1(a).

(b) Eating and Drinking Establishment use that is a fast food establishment, subject to the conditions of H §1106.1 (d); except that the use shall not be permitted in the NC-5 zone.

(c) Motor Vehicle-related are not permitted except for the following uses subject to the corresponding conditions:

(1) A gasoline service station or repair garage, subject to the following conditions:

i. The use shall not be located within twenty-five (25) feet of an R or RA zone;

ii. The operation of the use shall not create dangerous or other objectionable traffic conditions; and

iii. Parking spaces may be arranged so that all spaces are not accessible at all times. All parking spaces shall be designed to allow parking and removal of any vehicles without moving any other vehicle onto public space.

(2) Motorcycle sales and repair subject to the following conditions:

i. The use and all its accessory facilities shall be located within a building.

ii. No portion of a building used for motorcycle sales and repair shall be located within fifty feet (50 ft.) of a Residential or M-1 and M-2 zone;

(3) An automated parking garage.

(d) Service (General) uses not meeting the conditions of H §1107.2 (f).

(e) Utilities Uses not meeting the conditions of H §1107.2 (g) and subject to the following evaluation standards:

(1) The use will not, as a consequence of its design, operation, low employee presence, or proximity to other electronic equipment facilities inhibit future revitalization of the neighborhood, reduce the potential for vibrant streetscapes, deplete street life, or inhibit pedestrian or vehicular movement.

(f) Parking Uses: Accessory parking spaces elsewhere than on the same lot or part of the lot on which any principal use subject to the following conditions:

(1) The total number of parking spaces provided for the principal use

shall not exceed the minimum number of spaces required for the principal use.

(2) It shall be considered economically impracticable or unsafe to locate the parking spaces within the principal building or on the same lot on which the building or use is permitted because of the following:

iii. Strip zoning or shallow zoning depth;

iv. Restricted size of lot caused by adverse adjoining ownership or substantial improvements adjoining or on the lot;

v. Unusual topography, grades, shape, size, or dimensions of the lot;

vi. The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets; or

vii. Traffic hazards caused by unusual street grades or other conditions.

(3) The parking spaces shall be located and all facilities in relation to the parking spaces shall be designed so that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.

1109 USES NOT PERMITTED IN NC ZONES

1109.1 Any use not included in tables or otherwise not permitted, permitted by conditions, special exception or as an accessory use of this chapter shall be deemed to be not permitted unless determined by the Zoning Administration to be compatible with like permitted uses and consistent with the general use impacts of permitted uses.

CHAPTER 12 RELIEF FROM DEVELOPMENT STANDARDS

1200 GENERAL PROVISIONS

1200.1 The Board of Zoning Adjustment may grant special exception relief from the standards of this subtitle subject to the provisions of this section and the general special exception criteria at Subtitle Y:

(a) The excepted use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purposes of the NC zones, and will not adversely affect neighboring property, nor be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity;

(b) The architectural design of the project shall enhance the urban design features of the immediate vicinity in which it is located; and, if a historic district or historic landmark is involved, the Office of Planning report to the Board shall include review by the State Historic Preservation Officer and a status of the project's review by the Historic Preservation Review Board;

(c) Exceptional circumstances exist, pertaining to the property itself or to economic or physical conditions in the immediate area, that justify the exception or waiver;

(d) Vehicular access and egress are located and designed so as to encourage safe and efficient pedestrian movement, minimize conflict with principal pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic conditions;

(e) Parking and traffic conditions associated with the operation of a proposed use shall not adversely affect adjacent or nearby residences;

(f) Noise associated with the operation of a proposed use shall not adversely affect adjacent or nearby residences; and

(g) The Board may impose requirements pertaining to design, appearance, signs, size, landscaping, and other such requirements as it deems necessary to protect neighboring property and to achieve the purposes of the NC zone.

1200.2 This section shall not operate to allow any exception to the height or floor area ratio limits of any NC zone.

1201 SPECIAL EXCEPTION CRITERIA - GEORGIA AVENUE NEIGHBORHOOD MIXED USE ZONES

1201.1 In addition to the requirements of H § 1200, an application for special exception

in the Georgia Avenue Neighborhood Mixed Use zones shall demonstrate that the project is consistent with the design intent of the design requirements of H § 809.

1202 SPECIAL EXCEPTION CRITERIA - H STREET NORTHEAST NEIGHBORHOOD MIXED USE ZONES

1202.1 In addition to the requirements of H § 1200, an application for special exception in the H Street Northeast Neighborhood Mixed Use zones shall demonstrate that the project is consistent with the design intent of the design requirements of H § 909 and the design guidelines of the H Street N.E. Strategic Development Plan.