

TITLE 11 – ZONING

SUBTITLE D RESIDENTIAL HOUSE (R) ZONES

~~Subtitle D – RESIDENTIAL HOUSE (R) ZONES – D-1~~

~~Chapter 1 – INTRODUCTION TO RESIDENTIAL HOUSE (R) ZONES~~	~~D-9~~
~~100 – GENERAL PROVISIONS~~	~~D-9~~
~~101 – DEVELOPMENT STANDARDS~~	~~D-9~~
~~102 – USE PERMISSIONS~~	~~D-10~~
~~103 – PARKING~~	~~D-10~~
~~104 – PUBLIC EDUCATION, RECREATION OR LIBRARY BUILDINGS AND STRUCTURES~~	~~D-10~~
~~105 – INCLUSIONARY ZONING~~	~~D-10~~
~~Chapter 2 – GENERAL DEVELOPMENT STANDARDS~~	~~D-11~~
~~200 – GENERAL PROVISIONS~~	~~D-12~~
~~201 – DENSITY~~	~~D-12~~
~~202 – LOT OCCUPANCY~~	~~D-13~~
~~203 – COURTYARD~~	~~D-13~~
~~Chapter 3 – RESIDENTIAL HOUSE ZONES – R-1-A AND R-1-B~~	~~D-13~~
~~300 – PURPOSE AND INTENT~~	~~D-15~~
~~301 – DEVELOPMENT STANDARDS~~	~~D-15~~
~~302 – HEIGHT~~	~~D-16~~
~~303 – LOT OCCUPANCY~~	~~D-16~~
~~304 – FRONT SETBACK~~	~~D-16~~
~~305 – REAR SETBACK~~	~~D-17~~
~~306 – SIDE SETBACK~~	~~D-17~~
~~307 – PERVIOUS SURFACE~~	~~D-18~~
~~308 – SPECIAL EXCEPTION~~	~~D-18~~
~~Chapter 4 – RESIDENTIAL HOUSE ZONES – R-21~~	~~D-19~~
~~400 – PURPOSE AND INTENT~~	~~D-19~~
~~401 – DEVELOPMENT STANDARDS~~	~~D-19~~
~~402 – DENSITY~~	~~D-19~~
~~403 – HEIGHT~~	~~D-19~~
~~404 – LOT OCCUPANCY~~	~~D-20~~
~~405 – FRONT SETBACK~~	~~D-20~~
~~406 – REAR SETBACK~~	~~D-20~~
~~407 – SIDE SETBACK~~	~~D-20~~
~~408 – PERVIOUS SURFACE~~	~~D-21~~
~~409 – TREE PROTECTION~~	~~D-21~~
~~410 – SPECIAL EXCEPTION~~	~~D-21~~
~~Chapter 5 – RESIDENTIAL HOUSE ZONES – R-6 AND R-7~~	~~D-23~~
~~500 – PURPOSE AND INTENT~~	~~D-23~~
~~501 – DEVELOPMENT STANDARDS~~	~~D-23~~
~~502 – HEIGHT~~	~~D-24~~

503	LOT OCCUPANCY	D-24
504	FRONT SETBACK	D-24
505	REAR SETBACK	D-25
506	SIDE SETBACK	D-25
507	PERVIOUS SURFACE	D-25
508	TREE PROTECTION	D-25
509	SPECIAL EXCEPTION	D-25
Chapter 6	RESIDENTIAL HOUSE ZONES — R-8, R-9, AND R-10	D-27
600	PURPOSE AND INTENT	D-27
601	DEVELOPMENT STANDARDS	D-28
602	HEIGHT	D-28
603	LOT OCCUPANCY	D-28
604	FRONT SETBACK	D-29
605	REAR SETBACK	D-29
606	SIDE SETBACK	D-29
607	PERVIOUS SURFACE	D-30
608	TREE PROTECTION	D-30
609	SPECIAL EXCEPTION	D-30
Chapter 7	RESIDENTIAL HOUSE ZONES — R-11	D-32
700	PURPOSE AND INTENT	D-32
701	DEVELOPMENT STANDARDS	D-32
702	DENSITY	D-32
703	HEIGHT	D-33
704	LOT OCCUPANCY	D-33
705	FRONT SETBACK	D-34
706	REAR SETBACK	D-34
707	SIDE SETBACK	D-34
708	PERVIOUS SURFACE	D-34
709	TREE PROTECTION	D-34
710	SPECIAL EXCEPTION	D-34
Chapter 8	RESIDENTIAL HOUSE ZONES — R-12 AND R-13	D-37
800	PURPOSE AND INTENT	D-37
801	DEVELOPMENT STANDARDS	D-37
802	DENSITY	D-37
803	HEIGHT	D-38
804	LOT OCCUPANCY	D-38
805	FRONT SETBACK	D-39
806	REAR SETBACK	D-39
807	SIDE SETBACK	D-39
808	PERVIOUS SURFACE	D-40
809	SPECIAL EXCEPTION	D-40
Chapter 9	RESIDENTIAL HOUSE ZONES — R-14 AND R-15	D-42
900	PURPOSE AND INTENT	D-42
901	DEVELOPMENT STANDARDS	D-42
902	DENSITY	D-42

903	HEIGHT.....	D-43
904	LOT OCCUPANCY.....	D-43
905	FRONT SETBACK.....	D-44
906	REAR SETBACK.....	D-44
907	SIDE SETBACK.....	D-44
908	PERVIOUS SURFACE.....	D-44
909	SPECIAL EXCEPTION.....	D-44
Chapter 10	RESIDENTIAL HOUSE ZONES — R 16.....	D-46
1000	PURPOSE AND INTENT.....	D-47
1001	DEVELOPMENT STANDARDS.....	D-48
1002	HEIGHT.....	D-48
1003	LOT OCCUPANCY.....	D-48
1004	FRONT SETBACK.....	D-49
1005	REAR SETBACK.....	D-49
1006	SIDE SETBACK.....	D-49
1007	PERVIOUS SURFACE.....	D-49
1008	SPECIAL EXCEPTION.....	D-49
Chapter 11	RESIDENTIAL HOUSE ZONES — R 17.....	D-53
1100	PURPOSE AND INTENT.....	D-53
1101	DEVELOPMENT STANDARDS.....	D-53
1102	HEIGHT.....	D-54
1103	LOT OCCUPANCY.....	D-54
1104	FRONT SETBACK.....	D-55
1105	REAR SETBACK.....	D-55
1106	SIDE SETBACK.....	D-55
1107	PERVIOUS SURFACE.....	D-55
1108	MISCELLANEOUS.....	D-55
1109	SPECIAL EXCEPTION.....	D-56
Chapter 12	RESIDENTIAL HOUSE ZONES — R 19 AND R 20.....	D-58
1200	PURPOSE AND INTENT.....	D-58
1201	DEVELOPMENT STANDARDS.....	D-58
1202	HEIGHT.....	D-59
1203	LOT OCCUPANCY.....	D-60
1204	FRONT SETBACK.....	D-60
1205	REAR SETBACK.....	D-60
1206	SIDE SETBACK.....	D-60
1207	PERVIOUS SURFACE.....	D-61
1208	ACCESSORY BUILDINGS.....	D-61
1209	SPECIAL EXCEPTION.....	D-61
Chapter 13	[RESERVED].....	D-67
Chapter 14	ACCESSORY BUILDING REGULATIONS FOR R ZONES.....	D-69
1400	GENERAL PROVISIONS.....	D-69
1401	DEVELOPMENT STANDARDS.....	D-69
1402	HEIGHT.....	D-69

1403	LOT OCCUPANCY	D-69
1404	REAR SETBACK.....	D-70
1405	SIDE SETBACK	D-70
1406	MAXIMUM BUILDING AREA.....	D-70
1407	SPECIAL EXCEPTION	D-70
Chapter 15	ALLEY LOT REGULATIONS FOR R ZONES	D-71
1500	GENERAL PROVISIONS	D-71
1501	DEVELOPMENT STANDARDS.....	D-71
1502	HEIGHT.....	D-71
1503	LOT OCCUPANCY	D-71
1504	REAR SETBACK.....	D-71
1505	SIDE SETBACK	D-71
1506	ALLEY CENTERLINE SETBACK.....	D-71
1507	PERVIOUS SURFACE	D-72
1508	SPECIAL EXCEPTION	D-72
Chapter 16	RELIEF FROM REQUIRED DEVELOPMENT STANDARDS	D-73
1600	GENERAL PROVISIONS	D-73
1601	ADDITION TO A BUILDING OR ACCESSORY STRUCTURE	D-73
1602	SPECIAL EXCEPTION CRITERIA FOR TREE PROTECTION	D-74
1603	SPECIAL EXCEPTION CRITERIA FOR R-11, R-12, and R-13 (NAVAL OBSERVATORY) ZONES.....	D-75
1604	SPECIAL EXCEPTION CRITERIA ALLEY LOTS.....	D-76
TITLE 11 – ZONING		D-1
SUBTITLE D RESIDENTIAL HOUSE (R) ZONES.....		D-1
Chapter 1 INTRODUCTION TO RESIDENTIAL HOUSE (R) ZONES		D-9
100	GENERAL PROVISIONS	D-9
101	DEVELOPMENT STANDARDS	D-9
102	USE PERMISSIONS	D-10
103	PARKING.....	D-10
104	PUBLIC EDUCATION, RECREATION, OR LIBRARY BUILDINGS AND STRUCTURES	D-10
105	INCLUSIONARY ZONING	D-10
106	ANTENNAS	D-11
Chapter 2 GENERAL DEVELOPMENT STANDARDS (R).....		D-12
200	GENERAL PROVISIONS	D-12
201	DENSITY	D-12
202	LOT OCCUPANCY	D-12
203	COURTYARD.....	D-13
204	PENTHOUSES	D-13
205	REAR YARD.....	D-13
206	SIDE YARD	D-13
Chapter 3 RESIDENTIAL HOUSE ZONES – R-1-A, R-1-B, R-2, and R-3		D-15
300	PURPOSE AND INTENT.....	D-15
301	DEVELOPMENT STANDARDS	D-15

302	DENSITY - LOT DIMENSIONS.....	D-15
303	HEIGHT.....	D-16
304	LOT OCCUPANCY	D-16
305	FRONT SETBACK	D-16
306	REAR YARD.....	D-17
307	SIDE YARD	D-17
308	PERVIOUS SURFACE	D-18
309	SPECIAL EXCEPTION	D-18
310	USE PERMISSIONS	D-22

Chapter 4 TREE AND SLOPE PROTECTION RESIDENTIAL HOUSE ZONES – R-6 and

R-7 D-23

400	PURPOSE AND INTENT.....	D-23
401	DEVELOPMENT STANDARDS	D-23
402	DENSITY- LOT DIMENSIONS.....	D-23
403	HEIGHT.....	D-24
404	LOT OCCUPANCY	D-24
405	FRONT SETBACK	D-24
406	REAR YARD.....	D-25
407	SIDE YARD	D-25
408	PERVIOUS SURFACE	D-25
409	TREE PROTECTION.....	D-25
410	SPECIAL EXCEPTION	D-25
411	USE PERMISSIONS	D-26

Chapter 5 FOREST HILLS TREE AND SLOPE RESIDENTIAL HOUSE ZONES – R-8, R-

9, and R-10 D-27

500	PURPOSE AND INTENT.....	D-27
501	DEVELOPMENT STANDARDS	D-28
502	DENSITY- LOT DIMENSIONS.....	D-28
503	HEIGHT.....	D-28
504	LOT OCCUPANCY	D-29
505	FRONT SETBACK	D-29
506	REAR YARD.....	D-29
507	SIDE YARD	D-29
508	PERVIOUS SURFACE	D-30
509	TREE PROTECTION.....	D-30
510	SPECIAL EXCEPTION	D-30
511	USE PERMISSIONS	D-31

Chapter 6 NAVAL OBSERVATORY/TREE AND SLOPE RESIDENTIAL HOUSE ZONE –

R-11 D-32

600	PURPOSE AND INTENT.....	D-32
601	DEVELOPMENT STANDARDS	D-32
602	DENSITY - LOT DIMENSIONS.....	D-32
603	HEIGHT.....	D-33
604	LOT OCCUPANCY	D-33
605	FRONT SETBACK	D-33

606	REAR YARD.....	D-34
607	SIDE YARD	D-34
608	PERVIOUS SURFACE	D-34
609	TREE PROTECTION.....	D-34
610	SPECIAL EXCEPTION	D-34
611	USE PERMISSIONS	D-36
Chapter 7 NAVAL OBSERVATORY RESIDENTIAL HOUSE ZONES – R-12 and R-13..		D-37
700	PURPOSE AND INTENT.....	D-37
701	DEVELOPMENT STANDARDS	D-37
702	Density – LOT DIMENSIONS.....	D-38
703	HEIGHT.....	D-38
704	LOT OCCUPANCY	D-39
705	FRONT SETBACK	D-39
706	REAR YARD.....	D-39
707	SIDE YARD	D-39
708	PERVIOUS SURFACE	D-40
709	SPECIAL EXCEPTION	D-40
710	USE PERMISSIONS	D-41
Chapter 8 WESLEY HEIGHTS RESIDENTIAL HOUSE ZONES – R-14 and R-15		D-42
800	PURPOSE AND INTENT.....	D-42
801	DEVELOPMENT STANDARDS	D-42
802	DENSITY – LOT DIMENSIONS AND GROSS FLOOR AREA	D-42
803	HEIGHT.....	D-43
804	LOT OCCUPANCY	D-43
805	FRONT SETBACK	D-44
806	REAR YARD.....	D-44
807	SIDE YARD	D-44
808	PERVIOUS SURFACE	D-44
809	SPECIAL EXCEPTION	D-44
810	USE PERMISSIONS	D-46
Chapter 9 RESIDENTIAL HOUSE ZONE – R-16		D-47
900	PURPOSE AND INTENT.....	D-47
901	DEVELOPMENT STANDARDS	D-48
902	DENSITY- LOT DIMENSIONS.....	D-48
903	HEIGHT.....	D-48
904	LOT OCCUPANCY	D-48
905	FRONT SETBACK	D-49
906	REAR YARD.....	D-49
907	SIDE YARD	D-49
908	PERVIOUS SURFACE	D-49
909	SPECIAL EXCEPTION	D-49
910	USE PERMISSIONS	D-50
CHAPTER 10 RESIDENTIAL HOUSE ZONES – R-17.....		D-51
1000	PURPOSE AND INTENT.....	D-51

1001	DEVELOPMENT STANDARDS	D-51
CHAPTER 11	FOGGY BOTTOM RESIDENTIAL HOUSE ZONES – R-17	D-53
1100	PURPOSE AND INTENT	D-53
1101	DEVELOPMENT STANDARDS	D-53
1102	DENSITY- LOT DIMENSIONS.....	D-53
1103	HEIGHT.....	D-54
1104	LOT OCCUPANCY	D-54
1105	FRONT SETBACK	D-54
1106	REAR YARD.....	D-55
1107	SIDE YARD	D-55
1108	PERVIOUS SURFACE	D-55
1109	MISCELLANEOUS	D-55
1110	SPECIAL EXCEPTION	D-56
1111	USE PERMISSIONS	D-57
Chapter 12	GEORGETOWN RESIDENTIAL HOUSE ZONES – R-19 and R-20	D-58
1200	PURPOSE AND INTENT	D-58
1201	DEVELOPMENT STANDARDS	D-58
1202	DENSITY- LOT DIMENSIONS.....	D-58
1203	HEIGHT.....	D-59
1204	LOT OCCUPANCY	D-60
1205	FRONT SETBACK	D-60
1206	REAR YARD.....	D-60
1207	SIDE YARD	D-60
1208	PERVIOUS SURFACE	D-61
1209	ACCESSORY BUILDINGS	D-61
1210	SPECIAL EXCEPTION	D-61
1211	USE PERMISSIONS	D-62
Chapter 13	Chain Bridge Road/UNIVERSITY TERRACE RESIDENTIAL HOUSE ZONE – R-21	D-63
1300	PURPOSE AND INTENT	D-63
1301	DEVELOPMENT STANDARDS	D-63
1302	DENSITY- LOT DIMENSIONS.....	D-63
1303	HEIGHT.....	D-64
1304	LOT OCCUPANCY	D-64
1305	FRONT SETBACK	D-64
1306	REAR YARD.....	D-65
1307	SIDE YARD	D-65
1308	PERVIOUS SURFACE	D-65
1309	TREE PROTECTION.....	D-65
1310	SPECIAL EXCEPTION	D-65
1311	USE PERMISSIONS	D-66
Chapter 50	ACCESSORY BUILDING REGULATIONS FOR R ZONES	D-69
5000	GENERAL PROVISIONS	D-69
5001	DEVELOPMENT STANDARDS	D-69
5002	HEIGHT.....	D-69

5003	LOT OCCUPANCY	D-69
5004	REAR YARD.....	D-70
5005	SIDE YARD	D-70
5006	MAXIMUM BUILDING AREA.....	D-70
5007	SPECIAL EXCEPTION	D-70
Chapter 51	ALLEY LOT REGULATIONS FOR R ZONES	D-71
5100	GENERAL PROVISIONS	D-71
5101	DEVELOPMENT STANDARDS	D-71
5102	HEIGHT.....	D-71
5103	LOT OCCUPANCY	D-71
5104	REAR YARD.....	D-71
5105	SIDE yARD	D-71
5106	ALLEY CENTERLINE SETBACK.....	D-71
5107	PERVIOUS SURFACE	D-72
5108	SPECIAL EXCEPTION	D-72
Chapter 52	RELIEF FROM REQUIRED DEVELOPMENT STANDARDS.....	D-73
5200	GENERAL PROVISIONS	D-73
5201	ADDITION TO A BUILDING OR ACCESSORY STRUCTURE	D-73
5202	SPECIAL EXCEPTION CRITERIA FOR TREE PROTECTION	D-74
5203	SPECIAL EXCEPTION CRITERIA FOR R-11, R-12, and R-13 (NAVAL OBSERVATORY) ZONES.....	D-75
5204	SPECIAL EXCEPTION CRITERIA ALLEY LOTS.....	D-76
5205	SPECIAL EXCEPTION FROM PENTHOUSE PROVISIONS	D-76

CHAPTER 1 -INTRODUCTION TO RESIDENTIAL HOUSE (R) ZONES

100 GENERAL PROVISIONS

- 100.1 The Residential House (R) zones are residential zones, designed to provide for stable, low- to moderate-density residential areas suitable for family life and supporting uses.
- 100.2 In addition to the purpose statements of individual chapters, the provisions of the R zones are intended to:
- (a) Provide for the orderly development and use of land and structures in areas predominantly characterized by low- to moderate-density residential development;
 - (b) Recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city;
 - (c) Allow for limited compatible accessory and non-residential uses;
 - (d) Allow for the matter-of-right development of existing lots of record;
 - (e) Establish minimum lot area and dimensions for the subdivision and creation of new lots of record; and
 - (f) Discourage ~~multi-household~~multiple dwelling unit development.

100.3 For those zones with geographic identification, the boundaries are cited in Subtitle W and identified on the official Zoning Map. When there is a conflict between the official Zoning Map and the boundaries described in Subtitle W, the Office of Zoning shall determine the correct boundaries through a zoning certification.

101 DEVELOPMENT STANDARDS

- 101.1 The bulk of structures in the R 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 (FAR), and lot occupancy;
 - (b) Control the location of building bulk in relation to adjacent lots and streets, by regulating rear ~~setbacks~~yards, side ~~setbacks~~yards, and the relationship of buildings to street lot lines;

- (c) Regulate the mixture of uses; and
- (d) Promote the environmental performance of development.

101.3 Development standards may be varied or waived by the Board of Zoning Adjustment as a variance or, ~~as indicated~~when permitted in this title, as a special exception ~~as~~ established in Subtitle X. Additional zone specific special exception criterion, if applicable, shall be considered by the Board and are ~~found at Subtitle D, Chapter 16~~referenced in this subtitle.

102 USE PERMISSIONS

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

103 PARKING

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

104 PUBLIC EDUCATION, RECREATION, OR LIBRARY BUILDINGS AND STRUCTURES

104.1 Public education buildings and structures, public recreation and community centers, or public libraries in the R zones shall be permitted subject to the conditions of Subtitle C, Chapter 16.

104.2 Development standards not otherwise addressed by Subtitle C, Chapter ~~16~~52 shall be those development standards for the zone in which the building or structure is proposed.

105 INCLUSIONARY ZONING

105.1 Inclusionary zoning requirements for the R zones, except R-1-A and R-1-B, are as specified in Subtitle C, Chapter 10.

106 **-ANTENNAS**

106.1 Antennas shall be subject to the regulations of Subtitle C, Chapter 13.

CHAPTER 2 GENERAL DEVELOPMENT STANDARDS (R)

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 In all R zones, one (1) principal dwelling unit per lot of record shall be permitted as a matter-of-right.
- 201.2 In all R zones, one (1) accessory apartment shall be permitted per lot of record subject to the use permissions specified in Subtitle U.
- 201.3 The minimum lot width and minimum lot area requirements for the creation of a new lot of record in the R zones are set forth in ~~the following table:~~each zone.

TABLE D § 201.3: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

Zone	Min. Lot Width (ft.) for building type; applicable to all zones in left column	Min. Lot Area (sq. ft.)
R 1 A R 6 R 11 R 14	75	7,500
R 21 R 8	75	9,500 for lots created for dwellings after May 18, 2007; 7,500 for all other lots
R 1 B R 7 R 12 R 15 R 16 R 19	50	5,000
R 9 R 10	50	9,500 for lots created for dwellings after May 18, 2007; 5,000 for all other lots
R 2	~~40 (detached) 32 (IZ detached) 30 (semi-detached) 25 (IZ semi-detached) 40 (all other structures)~~	~~4,000 (detached) 3,200 (IZ detached) 3,000 (semi-detached) 2,500 (IZ semi-detached)~~
R 3 R 17 R 13 R 20	40 (detached) 30 (semi-detached) 20 (attached) 16 (IZ attached) 40 (all other structures)	4,000 (detached) 3,000 (semi-detached) 2,000 (attached) 1,600 (IZ attached) 4,000 (all other structures)

202 LOT OCCUPANCY

- 202.1 In the R zones, a detached or semi-detached building shall not be considered an attached unit for the purposes of lot occupancy through the use of building or structure additions that reduce an otherwise required or permitted side ~~setback~~yard for a detached or semi-detached dwelling.

203 COURTYARD

- 203.1 Where a courtyard is provided, the court shall have the following minimum dimensions:

TABLE D § 203.1: MINIMUM COURTYARD DIMENSIONS

Type of Structure	Min. Width Open Courtyard	Min. Width -Closed Courtyard	Min. Area Closed Courtyard
Single ~~household~~ dwelling <u>unit</u>	Not applicable	Not applicable	Not applicable
All other structures	2.5 inches per ~~foot~~ <u>1 ft.</u> of height of court, but not less than 6 ft.	~~Width:—~~ 2.5 inches per foot of height of court, but not less than 12 ft.	Twice the square of the required width of court dimension based on the height of the court, but not less than 250 ~~feet~~ <u>ft.</u>

204 -PENTHOUSES

- 204.1 Penthouses shall be subject to the regulations of Subtitle C, Chapter 15 and the height and story limitations specified in each zone of this subtitle.

205 REAR YARD

- 205.1 A rear yard shall be provided for each structure located in an R zone, the minimum depth of which shall be as set forth in each zone chapter.
- 205.2 In the case of a lot abutting three (3) or more streets, the depth of rear yard may be measured from the center line of the street abutting the lot at the rear of the structure.
- 205.3 In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.

206 SIDE YARD

| 206.1 Side yard requirements are as provided in each zone.

CHAPTER 3 RESIDENTIAL HOUSE ZONES – R-1-A ~~AND~~, R-1-B ~~ZONES~~, R-2, AND R-3

300 PURPOSE AND INTENT

300.1 The purposes of the R-1-A and R-1-B zones are to:

- (a) Protect quiet residential areas now developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes; and
- (b) Stabilize the residential areas and ~~to~~ promote a suitable environment for family life.

300.2 The R-1-A zone is intended to provide for areas predominantly developed with detached houses on large lots.

300.3 The R-1-B zone is intended to provide for areas predominantly developed with detached houses on moderately sized lots.

300.4 The purpose of the R-2 zone is to:

- (a) Provide for areas with semi-detached dwellings; and
- (b) Protect these areas from invasion by denser types of residential development.

300.5 The R-2 zone is intended to provide for areas predominantly developed with semi-detached houses on moderately sized lots that also contain some detached dwellings.

300.6 The purpose of the R-3 zone is to allow for row dwellings, while including areas within which row dwellings are mingled with detached dwellings, semi-detached dwellings, and groups of three (3) or more row dwellings.

300.7 The R-3 zone is intended to permit attached rowhouses on small lots.

301 DEVELOPMENT STANDARDS

301.1 The development standards in Subtitle D §§ 302 through 308 modify the general development standards in Subtitle D, Chapter 2.

302 DENSITY - LOT DIMENSIONS

302.1 Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-1-A, R-1-B, R-2, and R-3 zones shall be as set forth in the following table:

TABLE D § 302.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.) for building type; applicable to all zones in left column</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-1-A</u>	<u>75</u>	<u>7,500</u>
<u>R-1-B</u>	<u>50</u>	<u>5,000</u>
<u>R-2</u>	<u>40 (detached)</u> <u>32 (IZ detached)</u> <u>30 (semi-detached)</u> <u>25 (IZ semi-detached)</u> <u>40 (all other structures)</u>	<u>4,000 (detached)</u> <u>3,200 (IZ detached)</u> <u>3,000 (semi-detached)</u> <u>2,500 (IZ semi-detached)</u>
<u>R-3</u>	<u>40 (detached)</u> <u>30 (semi-detached)</u> <u>20 (attached)</u> <u>16 (IZ attached)</u> <u>40 (all other structures)</u>	<u>4,000 (detached)</u> <u>3,000 (semi-detached)</u> <u>2,000 (attached)</u> <u>1,600 (IZ attached)</u> <u>4,000 (all other structures)</u>

302.303 HEIGHT

302.1303.1 The maximum permitted building height, not including the penthouse, in the R-1-A, R-1-B, R-2, and R-3 zones shall benot exceed forty feet (40 ft.) and the number of stories shall not exceed three (3) stories.

302.2303.2 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the zone in which it is located.

303.3 The maximum permitted height of a penthouse, except as permitted in Subtitle D § 303.4 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

303.4 A non-residential building constructed pursuant to Subtitle D § 303.2 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

303.304 LOT OCCUPANCY

303.1304.1 The maximum permitted lot occupancy in the R-1-A, R-1-B, and R-2 zones shall be forty percent (40%).

303.2304.2 The maximum permitted lot occupancy in the R-3 zone shall be sixty percent (60%) for attached dwellings and forty percent (40%) for other structures.

304.305 FRONT SETBACK

~~304.1~~305.1 A front setback shall be provided within the range of existing front setbacks of all ~~structures~~residential buildings within an R-1 through R-3 zone on the same side of the street in the block where the building is proposed.

305~~306~~ REAR SETBACKYARD

~~305.1~~306.1 ~~In the R-1-A and R-1-B zones, a~~ A minimum rear setbackyard of twenty-five feet (25 ft.) shall be provided in the R-1-A and R-1-B zones.

~~305.2~~306.2 ~~In the R-2 and R-3 zones, a~~ A minimum rear setbackyard of twenty feet (20 ft.) shall be provided in the R-2 and R-3 zones.

~~305.3~~ — ~~In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.~~

~~305.4~~ — ~~In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.~~

306~~307~~ SIDE SETBACKYARD

~~306.1~~307.1 ~~In the R-1-A, R-1-B, and R-2 zone, a~~ A minimum side setbackyard of eight feet (8 ft.) shall be provided in the R-1-A, R-1-B, and R-2 zones.

~~307.2~~ ~~In A detached single dwelling unit in the R-2 and R-3 zone, no~~ shall be subject to the side setbackyard requirements of an R-1-B zone.

~~306.2~~307.3 ~~No side yard~~ shall be required for attached dwellings. ~~However in the R-3 zone; however,~~ if a side setbackyard is provided, it shall be no less than five feet (5 ft.).

~~306.3~~307.4 In the R-2 and R-3 zones, when a single ~~household~~-dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side setbackyard on each resulting free-standing side.

~~307.5~~ For a building ~~with a side setbacks~~subject to a side yard requirement but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side setbackyard shall not be decreased; and provided further, that the width of the existing side setbackyard shall be a minimum of five feet (5 ft.).

308 PERVIOUS SURFACE

~~306.4~~

307100 PERVIOUS SURFACE

~~307.1~~308.1 ~~In an R-1-A or R-1-B zone, the~~The minimum percentage of pervious surface requirement of a lot in the R-1-A or R-1-B zones shall be fifty percent (50%).

~~308.2~~ ~~In an~~The minimum required pervious surface requirement of a lot in the R-2 zone, ~~the~~shall be thirty percent (30%).

~~307.2~~ ~~The~~ minimum required pervious surface ~~shall be thirty percent (30%).~~

~~307.3~~308.3 ~~In an~~requirement of a lot in the R-3 zone, ~~the minimum required pervious surface~~ shall be twenty percent (20%).

308 SPECIAL EXCEPTION

~~308.1~~ ~~Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.~~

Chapter 4 ~~RESIDENTIAL HOUSE ZONE~~ R-21

400 ~~PURPOSE AND INTENT~~

~~400.1~~100.1 ~~The purposes of the Chain Bridge Road Residential House zone (R-21) are to:~~

- ~~(a) Provide for areas predominantly developed with detached houses on large lots;~~
- ~~(b)(a) Preserve and enhance the park-like setting of the area by regulating alteration or disturbance of terrain, destruction of trees, and ground coverage of permitted buildings and other impervious surfaces, and by providing for widely spaced residences;~~
- ~~(c)(a) Preserve the natural topography and mature trees to the maximum extent feasible in a residential neighborhood;~~
- ~~(d)(a) Prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas;~~
- ~~(e)(a) Limit permitted ground coverage of new and expanded buildings and other construction, so as to encourage a general compatibility between the siting of new buildings or construction and the existing neighborhood; and~~
- ~~(f)(a) Limit the minimum size of lots so as to prevent significant adverse impact on existing infrastructure, especially on traffic and pedestrian safety, and to achieve the other purposes listed in this subsection.~~

~~400.2~~100.1 ~~The R-21 zone applies to the area bounded on the south by MacArthur Boulevard, on the east by Battery Kemble Park/Chain Bridge Road, on the north by Loughboro Road/Nebraska Avenue, and on the west by University Terrace.~~

~~400.3~~100.1 ~~The R-21 zone is mapped on a residential neighborhood, located at the edge of stream beds and public open spaces that have steep slopes, substantial stands of mature trees, and undeveloped lots and parcels subject to potential terrain alteration and tree removal.~~

401~~100~~ ~~DEVELOPMENT STANDARDS~~

~~401.1 The development standards in Subtitle D §§ 402 through 410 modify the general development standards in Subtitle D, Chapter 2.~~

402 ~~DENSITY~~

~~402.1 The minimum lot area for dwellings within the R-21 zone shall be nine thousand, five hundred square feet (9,500 sq. ft.) for lots subdivided after July 30, 1999.~~

403~~100~~ ~~HEIGHT~~

~~403.1100.1 The maximum height in the R-21 zone shall be forty feet (40 ft.) and three (3) stories.~~

~~403.2 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the district in which it is located.~~

~~404100 LOT OCCUPANCY~~

~~404.1100.1 The maximum lot occupancy for lots less than six thousand five hundred square feet (6,500 sq. ft.) shall be forty percent (40%).~~

~~404.2 The maximum lot occupancy for lots between six thousand five hundred square feet (6,500 sq. ft.) and eight thousand nine hundred and ninety-nine square feet (8,999 sq. ft.) shall be thirty-five percent (35%), but not less than two thousand six hundred square feet (2,600 sq. ft.).~~

~~404.3100.1 The maximum lot occupancy for lots over nine thousand square feet (9,000 sq. ft.) shall be thirty percent (30%), but not less than three thousand one hundred and fifty square feet (3,150 sq. ft.).~~

~~405100 FRONT SETBACK~~

~~405.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-21 zone, on the same side of the street in the block where the building is proposed.~~

~~406 REAR SETBACK~~

~~406.1 A twenty-five foot (25 ft.) minimum rear setback shall be provided in the R-21 zone.~~

~~406.2 In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.~~

~~406.3 As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.~~

~~407 SIDE SETBACK~~

~~407.1100.1 An eight foot (8 ft.) minimum side setback shall be provided in the R-21 zone.~~

~~407.2 For a building with a side setback less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side~~

~~setback shall not be decreased; and provided further, that the width of the existing side setback shall be a minimum of five feet (5 ft.).~~

~~408100~~ **PERVIOUS SURFACE**

~~408.1100.1 In the R-21 zone, the minimum percentage of pervious surface of a lot shall be fifty percent (50%), provided that this subsection shall not:~~

~~(a) Preclude enlargement of a principal building in existence as of July 30, 1999; or~~

~~(b)(a) Create nonconformity of a structure as regulated by Subtitle C, Chapter 2.~~

~~409100~~ **TREE PROTECTION**

~~409.1100.1 The tree protection regulations of Subtitle C, Chapter 4 shall apply to the R-21 zone.~~

~~410309~~ **SPECIAL EXCEPTION**

~~410.1309.1~~ Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D ~~§ 1601.~~ §§ 5201 and 5205.

310 **USE PERMISSIONS**

310.1 Use permissions for the R-1-A and R-1-B zones are as specified for Use Group A, in Subtitle U, Chapter 2.

310.2 Use permissions for the R-2 zones are as specified for Use Group B in Subtitle U, Chapter 2.

310.3 Use permissions for the R-3 zones are as specified for Use Group C in Subtitle U, Chapter 2.

~~Chapter 5~~ **CHAPTER 4 TREE AND SLOPE PROTECTION RESIDENTIAL HOUSE ZONES – R-6 AND R-7**

~~500~~**400 PURPOSE AND INTENT**

~~500.1~~**400.1** The purposes of the Tree and Slope Protection Residential House (R-6 and R-7) zones are to:

- (a) Preserve and enhance the park-like setting of designated neighborhoods adjacent to streams or parks by regulating alteration or disturbance of terrain, destruction of trees, and ground coverage of permitted buildings and other impervious surfaces;
- (b) Preserve the natural topography and mature trees to the maximum extent feasible in a residential neighborhood;
- (c) Prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas; and
- ~~(d)~~ (d) Limit permitted ground coverage of new and expanded buildings and other construction, so as to encourage a general compatibility between the siting of new buildings and the existing neighborhood;

~~(d)~~ The R-6 and

~~500.2~~**400.2** ~~Shall~~R-7 zones shall be mapped in residential neighborhoods that are located at the edge of stream beds or public open spaces and that have a significant quantity of steep slopes, stands of mature trees, and undeveloped lots and parcels subject to potential terrain alteration and tree removal. It is not suitable for mapping in neighborhoods where nearly all lots are already developed on a rectangular grid system and the existing mature trees are either yard trees or street trees.

~~500.3~~**400.3** The R-6 zone is intended to permit detached houses on large lots; and to protect quiet residential areas developed with detached dwellings.

~~500.4~~**400.4** The R-7 zone is intended to permit detached houses on moderately sized lots.

~~501~~**401 DEVELOPMENT STANDARDS**

~~501.1~~**401.1** The development standards in Subtitle D §§ ~~502~~**402** through ~~509~~**409** modify the general development standards in Subtitle D, Chapter 2;

402 DENSITY- LOT DIMENSIONS

402.1 Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-6 and R-7 zones shall be as set forth in the following table:

TABLE D § 402.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Min. Lot Width (ft.)</u>	<u>Min. Lot Area (sq. ft.)</u>
<u>R-6</u>	<u>75</u>	<u>7,500</u>
<u>R-7</u>	<u>50</u>	<u>5,000</u>

403 HEIGHT

502100 HEIGHT

~~403.1~~ The maximum permitted building height, not including the penthouse, in the R-6 and R-7 zones shall be forty feet (40 ft.) and three (3) stories.

~~502.1~~ An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), and three (3) stories.

~~502.2~~403.2 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the ~~district~~zone in which it is located.

503100 LOT OCCUPANCY

~~403.3~~ The maximum permitted height of a penthouse, except as permitted in Subtitle D § 403.2 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

~~403.4~~ A non-residential building constructed pursuant to Subtitle D § 403.2 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

404 LOT OCCUPANCY

~~503.1~~404.1 The maximum permitted lot occupancy in the R-6 and R-7 zones shall be thirty percent (30%).

504100 FRONT SETBACK

405 FRONT SETBACK

~~504.1~~405.1 A front setback shall be provided within the range of existing front setbacks of all structures within the R-6 and R-7 zones, on the same side of the street in the block

where the building is proposed.

505406 REAR SETBACKYARD

505.1406.1 ~~A~~ A minimum rear yard of twenty-five ~~footfeet~~ (25 ft.) ~~minimum rear setback~~ shall be provided in the R-6 and R-7 zones.

505.2406.2 In the case of a lot abutting three (3) or more streets, the depth of rear ~~setbackyard~~ may be measured from the center line of the street abutting the lot at the rear of the structure.

505.3406.3 As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear ~~setbackyard~~; provided, that the extension or addition shall be limited to that portion of the rear ~~setbackyard~~ included in the building area on May 12, 1958.

506407 SIDE SETBACKYARD

506.1407.1 ~~An~~ A minimum side yard of eight ~~footfeet~~ (8 ft.) ~~minimum side setback~~ shall be provided in the R-6 and R-7 zones.

506.2407.2 For a building ~~with~~subject to a side ~~setbackyard requirement, but which has an existing side yard~~ less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side ~~setbackyard~~ shall not be decreased; and provided further, that the width of the existing side ~~setbackyard~~ shall be a minimum of five feet (5 ft.).

507408 PERVIOUS SURFACE

507.1408.1 ~~In an R-6 or R-7 zones, the~~The minimum percentage of pervious surface of a lot ~~in an R-6 or R-7 zone~~ shall be fifty percent (50%).

508409 TREE PROTECTION

508.1409.1 The tree protection regulations of Subtitle C, Chapter 4 shall apply to the R-6 and R-7 zones.

509410 SPECIAL EXCEPTION

509.1410.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601. §§ 5201, 5202, and 5205.~~

411 USE PERMISSIONS

411.1 Use permissions for the R-6 and R-7 zones are as specified for Use Group A, in Subtitle U, Chapter 2.

~~Chapter 6~~**CHAPTER 5 FOREST HILLS TREE AND SLOPE
RESIDENTIAL HOUSE ZONES – R-8, R-9, AND R-10**

~~600.500~~**PURPOSE AND INTENT**

~~600.1500.1~~ The purposes of the Forest Hills Tree and Slope Protection Residential House zones (R-8, R-9, and R-10) are to:

- (a) Preserve and enhance the park-like setting of designated neighborhoods bounded by Connecticut Avenue and Thirty-Second Street on the west, Rock Creek Park on the east, Fort Circle National Park and Nevada Avenue, N.W. on the north, and Melvin C. Hazen Park and adjacent to streams and parks on the south, by regulating alteration or disturbance of terrain, destruction of trees, and the ground coverage of permitted buildings and other impervious surfaces. It includes Soapstone Valley Park as well as Melvin C. Hazen Park;
- (b) Preserve the natural topography and mature trees to the maximum extent feasible in the Forest Hills neighborhoods;
- (c) Prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas; and
- (d) Limit permitted ground coverage of new and expanded buildings and other construction, so as to encourage a general compatibility between the siting of new buildings or construction and the existing neighborhood.

~~600.2500.2~~ The Forest Hills Tree and Slope Protection zones have a significant quantity of steep slopes, stands of mature trees, are located at the edge of stream beds and public open spaces, and have undeveloped lots and parcels subject to potential terrain alteration and tree removal. Few lots are developed on a rectangular grid system.

~~600.3500.3~~ The R-8 zone is intended to permit detached houses on large lots.

~~600.4500.4~~ The R-9 zone is intended to permit detached houses on moderately-sized lots.

~~600.5500.5~~ The R-10 zone is intended to:

- (a) Permit semi-detached houses on moderately sized lots, and allow for areas of detached dwellings;
- (b) Retain the single ~~household~~dwellling unit nature of these areas; and
- (c) Prohibit denser types of residential development.

~~601~~501 DEVELOPMENT STANDARDS

~~601.1~~501.1 The development standards in Subtitle D §§ 602 through 609 modify the general development standards in Subtitle D, Chapter 2.

502 DENSITY- LOT DIMENSIONS

502.1 Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-8, R-9, and R-10 zones shall be as set forth in the following table:

TABLE D § 502.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.)</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-8</u>	<u>75</u>	<u>9,500 for lots created for dwellings after July May 18, 2007;</u> <u>7,500 for all other lots</u>
<u>R-9</u> <u>R-10</u>	<u>50</u>	<u>9,500 for lots created for dwellings after May 18, 2007;</u> <u>5,000 for all other lots</u>

503 HEIGHT

~~602~~100 HEIGHT

~~602.1~~503.1 The maximum permitted building height, not including the penthouse, in the R-8, R-9, and R-10 zones shall be forty feet (40%) and three (3) stories.

~~602.2~~503.2 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.). ~~An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.).~~ not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the ~~district~~zone in which it is located.

~~603~~100 LOT OCCUPANCY

503.3 The maximum permitted height of a penthouse, except as permitted in Subtitle D § 503.2 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

~~503.4~~ A non-residential building constructed pursuant to Subtitle D § 503.2 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

504 LOT OCCUPANCY

~~504.1~~ The maximum permitted lot occupancy in the R-8, R-9, and R-10 zones shall be thirty percent (30%).

505 FRONT SETBACK

~~603.1100.1~~

604100 FRONT SETBACK

~~604.1~~505.1 A front setback shall be provided within the range of existing front setbacks of all ~~structures~~residential buildings within ~~an~~the R-8 through R-10 ~~zone~~zones, on the same side of the street in the block where the building is proposed.

605506 REAR SETBACKYARD

~~605.1~~ Rear setbacks in the R-8, R-9, and R-10 zones shall be as follows:

~~605.2~~506.1 In the R-8 and R-9 zones, a A minimum rear setbackyard of twenty-five feet (25 ft.) shall be provided; ~~in the R-8 and R-9 zones.~~

~~605.3~~506.2 In the R-10 zone, a A minimum rear setbackyard of twenty feet (20 ft.) shall be provided in the R-10 zone.

~~605.4~~ In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.

~~605.5~~ As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

606507 SIDE SETBACKYARD

~~606.1~~507.1 The minimum side setbackyard requirement for all buildings, accessory buildings, or additions to buildings in the R-8, R-9, and R-10 zones shall be twenty-four feet (24 ft.) in the aggregate, with no single side yard having a width of less than eight feet (8 ft.).

~~606.2~~507.2 In the R-10 zone when a single ~~household~~ dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it

shall have a side ~~setback~~yard on each resulting free-standing side.

~~606.3~~ For a building with a side setback less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side setback shall not be decreased; and provided further, that the width of the existing side setback shall be a minimum of five feet (5 ft.).

607508 PERVIOUS SURFACE

~~607.1~~508.1 In an R-8, R-9, or R-10 zone, the minimum percentage of pervious surface of a lot shall be fifty percent (50%); provided this subsection shall not:

- (a) Preclude enlargement of a principal building in existence as of May 18, 2007; or
- (b) Create nonconformity of a structure as regulated by this title.

608509 TREE PROTECTION

~~608.1~~509.1 The tree protection regulations of Subtitle C, Chapter 4 shall only apply to those lots in the R-8 zone in Squares 2042, 2043, 2046, 2049, 2231, 2232, 2238, 2239, 2244 through 2248, 2250, 2258, 2272, and 2282.

~~608.2~~509.2 To the extent that any person seeks permission for building or terrain alteration on a lot with a slope steeper than twenty-five percent (25%) or with "highly erodible land" as defined at 7 C.F.R. § 12.2 (2005), a professional certification that the plans for alteration and/or construction will follow best geo-technical, structural engineering, and arboreal practices shall be supplied with the building permit application.

609510 SPECIAL EXCEPTION

~~609.1~~510.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601, §§ 5201, 5202, and 5205.~~

511 **USE PERMISSIONS**

511.1 Use permissions for the R-8 and R-9 zones are as specified for Use Group A, in Subtitle U, Chapter 2.

511.2 Use permissions for the R-10 zone are as specified for Use Group B, in Subtitle U, Chapter 2.

Chapter 7~~CHAPTER 6~~ **NAVAL OBSERVATORY/TREE AND SLOPE** **RESIDENTIAL HOUSE ZONES**~~ZONE~~ – R-11

~~700~~600 PURPOSE AND INTENT

~~700.1~~600.1 In addition to the provisions of Subtitle D § ~~600~~400.1, the purposes of the Naval Observatory/Tree and Slope Protection Residential House zone (R-11) are to:

- (a) 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;
- (b) Ensure that public land within the zone shall be used in a manner consistent with the historic or ceremonial importance and special missions of the Naval Observatory;
- (c) Reflect the importance of the Naval Observatory to the District of Columbia and to the Nation;
- (d) Provide additional controls on private land 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; and
- (e) Provide development standards to reduce or eliminate any possible harm or restrictions on the mission of the Federal establishment within the zone.

~~700.2~~600.2 The R-11 zone is intended to permit detached houses on large lots.

~~701~~601 DEVELOPMENT STANDARDS

~~701.1~~601.1 The development standards in Subtitle D §§ ~~702~~602 through ~~710~~609 modify the general development standards in Subtitle D, Chapter 2.

~~702~~602 DENSITY - LOT DIMENSIONS

~~702.1~~602.1 ~~The~~Except as prescribed in other provisions of ~~Subtitle X, Chapter 3 of~~ this title ~~shall not operate to permit, the minimum dimensions of a planned unit development lot in the R-11 zone to exceed either the limits of Subtitle D §§ 702 through 709, or shall be as set forth in the area, bulk, and setback standards that apply as a matter of right in any underlying district within the R-11 zone.~~following table:

TABLE D § 602.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.)</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-11</u>	<u>75</u>	<u>7,500</u>

603 **HEIGHT**

703 **HEIGHT**

~~703.1~~603.1 The maximum permitted building height, not including the penthouse, in the R-11 zone shall be forty feet (40 ft.) and three (3) stories.

~~703.2~~603.2 For the purposes of the R-11 zone, the height of a building shall be measured as follows:

- (a) The height of a building shall be the vertical distance measured from the level of the curb opposite the middle of the front of the building to the highest point of the roof or parapet; and
- (b) The curb elevation opposite the middle of the front of the building shall be determined as the average elevation of the lot from its front line to its rear lot line.

~~703.3~~603.3 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the ~~district~~zone in which it is located.

704 **LOT OCCUPANCY**

~~603.4~~ The maximum permitted height of a penthouse, except as permitted in Subtitle D § 603.3 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

~~603.5~~ A non-residential building constructed pursuant to Subtitle D §603.3 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

604 **LOT OCCUPANCY**

~~604.1~~ The maximum permitted lot occupancy in the R-11 zone shall be thirty percent (30%).

605 **FRONT SETBACK**

~~704.1~~ _____

~~705100~~ **FRONT SETBACK**

~~705.1605.1~~ A front setback shall be provided within the range of existing front setbacks of all ~~structures~~residential buildings within an R-11 zone, on the same side of the street in the block where the building is proposed.

~~706606~~ **REAR SETBACKYARD**

~~706.1606.1~~ ~~A~~A minimum rear yard of twenty-five ~~footfeet~~ (25 ft.) ~~minimum rear setback~~ shall be provided in the R-11 zone.

~~706.2~~ ~~In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.~~

~~706.3~~ ~~As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.~~

~~707607~~ **SIDE SETBACKYARD**

~~707.1607.1~~ ~~An~~A minimum side yard of eight ~~footfeet~~ (8 ft.) ~~minimum side setback~~ shall be provided in the R-11 zone.

~~707.2607.2~~ For a building ~~with~~subject to a side ~~setbackyard requirement but which has an existing side yard~~ less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side ~~setbackyard~~ shall not be decreased; and provided further, that the width of the existing side ~~setbackyard~~ shall be a minimum of five feet (5 ft.).

~~708100~~ **PERVIOUS SURFACE**

~~608~~ **PERVIOUS SURFACE**

~~708.1608.1~~ ~~In an R-11 zone, the~~The minimum percentage of pervious surface requirement of a lot ~~in an R-11 zone~~ shall be fifty percent (50%).

~~709609~~ **TREE PROTECTION**

~~709.1609.1~~ The tree protection regulations of Subtitle C, Chapter 4 shall apply to the R-11 zone.

~~710610~~ **SPECIAL EXCEPTION**

~~710.1610.1~~ Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601. §§~~

| 5201, 5202, 5203, and 5205.

611 USE PERMISSIONS

611.1 Use permissions for the R-11 zone are as specified for Use Group A, in Subtitle U, Chapter 2.

~~Chapter 8~~ **CHAPTER 7 NAVAL OBSERVATORY RESIDENTIAL HOUSE ZONES – R-12 AND R-13**

~~800.700~~ **PURPOSE AND INTENT**

~~800.1~~ 700.1 The purposes of the Naval Observatory Residential House zones (R-12 and R-13) are to:

- (a) 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;
- (b) Ensure that public land within the zone shall be used in a manner consistent with the historic or ceremonial importance and special missions of the Naval Observatory;
- (c) Reflect the importance of the Naval Observatory to the District of Columbia and the Nation;
- (d) Provide additional controls on private land 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; and
- (e) Provide development standards to reduce or eliminate any possible harm or restrictions on the mission of the Federal establishment within the zone.

~~800.2~~ 700.2 The R-12 zone is intended to permit detached houses on moderately-sized lots.

~~800.3~~ 700.3 The R-13 zone is intended to permit single ~~household~~dwelling unit attached rowhouses on small lots, include areas where attached houses are mingled with detached houses and semi-detached houses, and retain the single ~~household~~dwelling unit nature of these areas.

~~801.701~~ **DEVELOPMENT STANDARDS**

~~801.1~~ ~~The development standards in Subtitle D §§ 802 through 809 modify the general development standards in Subtitle D, Chapter 2.~~

~~802~~ **DENSITY**

~~701.1~~ ~~The provisions of Subtitle X, Chapter 3 of this title shall not operate to permit a planned unit development in the R-12 or R-13 zone to exceed either the limits of standards in Subtitle D § 802 §§ 702 through 808, or the area, bulk, 708 modify the general development standards in Subtitle D, Chapter 2.~~

702 DENSITY – LOT DIMENSIONS

~~802.1~~702.1 Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-12 and setback standards that apply as a matter of right in any underlying district within the R-12 or R-13 zones, shall be as set forth in the following table:

~~803.100~~HEIGHT

TABLE D § 702.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.)</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-12</u>	<u>50</u>	<u>5,000</u>
<u>R-13</u>	<u>40 (detached)</u> <u>30 (semi-detached)</u> <u>20 (attached)</u> <u>16 (IZ attached)</u> <u>40 (all other structures)</u>	<u>4,000 (detached)</u> <u>3,000 (semi-detached)</u> <u>2,000 (attached)</u> <u>1,600 (IZ attached)</u> <u>4,000 (all other structures)</u>

703 HEIGHT

~~803.1~~703.1 The maximum permitted building height, not including the penthouse, in the R-12 and R-13 zones shall be forty feet (40 ft.) and three (3) stories.

~~803.2~~703.2 The height of a building in the R-12 and R-13 zones shall be measured as follows:

- (a) The height of a building shall be the vertical distance measured from the level of the curb opposite the middle of the front of the building to the highest point of the roof or parapet; and
- (b) The curb elevation opposite the middle of the front of the building shall be determined as the average elevation of the lot from its front line to its rear lot line.

~~803.3~~703.3 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the ~~district~~zone in which it is located.

~~804.100~~LOT OCCUPANCY

703.4 The maximum permitted height of a penthouse, except as permitted in Subtitle D §

703.3 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

703.5 A non-residential building constructed pursuant to Subtitle D § 703.3 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

704 LOT OCCUPANCY

804.1704.1 The maximum permitted lot occupancy in the R-12 zone shall be forty percent (40%).

804.2704.2 The maximum permitted lot occupancy in the R-13 zone shall be sixty percent (60%) for attached dwellings and forty percent (40%) for all other structures.

705 FRONT SETBACK

805~~100~~ FRONT SETBACK

805.1705.1 A front setback shall be provided within the range of existing front ~~setbacks~~setback of all ~~structures~~residential buildings within an R-12 or R-13 zone, on the same side of the street in the block where the building is proposed.

806706 REAR SETBACKYARD

806.1706.1 ~~In the R-12 zone, a~~ minimum rear setbackyard of twenty-five feet (25 ft.) shall be provided in the R-12 zone.

806.2 ~~In the R-13 zone, a~~ minimum rear setbackyard of twenty feet (20 ft.) shall be provided.

806.3 ~~In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.~~

806.4706.2 ~~As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.~~R-13 zone.

807707 SIDE SETBACKYARD

707.1 ~~In the R-12 zone, a~~ minimum side setbackyard of eight feet (8 ft.) shall be provided in the R-12 zone.

807.1 ~~No side yard shall be provided.~~

~~807.2~~707.2 ~~Inrequired in~~ the R-13 zone, ~~no side setback shall be required. However; however,~~ if a side ~~setbackyard~~ is provided, it shall be no less than five feet (5 ft.).

~~807.3~~707.3 For a building ~~with~~subject to a side ~~setbackyard requirement, but which has an~~ existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side ~~setbackyard~~ shall not be decreased; and provided further, that the width of the existing side ~~setbackyard~~ shall be a minimum of five feet (5 ft.).

~~708~~ PERVIOUS SURFACE

~~808100~~ PERVIOUS SURFACE

~~808.1~~708.1 ~~In an R-12 zone, the~~The minimum percentage of pervious surface of a lot ~~in the R-12 zone~~ shall be fifty percent (50%).

~~808.2~~708.2 ~~In the R-13 zone, the~~The minimum percentage of pervious surface of a lot ~~in the R-13 zone~~ shall be twenty percent (20%).

~~809709~~ SPECIAL EXCEPTION

~~809.1~~709.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601. §§~~ 5201, 5203, and 5205.

710 USE PERMISSIONS

710.1 Use permissions for the R-12 zone are as specified for Use Group A, in Subtitle U, Chapter 2.

710.2 Use permissions for the R-13 zone are as specified for Use Group C, in Subtitle U, Chapter 2.

~~Chapter 9~~ **CHAPTER 8 WESLEY HEIGHTS RESIDENTIAL HOUSE ZONES – R-14 AND R-15**

~~900.800~~ **PURPOSE AND INTENT**

~~900.1800.1~~ The purposes of the Wesley Heights Residential House zones (R-14 and R-15) are to:

- (a) Preserve and enhance the low-density character of Wesley Heights by regulating construction and alteration of residential and other buildings in the area;
- (b) Preserve in general the current density of the neighborhood;
- (c) Allow reasonable opportunities for owners to expand their dwellings; and
- (d) Preserve existing trees, access to air and light, and the harmonious design and attractive appearance of the neighborhood.

~~900.2800.2~~ The R-14 zone is intended to permit detached houses on large lots.

~~900.3800.3~~ The R-15 zone is intended to permit detached houses on moderately sized lots.

~~901.801~~ **DEVELOPMENT STANDARDS**

~~901.1~~ The development standards in Subtitle D §§ 802 through 809 modify the general development standards in Subtitle D, Chapter 2.
~~The development standards in Subtitle D §§ 902 through 909 modify the general development standards in Subtitle D, Chapter 2.~~

~~801.1~~

~~802~~ **DENSITY – LOT DIMENSIONS AND GROSS FLOOR AREA**

~~802.1~~ Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-14 and R-15 zones shall be as set forth in the following table:

TABLE D § 802.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.)</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-14</u>	<u>75</u>	<u>7,500</u>
<u>R-15</u>	<u>50</u>	<u>5,000</u>

~~901.2~~802.2 The gross floor area (GFA) of all buildings and structures on the lot shall not exceed the sum of two thousand square feet (2,000 sq. ft.) plus forty percent (40%) of the area of the lot; provided, that the following modifications of GFA shall apply in the R-14 and R-15 zones:

- (a) The first two hundred square feet (200 sq. ft.) of an open porch, or total open porch space if there is more than one open porch, and the first six hundred square feet (600 sq. ft.) of a garage shall not count in GFA; and
- (b) Basement or cellar floor area shall count in GFA if a finished floor is provided, if the floor to ceiling height is in excess of six feet, six inches (6 ft., 6 in.), and shall count only up to a floor area equal to five (5) times the total fenestration area for the cellar or basement floor.

803 HEIGHT

902.1~~100~~ HEIGHT

~~902.1~~803.1 The maximum permitted building height, not including the penthouse, in the R-14 and R-15 zones shall be forty feet (40 ft.) and three (3) stories.

~~902.2~~803.2 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse.~~An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.),~~ provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the zone in which it is located.

903.1~~100~~ LOT OCCUPANCY

~~803.3~~ The maximum permitted height of a penthouse, except as permitted in Subtitle D § 803.2 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

~~803.4~~ A non-residential building constructed pursuant to Subtitle D § 803.2 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

804 LOT OCCUPANCY

~~903.1~~804.1 The maximum permitted lot occupancy for lots in the R-14 and R-15 that are less than five thousand square feet (5,000 sq. ft.) shall be forty percent (40%).

~~903.2~~804.2 The maximum ~~lots~~permitted lot occupancy for lots between five thousand square feet (5,000 sq. ft.) and six thousand six hundred and sixty-seven square feet (6,667 sq. ft.) shall be not less than two thousand square feet (2,000 sq. ft.).

~~903.3~~804.3 The maximum lot occupancy for lots over six thousand six hundred and sixty-seven square feet (6,667 sq. ft.) shall be thirty percent (30%).

~~904~~805 **FRONT SETBACK**

~~904.1~~805.1 All residential buildings shall have a front setback equal to or greater than the average setback of all structures on the same side of the street in the block where the building in question is located. The required setbacks are depicted in the map entitled, "Required Front Yard Setbacks," which is a part of this zone and located in the Office of Zoning and in the Office of the Zoning Administrator at the Department of Consumer and Regulatory Affairs.

~~905~~806 **REAR SETBACKYARD**

~~905.1~~806.1 A minimum rear yard of twenty-five ~~foot~~feet (25 ft.) ~~minimum rear setback~~ shall be provided in the R-14 and R-15 zones.

~~905.2~~ In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.

~~905.3~~ As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

~~906~~807 **SIDE SETBACKYARD**

~~906.1~~807.1 ~~An~~ A minimum side yard of eight ~~foot~~feet (8 ft.) ~~minimum side setback~~ shall be provided in the R-14 and R-15 zones.

~~906.2~~807.2 For a building ~~with~~subject to a side ~~setbackyard~~requirement but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side ~~setbackyard~~setbackyard shall not be decreased; and provided further, that the width of the existing side ~~setbackyard~~setbackyard shall be a minimum of five feet (5 ft.).

~~808~~ **PERVIOUS SURFACE**

~~907~~ **THE~~PERVIOUS SURFACE~~**

~~907.1~~808.1 ~~In an R-14 and R-15 zone, the~~ minimum percentage of pervious surface of ~~a lot~~lots in the R-14 and R-15 zones shall be fifty percent (50%).

~~908~~809 **SPECIAL EXCEPTION**

~~908.1~~809.1 Exceptions to the development standards of this chapter shall be permitted as a

special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601~~ §§ 5201 and 5205.

810 -USE PERMISSIONS

810.1 Use permissions for the R-14 and R-15 zones are as specified for Use Group A, in Subtitle U, Chapter 2.

~~Chapter 10~~ **CHAPTER 9 RESIDENTIAL HOUSE ZONES** ~~ZONE~~ – R-16

~~1000~~ **900 PURPOSE AND INTENT**

~~1000.1~~ **900.1** The purposes of the Sixteenth Street Heights Residential House zone (R-16) are to:

- (a) Promote the conservation, enhancement, and stability of the low-density, single ~~household~~dwelling unit neighborhood for housing and neighborhood-related uses;
- (b) Control the expansion of nonresidential uses, and/or further conversion of residential housing to nonresidential uses in order to maintain the housing supply and minimize the external negative impacts of new nonresidential uses that are permitted in the R-16 zone in order to preserve neighborhood quality; and
- (c) Allow neighborhoods to continue to provide a range of health and social service facilities as well as private institutions that provide cultural and religious enrichment and economic vitality, but within the framework of improved public review and control over the external effects of nonresidential uses. The objective is to make more compatible the Comprehensive Plan's goals and policies for maintaining the quality and stability of residential neighborhoods with other policies related to the reasonable provision of human services throughout the District of Columbia.

~~1000.2~~ **900.2** The R-16 zone is intended to:

- (a) Respond to concerns that over a period of years approximately one (1) in every ten (10) houses in the R-16 zone north of Colorado Avenue, N.W. has been converted to a nonresidential use, a much higher ratio than has been identified for any other similarly zoned neighborhood in the District of Columbia; and south of Colorado Avenue N.W., address concerns that more than twenty percent (20%) of the residentially zoned land is used for nonresidential purposes;
- (b) Recognize that the neighborhood accommodates a significant number and range of human service facilities and private institutions to an extent that new and significantly expanded nonresidential use facilities should be governed by improved public review to ameliorate adverse impacts on immediate and nearby neighbors and to preserve a predominantly single ~~household~~dwelling unit residential character;
- (c) Respond to the District of Columbia Comprehensive Plan's identification of the number of nonresidential uses in the neighborhood as a problem; and
- (d) Address the impacts of the number of nonresidential uses and the

conversion of houses to these uses in the neighborhood as reflected in the Comprehensive Plan.

~~1001~~ 901 **DEVELOPMENT STANDARDS**

~~1001.1~~ 901.1 The development standards in Subtitle D §§ ~~1402~~ 902 through ~~1408~~ 908 modify the general development standards in Subtitle D, Chapter 2.

902 **DENSITY- LOT DIMENSIONS**

902.1 Except as prescribed in other provisions of this title, the minimum dimensions of a lot in the R-16 zone shall be as set forth in the following table:

TABLE D § 902.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.)</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-16</u>	<u>50</u>	<u>5,000</u>

903 **HEIGHT**

~~1002~~ 100 **HEIGHT**

~~1002.1~~ 903.1 The maximum permitted building height, not including the penthouse, in the R-16 ~~zones~~ zone shall be forty feet (40 ft.) and three (3) stories.

~~1002.2~~ 903.2 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the ~~district~~ zone in which it is located.

~~1003~~ 100 **LOT OCCUPANCY**

903.3 The maximum permitted height of a penthouse, except as permitted in Subtitle D § 903.2 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

903.4 A non-residential building constructed pursuant to Subtitle D § 903.2 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

904 **LOT OCCUPANCY**

~~1003.1~~ 904.1 The maximum permitted lot occupancy in the R-16 ~~zones~~ zone shall be forty percent

(40%).

~~1004100~~ **FRONT SETBACK**

905 FRONT SETBACK

~~1004.1~~905.1 A front setback shall be provided within the range of existing front setbacks of all ~~structures~~residential buildings within an R-16 zone, on the same side of the street in the block where the building is proposed.

~~1005906~~ **REAR SETBACKYARD**

~~1005.1~~906.1 ~~A minimum rear yard of~~ twenty-five ~~footfeet~~ (25 ft.) ~~minimum rear setback~~ shall be provided in the R-16 zone.

~~1005.2~~ In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.

~~1005.3~~ As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

~~1006907~~ **SIDE SETBACKYARD**

~~1006.1~~907.1 ~~An A minimum side yard of~~ eight ~~foot feet~~ (8 ft.) ~~minimum side setback~~ shall be provided in the R-16 zone.

~~1006.2~~907.2 For a building ~~with~~subject to a side ~~setbackyard~~ requirement, but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side ~~setbackyard~~ shall not be decreased; and provided further, that the width of the existing side ~~setbackyard~~ shall be a minimum of five feet (5 ft.).

~~1007100~~ **PERVIOUS SURFACE**

908 PERVIOUS SURFACE~~IN AN R-16 ZONE, THE~~

~~1007.1~~908.1 ~~The~~ minimum percentage of pervious surface requirement of a lot in an R-16 zone shall be fifty percent (50%).

~~1008909~~ **SPECIAL EXCEPTION**

~~1008.1~~909.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601~~§§

5201 and 5205, except that a proposed expansion of an existing non-residential use in excess of ten percent (10%) of gross floor area, shall be subject to the conditions of Subtitle U § 205.2.

910 **USE PERMISSIONS**

910.1 Use permissions for the R-16 zone are as specified for Use Group D in Subtitle U, Chapter 2.

CHAPTER 10 RESIDENTIAL HOUSE ZONES – R-17

1000 PURPOSE AND INTENT

1000.1 The purposes of the Foggy Bottom Residential House zone (R-17) are to:

- (a) Enhance the residential character of the area by maintaining existing low-scale residential uses, human scale streetscape, and historic character;
- (b) Enhance the human-scale streetscape by maintaining the public space in front of the buildings as landscaped green spaces and limiting future curb cuts;
- (c) Require a scale of development consistent with the Comprehensive Plan; and the characteristics of the low scale residential townhouse neighborhood that formed the basis on which the area was designated a historic district;
- (d) Protect the integrity of the historic district, its small scale, and open spaces; require compatibility of any development with the purposes of the Historic Landmark and Historic District Protection Act of 1978,; and preclude demolitions or partial demolitions that would lead to an increase in height and density inappropriate to the area;
- (e) Preserve areas planned as open backyards and alleyways that provide the only access to historic alley dwellings, and to protect the light, air, and privacy that they provide; and
- (f) Encourage greater use of public transportation through use of the nearby Metrorail Station, so as to protect the narrow residential streets and alleys from the deleterious effects of disruptive excessive traffic.

1000.2 The R-17 is intended to permit single dwelling unit attached rowhouses on small lots.

1001 DEVELOPMENT STANDARDS

1001.1 The development standards in Subtitle D §§ 1002 through 1008 modify the general development standards in Subtitle D, Chapter 2.

CHAPTER 11 FOGGY BOTTOM RESIDENTIAL HOUSE ZONES – R-17

1100 PURPOSE AND INTENT

1100.1 The purposes of the Foggy Bottom Residential House zone (R-17) are to:

- (a) Enhance the residential character of the area by maintaining existing low-scale residential uses, human scale streetscape, and historic character;
- (b) Enhance the human-scale streetscape by maintaining the public space in front of the buildings as landscaped green spaces and limiting future curb cuts;
- (c) Require a scale of development consistent with the Comprehensive Plan; and the characteristics of the low scale residential townhouse neighborhood that formed the basis on which the area was designated a historic district;
- (d) Protect the integrity of the historic district, its small scale, and open spaces; require compatibility of any 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. Official Code §§ 6-1101 to 6-1115 (2012 Repl.), formerly codified at D.C. Official Code §§ 5-1001 to 5-1015 (1994 Repl. & 1999 Supp.)), and preclude demolitions or partial demolitions that would lead to an increase in height and floor area ratio inappropriate to the area;
- (e) Preserve areas planned as open backyards and alleyways that provide the only access to historic alley dwellings, and to protect the light, air, and privacy that they provide; and
- (f) Encourage greater use of public transportation through use of the nearby Metrorail Station, so as to protect the narrow residential streets and alleys from the deleterious effects of disruptive excessive traffic.

1100.2 The R-17 is intended to permit single ~~household~~dwelling unit attached rowhouses on small lots.

~~1101100~~ DEVELOPMENT STANDARDS

1101 DEVELOPMENT STANDARDS

1101.1 The development standards in Subtitle D §§ 1002 through ~~1009~~1008 modify the general development standards in Subtitle D, Chapter 2.

1102 DENSITY- LOT DIMENSIONS

1102.1 Except as prescribed in other provisions of this title, the minimum dimensions of a

lot in the R-17 zone shall be as set forth in the following table:

TABLE D § 1002.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.) for building type;</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-17</u>	<u>40 (detached)</u> <u>30 (semi-detached)</u> <u>20 (attached)</u> <u>16 (IZ attached)</u> <u>40 (all other structures)</u>	<u>4,000 (detached)</u> <u>3,000 (semi-detached)</u> <u>2,000 (attached)</u> <u>1,600 (IZ attached)</u> <u>4,000 (all other structures)</u>

1103 HEIGHT

1102100 HEIGHT

~~1102.1100.1~~ The maximum permitted building height, not including the penthouse, in the R-17 zone shall be forty feet (40 ft.) ~~and three (3) stories.~~

~~1103.1~~ ~~An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.),~~ and three (3) stories.

~~1102.21103.2~~ An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the ~~district~~zone in which it is located.

1103100 LOT OCCUPANCY

~~1103.3~~ The maximum permitted height of a penthouse, except as permitted in Subtitle D § 1003.2 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

~~1103.4~~ A non-residential building constructed pursuant to Subtitle D § 1003.2 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

1104 LOT OCCUPANCY

~~1103.11104.1~~ The maximum permitted lot occupancy for attached dwellings in the R-17 zone shall be sixty percent (60%). The maximum permitted lot occupancy for all other structures in the R-17 zone shall be forty percent (40%).

1105 FRONT SETBACK

~~1104100~~ **FRONT SETBACK**

~~1104.1~~1105.1 A front setback shall be provided within the range of existing front setbacks of all ~~structures~~residential buildings within an R-17 zone, on the same side of the street in the block where the building is proposed.

~~11051106~~ **REAR SETBACKYARD**

~~1105.1~~1106.1 A ~~twenty-foot (20 ft.)~~ minimum rear ~~setback yard of twenty feet (20 ft.)~~ shall be provided in the R-17 zone.

~~1105.2~~ — In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.

~~1105.3~~ — As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

~~11061107~~ **SIDE SETBACKYARD**

~~1106.1~~1107.1 A ~~No~~ side ~~setback yard shall be required~~ in the R-17 zone ~~shall not be required.~~ ~~However;~~ however, if a side ~~setbackyard~~ is provided, it shall be no less than five feet (5 ft.).

~~1106.2~~1107.2 In the R-17 zone, when a single ~~household~~-dwelling unit, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side ~~setbackyard~~ on each resulting free-standing side.

~~1106.3~~1107.3 For a building with a side ~~setbackyard~~ less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side ~~setbackyard~~ shall not be decreased; and provided further, that the width of the existing side ~~setbackyard~~ shall be a minimum of five feet (5 ft.).

~~1108~~ **PERVIOUS SURFACE**

~~1107100~~ **PERVIOUS SURFACE**

~~1107.1~~1108.1 ~~In an R-17 zone, the~~The minimum percentage of pervious surface requirement of a lot ~~in an R-17 zone~~ shall be twenty percent (20%).

~~11081109~~ **MISCELLANEOUS**

~~1108.1~~1109.1 Buildings constructed on or before April 17, 1992, and existing legitimate uses within the buildings shall be deemed conforming, except that no addition,

replacement, or expansion of the building, or change in use (except to a more conforming residential use other than a dormitory) shall be permitted unless in conformance with the requirements of the R-17 zone.

~~1108.21~~1109.2 If any building is destroyed by fire, collapse, explosion, or act of God, it may be reconstructed or restored to its previous condition or to a more conforming residential condition other than a dormitory. Excluded from this provision are uses that are nonconforming prior to April 17, 1992, and operating without a special exception issued by the Board of Zoning Adjustment.

~~1109.1~~1110 **SPECIAL EXCEPTION**

~~1109.1~~1110.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601~~§§ 5201 and 5205.

1111 USE PERMISSIONS

1111.1 Use permissions for the R-17 zones are as specified for Use Group C in Subtitle U, Chapter 2.

CHAPTER 12 GEORGETOWN RESIDENTIAL HOUSE ZONES – R-19 AND R-20.

1200 PURPOSE AND INTENT

- 1200.1 The purposes of the Georgetown Residential House zones (R-19 and R-20) are to:
- (a) Protect the Georgetown National Historic Landmark District and its historic character, buildings and open space in a manner consistent with the goals and mandates of the Historic Landmark and Historic District Protection Act of 1978, ~~effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code §§ 6-1101 to 6-1115)~~, and the Old Georgetown Act, approved September 22, 1950 (64 Stat. 903; D.C. Official Code §§ 6-1201-1206);
 - (b) Protect the integrity of “contributing buildings,” as that term is defined by the Historic Landmark and Historic District Protection Act of 1978 ~~(D.C. Official Code Title 6, Chapter 11)~~;
 - (c) Recognize the compatibility of any development with the purposes of the Old Georgetown Act and the Historic Landmark and Historic District Protection Act of 1978;
 - (d) Limit permitted ground coverage of new and expanded buildings and other construction to encourage a general compatibility between the siting of new or expanded buildings and the existing neighborhood; and
 - (e) Retain the quiet residential character of these areas and control compatible nonresidential uses.
- 1200.2 The R-19 zone is intended to protect quiet residential areas developed with detached dwellings and to permit detached houses on moderately-sized lots.
- 1200.3 The R-20 zone is intended to retain and reinforce the unique mix of housing types including detached, semi-detached and attached dwellings and permit attached row houses on small lots, and includes areas where attached houses are mingled with detached houses and semi-detached houses.

1201 DEVELOPMENT STANDARDS

- 1201.1 The development standards in Subtitle D §§ ~~12021102~~ through ~~12091109~~ modify the general development standards in Subtitle D, Chapter 2.

1202 DENSITY- LOT DIMENSIONS

- 1202.1 Except as prescribed in other provisions of this title, the minimum dimensions of lots in the R-19 and R-20 zones shall be as set forth in the following table:

TABLE D § 1102.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.) for building type;</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-19</u>	<u>50</u>	<u>5,000</u>
<u>R-20</u>	<u>40 (detached)</u> <u>30 (semi-detached)</u> <u>20 (attached)</u> <u>16 (IZ attached)</u> <u>40 (all other structures)</u>	<u>4,000 (detached)</u> <u>3,000 (semi-detached)</u> <u>2,000 (attached)</u> <u>1,600 (IZ attached)</u> <u>4,000 (all other structures)</u>

1203 HEIGHT

1202.100 HEIGHT

~~1202.1~~1203.1 The maximum permitted building height, not including the penthouse pursuant to Subtitle D § 1102.5, in the R-19 and R-20 zones shall be thirty-five feet (35 ft.) and three (3) stories.

~~1202.2~~1203.2 In R-19 and R-20 zones, a building may have a maximum height of no more than forty feet (40 ft.) only if a property adjacent on either side has a building height of forty feet (40 ft.) or greater.

~~1202.3~~1203.3 The maximum height of a building in the R-19 and R-20 zones shall be measured to the highest point of the roof or a parapet which is not a required firewall.

~~1202.4~~1203.4 In R-19 and R-20 zones, a two (2) or more story addition to a principal building which has an existing second story side setbackyard shall not exceed the vertical plane of that setbackyard for the length of the second story addition.

~~1202.5~~1203.5 In R-19 and R-20 zones, any parapet, pergola, railing, or similar roof structure, or penthouse shall not exceed the permitted building height by more than four feet (4 ft.).

~~1202.6~~1203.6 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.~~).~~, not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the ~~district~~zone in which it is located.

1203.7 A non-residential building constructed pursuant to Subtitle D §1102.6 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

1204 LOT OCCUPANCY

1203.100 LOT OCCUPANCY

~~1203.1~~1204.1 The maximum permitted lot occupancy in the R-19 zone shall be forty percent (40%).

~~1203.2~~1204.2 The maximum permitted lot occupancy in the R-20 zone shall be as follows:

- (a) Sixty percent (60%) for attached dwellings;
- (b) Forty percent (40%) for semi-detached dwellings; and
- (c) Forty percent (40%) for detached structures.

1204.1205 FRONT SETBACK

~~1204.1~~1205.1 ~~In the R-19 zone, a~~A front setback shall be provided that is within the range of existing front setbacks of all structures-residential buildings within an R-19 zone, on the same side of the street in the block where the building is proposed.

~~1204.2~~1205.2 ~~In the R-20 zone, a~~A front setback consistent with at least one (1) of the immediately adjacent properties on either side shall be provided in the R-20 zone.

1205.1206 REAR SETBACKYARD

~~1205.1~~1206.1 ~~In the R-19 zone, a~~A minimum rear setbackyard of twenty-five feet (25 ft.) shall be provided in the R-19 zone.

~~1205.2~~1206.2 ~~In the R-20 zone, a~~A minimum rear setbackyard of twenty feet (20 ft.) shall be provided In the R-20 zone.

~~1205.3~~ — ~~In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.~~

~~1205.4~~ — ~~As provided in Subtitle C, Chapter 2, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.~~

1206.1207 SIDE SETBACKYARD

~~1206.1~~1207.1 ~~In the R-19 zone, a~~A minimum side setbackyard of eight feet (8 ft.) shall be provided in the R-19 zone.

~~1206.2~~1207.2 ~~In the R-20 zone, no~~No side setbackyard shall be required for an attached building in the R-20 zone; however, if a side setbackyard is provided, it shall be at least five

feet (5 ft.).

~~1206.3~~1207.3 ~~In the R-20 zone, a~~ A minimum side ~~setback no less than yard of~~ five feet (5 ft.) shall be provided for all buildings other than attached buildings; ~~in the R-20 zone.~~

~~1206.4~~1207.4 In the R-19 and R-20 zones, a building with a side ~~setback~~yard less than required may be extended or an addition may be made to the building; ~~provided,~~ that the width of the existing side ~~setback~~yard shall not be decreased; and provided further, that the width of the existing side ~~setback~~yard shall be a minimum of five feet (5 ft.) in the R-19 zone and a minimum of three feet (3 ft.) in the R-20 zone.

~~1207~~1208 **PERVIOUS SURFACE**

~~1207.1~~1208.1 ~~In an R-19 zone, the~~ The minimum percentage of pervious surface requirement of a lot ~~in the R-19 zone~~ shall be fifty percent (50%).

~~1207.2~~1208.2 The minimum percentage of pervious surface requirement ~~for of a lot in~~ the R-20 zone shall be twenty percent (20%).

~~1208~~1209 **ACCESSORY BUILDINGS**

~~1208.1~~1209.1 Accessory buildings in the R-19 and R-20 zones shall be subject to the development regulations of this section.

~~1208.2~~1209.2 The accessory building shall be located facing an alley, or private alley to which the owner has access by an easement recorded with the Recorder of Deeds, and shall be set back a maximum of five feet (5 ft.) from the rear property line or a line perpendicular to the façade of the principal building.

~~1208.3~~1209.3 In the R-19 zone, an accessory building within five feet (5 ft.) of a public or private vehicular alley may have a maximum height of twenty feet (20 ft.), a maximum building area of four hundred and fifty square feet (450 sq. ft.) and a maximum number of two (2) stories.

~~1208.4~~1209.4 In the R-20 zone, an accessory building within five feet (5 ft.) of a public or private vehicular alley may have a maximum height of fifteen feet (15 ft.), a maximum building area of four hundred and fifty square feet (450 sq. ft.) and a maximum number of one (1) story.

~~1208.5~~1209.5 In the R-19 and R-20 zones, an accessory building on a property that is not adjacent to a public or private vehicular alley or that is more than five feet (5 ft.) from a public or private vehicular alley may have a maximum height of ten feet (10 ft.) and a maximum building area of one hundred square feet (100 sq. ft.).

~~1208.6~~1209.6 Roof decks are not permitted.

1210 **SPECIAL EXCEPTION**

1210.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9 and subject to the provisions and limitations of Subtitle D §§ 5201 and 5205.

1211 USE PERMISSIONS

1211.1 Use permissions for the R-19 zones are as specified for Use Group A, in Subtitle U, Chapter 2.

1211.2 Use permissions for the R-20 zones are as specified for Use Group C, in Subtitle U, Chapter 2.

CHAPTER 13 CHAIN BRIDGE ROAD/UNIVERSITY TERRACE **RESIDENTIAL HOUSE ZONE – R-21**

1300 PURPOSE AND INTENT

1300.1 The purposes of the Chain Bridge Road/University Terrace Residential House zone (R-21) are to:

- (a) Provide for areas predominantly developed with detached houses on large lots;
- (b) Preserve and enhance the park-like setting of the area by regulating alteration or disturbance of terrain, destruction of trees, and ground coverage of permitted buildings and other impervious surfaces, and by providing for widely spaced residences;
- (c) Preserve the natural topography and mature trees to the maximum extent feasible in a residential neighborhood;
- (d) Prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas;
- (e) Limit permitted ground coverage of new and expanded buildings and other construction, so as to encourage a general compatibility between the siting of new buildings or construction and the existing neighborhood; and
- (f) Limit the minimum size of lots so as to prevent significant adverse impact on existing infrastructure, especially on traffic and pedestrian safety, and to achieve the other purposes listed in this subsection.

1300.2 The R-21 zone applies to the area bounded on the south by MacArthur Boulevard, on the east by Battery Kemble Park/Chain Bridge Road, on the north by Loughboro Road/Nebraska Avenue, and on the west by University Terrace.

1300.3 The R-21 zone is mapped on a residential neighborhood, located at the edge of stream beds and public open spaces that have steep slopes, substantial stands of mature trees, and undeveloped lots and parcels subject to potential terrain alteration and tree removal.

1301 DEVELOPMENT STANDARDS

1301.1 The development standards in Subtitle D §§ 1202 through 1209 modify the general development standards in Subtitle D, Chapter 2.

1302 DENSITY- LOT DIMENSIONS

1302.1 Except as prescribed in other provisions of this title, the minimum dimensions of a

lot in the R-21 zone shall be as set forth in the following table:

TABLE D § 1202.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

<u>Zone</u>	<u>Minimum Lot Width (ft.)</u>	<u>Minimum Lot Area (sq. ft.)</u>
<u>R-21</u>	<u>75</u>	<u>9,500 for lots created for dwellings after July 20, 1999;</u> <u>7,500 for all other lots</u>

1303 HEIGHT

1303.1 The maximum permitted building height, not including the penthouse, in the R-21 zone shall be forty feet (40 ft.) and three (3) stories.

1303.2 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each foot of height in excess of that authorized in the zone in which it is located.

1303.3 The maximum permitted height of a penthouse, except as permitted in Subtitle D § 1303.2 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) and one (1) story.

1303.4 A non-residential building constructed pursuant to Subtitle D § 1303.2 shall be permitted a mechanical penthouse to a maximum height of eighteen feet six inches (18 ft. 6 in.).

1304 LOT OCCUPANCY

1304.1 The maximum permitted lot occupancy for lots in the R-21 zone that are less than six thousand five hundred square feet (6,500 sq. ft.) shall be forty percent (40%).

1304.2 The maximum permitted lot occupancy for lots in the R-21 zone that are between six thousand five hundred square feet (6,500 sq. ft.) and eight thousand nine hundred and ninety-nine square feet (8,999 sq. ft.) shall be thirty-five percent (35%), but not less than two thousand six hundred square feet (2,600 sq. ft.).

1304.3 The maximum permitted lot occupancy for lots in the R-21 zone that are over nine thousand square feet (9,000 sq. ft.) shall be thirty percent (30%), but not less than three thousand one hundred and fifty square feet (3,150 sq. ft.).

1305 FRONT SETBACK

1305.1 A front setback shall be provided within the range of existing front setbacks of all residential buildings within an R-21 zone, on the same side of the street in the block where the building is proposed.

1306 REAR YARD

1306.1 A minimum rear yard of twenty-five feet (25 ft.) shall be provided in the R-21 zone.

1307 SIDE YARD

1307.1 A minimum side yard of eight feet (8 ft.) shall be provided in the R-21 zone.

1307.2 For a building with a side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.).

1308 PERVIOUS SURFACE

1308.1 In the R-21 zone, the minimum percentage of pervious surface of a lot shall be fifty percent (50%), provided that this subsection shall not:

- (a) Preclude enlargement of a principal building in existence as of July 30, 1999; or
- (b) Create nonconformity of a structure as regulated by Subtitle C, Chapter 2.

1309 TREE PROTECTION

1309.1 The tree protection regulations of Subtitle C, Chapter 4 shall apply to the R-21 zone.

~~1209~~1310 SPECIAL EXCEPTION

~~1209.1~~1310.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D ~~§ 1601~~.

§§ 5201, 5202, and 5205

1311 USE PERMISSIONS

1311.1 Use permissions for the R-21 zones are as specified for Use Group A, in Subtitle U, Chapter 2.

CHAPTER 14 THROUGH CHAPTER 49 [RESERVED]

CHAPTER 50 -ACCESSORY BUILDING REGULATIONS FOR R ZONES

5000 GENERAL PROVISIONS

5000.1 Accessory buildings may be permitted within an R zone subject to the conditions of this section.

5000.2 An accessory building shall be subordinate to and located on the same lot as the principal building, and shall be used for purposes ~~which~~that are incidental to the use of the principal building.

5000.3 An accessory building shall be secondary in size compared to the principal building, and shall comply with all required ~~setbacks~~yards for accessory buildings based on the zone in which they are located.

~~5000.4~~ Notwithstanding Subtitle D § 5000.3, an accessory building shall not be located in the front yard of a lot in an R zone developed with a residential building

~~5000.5~~ A private garage permitted in an R zone as a principal use on a lot other than an alley lot, shall open directly onto an alley, and shall not be located within fifty feet (50 ft.) of the front building line or within twelve feet (12 ft.) of the center line of the alley upon which it opens.

5001 DEVELOPMENT STANDARDS

5001.1 The bulk of accessory buildings in the R zones shall be controlled through the development standards in Subtitle D §§ ~~1402~~5002 through ~~1406~~5006

5002 HEIGHT

~~5002~~100 THE MAXIMUM HEIGHT OF AN ACCESSORY BUILDING IN AN R ZONE SHALL BE TWO (2) STORIES AND TWENTY FEET (20 FT)HEIGHT

5002.1 ~~The maximum height of an accessory building in an R zone shall be two (2) stories and twenty feet (20 ft.).), including the penthouse.~~ The height of an accessory building permitted by this section shall be measured from the finished grade at the middle of the side of the accessory building that faces the main building to the highest point of the roof of the building

5003 LOT OCCUPANCY

5003.1 An accessory building in an R zone as a principal use on a lot other than an alley lot shall be exempt from the requirements for minimum lot dimensions, but shall be subject to the limitation on percentage of lot occupancy of the zone in which the lot is located.

5004 REAR SETBACKYARD

5004.1 An accessory building in an R zone may be located within a rear setbackyard provided, where abutting an alley, it shall be set back at least twelve feet (12 ft.) from the center line of the alley.

~~5004.2100.1 A private garage that is an accessory building in an R zone as a principal use on a lot other than an alley lot shall open directly onto an alley, and shall not be located within fifty feet (50 ft.) of the front building line or within twelve feet (12 ft.) of the center line of the alley upon which it opens.~~

5005 SIDE SETBACKYARD

5005.1 An accessory building in an R zone may be located within a side setbackyard or beside the main building; provided, if the accessory building is located beside the main building, it shall be removed from the side lot line a distance equal to the required side setbackyard and from all building lines a distance of not less than ten feet (10 ft.).

5006 MAXIMUM BUILDING AREA

5006.1 The maximum building area for an accessory building in an R zone shall be the greater of thirty (30%) of the required rear setbackyard area or four hundred and fifty square feet (450 sq. ft.).

5007 SPECIAL EXCEPTION

~~**5007 SPECIAL EXCEPTION**~~

5007.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9 and subject to the provisions and limitation of Subtitle D § 5201.

CHAPTER 51 -ALLEY LOT REGULATIONS FOR R ZONES

5100 GENERAL PROVISIONS

5100.1 All alley lots must be recorded in the records of the Surveyor, District of Columbia as a record lot.

~~5100.2 A lot that only has frontage on an alley and no frontage on a public street, and that is only recorded on the records of the 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.~~

~~5100.3~~ 5100.2 New alley lots may be created as provided in the subdivision regulations in Subtitle C, ~~Chapter § 303.3.~~

5101 DEVELOPMENT STANDARDS

5101.1 The development standards in Subtitle D §§ ~~4502~~5102 through ~~4507~~5107 shall apply to buildings on alley lots in R zones.

5102 HEIGHT

5102.1 The maximum height and stories of ~~building~~buildings on alley lots in R zones shall be twenty feet (20 ft.) and two (2) stories, including the penthouse.

5103 LOT OCCUPANCY

5103.1 A building or structure shall not occupy an alley lot in excess of the maximum lot occupancy as set forth in the following table:

TABLE D §§ ~~4503~~5103.1: MAXIMUM LOT OCCUPANCY FOR AN ALLEY LOT

Alley Lot Size	Maximum Lot Occupancy
Less than 1,800 sq. ft.	100%
Between 1,800 sq. ft. and 2,000 sq. ft.	90%
Larger than 2,000 sq. ft.	80%

5104 REAR ~~SETBACK~~YARD

5104.1 A ~~required rear setback shall be provided with a~~ minimum ~~depth~~rear yard of five feet (5 ft.) ~~from~~shall be provided along any lot line of all abutting non-alley lots.

5105 SIDE ~~SETBACK~~YARD

5105.1 A ~~required side setback shall be provided with a~~ minimum ~~depth~~side yard of five feet (5 ft.) ~~from~~shall be provided along any lot line of all abutting non-alley lots.

5106 ALLEY CENTERLINE SETBACK

5106.1 A required twelve foot (12 ft.) setback from the centerline of all alleys to which the alley lot abuts shall be provided.

5107 PERVIOUS SURFACE

5107.1 ~~In an R zone, the~~The minimum percentage of pervious surface requirement of an alley lot ~~in an R zone~~ shall be ten percent (10%).

~~5107.2 In the R zone, the minimum percentage of pervious surface requirements of an alley lot shall be based on lot size as set forth in the following table:~~

~~TABLE D § 1507.2: MINIMUM PERCENTAGE OF PERVIOUS SURFACE FOR AN ALLEY LOT~~

~~Minimum Lot Size~~	~~Minimum Percentage Of Pervious Surface~~
~~Less than 1,800 square feet~~	~~0%~~
~~1,800 square feet or larger~~	~~10%~~

~~5108100 SPECIAL EXCEPTION~~

5108 SPECIAL EXCEPTION

5108.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle D § ~~1604~~5204.

CHAPTER 52 -RELIEF FROM REQUIRED DEVELOPMENT STANDARDS

5200 GENERAL PROVISIONS

- 5200.1 The following provisions provide for special exception relief to the specified development standards and regulations ~~in the R zones~~ subject to the provisions of ~~this chapter~~each section and the general special exception criteria at Subtitle X, Chapter 9.
- 5200.2 Requested relief that does not comply with specific conditions or limitations of a special exception shall be processed as a variance.

5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

- 5201.1 The Board of Zoning Adjustment may ~~grant~~approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:
- (a) Lot occupancy;
 - ~~(b) Setbacks; and~~
 - ~~(b)~~ (b) Yards;
 - ~~(c)~~ (c) Pervious surface; and
 - ~~(c)(d)~~ (d) The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.
- 5201.2 Special exception relief under this section is applicable only to the following:
- (a) An addition to a building with only one (1) principal dwelling unit; or
 - (b) A new or enlarged accessory structure that is accessory to such a building.
- 5201.3 An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
- (a) The light and air available to neighboring properties shall not be unduly affected;
 - (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

- (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;
- (d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways; and
- (e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot as specified in the following table:

TABLE D § ~~1604~~5201.3: MAXIMUM PERMITTED LOT OCCUPANCY ~~ALLOWED~~

Zone	~~Max.~~ <u>Maximum</u> Lot Occupancy
<u>R-3</u> <u>R-13</u> <u>R-16</u>	<u>70%</u>
~~R-3~~ ~~R-13~~ ~~R-16~~ R-20 – attached dwellings only	70%
R-20 – detached and semi-detached dwellings All Other R zones	50%

5201.4 The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

5202 SPECIAL EXCEPTION CRITERIA FOR TREE PROTECTION

5202.1 ~~Any~~The Board of Zoning Adjustment may approve as a special exception, relief from the tree and slope protection requirements of this ~~chapter shall be permitted only as a special exception, if approved by the Board of Zoning Adjustment subtitle~~ pursuant to Subtitle X and subject to the following requirements:

- (a) Tree removal, grading, and topographical change shall be limited to the maximum extent possible, consistent with construction of a building

permitted by the standards of this section;

- (b) The applicant shall demonstrate that there are specific physical characteristics of the lot that justify the exception;
- (c) The excepted building and overall site plan of the lot shall be generally consistent with the purposes of the R-21 and R-6 through R-11 zones and will not adversely affect neighboring property; and
- (d) The Board of Zoning Adjustment may impose requirements as to design, appearance, tree protection practices during construction, buffering, and other requirements as it deems necessary to achieve the purposes of this section and may vary side and rear setback requirements in order to achieve the purposes of this section.

5202.2 Before taking action on an application, the Board of Zoning Adjustment shall submit the application to the following agencies for review and written reports:

- (a) Office of Planning;
- (b) Department of Transportation, Tree Management Administration;
- (c) Department of Parks and Recreation;
- (d) Department of ~~the~~Energy and Environment, Watershed Protection Division, Technical Services Branch; and
- (e) National Park Service, U.S. Department of the Interior.

5202.3 An applicant for a special exception shall submit at least the following materials:

- (a) A site plan for development, including computation and illustration of total lot occupancy and impervious surface ratio, and regulated trees proposed to be removed; and
- (b) A plan and statement indicating how trees to be preserved on the lot will be protected during the construction period, including reference to proposed procedures to guard against long-term damage by such factors as soil compaction.

5203 SPECIAL EXCEPTION CRITERIA FOR R-11, R-12, AND R-13 (NAVAL OBSERVATORY) ZONES

5203.1 In consideration of a special exception in the R-11, R-12, or R-13 zones, in addition to any other criteria of this title, the following conditions shall apply:

- (a) The Board of Zoning Adjustment shall consider whether the proposed development is compatible with the:

- (1) Present and proposed development within and adjacent to the subject 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 subject zone; and
 - (3) Role, mission, and functions of the federal facilities within the subject zone, considering the effect that the proposed development would have on such facilities;
- (b) Before taking action on an application, the Board of Zoning Adjustment shall submit the application to the following agencies for review and written reports:
- (1) Office of Planning;
 - (2) District Department of Transportation;
 - (3) Department of Housing and Community Development;
 - (4) The Historic Preservation Office if a historic district or historic landmark is involved; and
 - (5) The National Capital Planning Commission; and
- (c) The Board of Zoning Adjustment may require special treatment and impose reasonable conditions as it deems necessary to mitigate any adverse impact identified in the consideration of the application.

5204 SPECIAL EXCEPTION CRITERIA ALLEY LOTS

5204.1 ~~A~~The Board of Zoning Adjustment may approve as a special exception a reduction in the minimum ~~setback~~yard requirements of an alley lot in an R zone ~~may be approved as a special exception~~ pursuant to Subtitle X~~—~~, Chapter 9.

5205 SPECIAL EXCEPTION FROM PENTHOUSE PROVISIONS

5205.1 The Board of Zoning Adjustment may grant special exception relief from the penthouse requirements of this subtitle pursuant to the provisions of Subtitle C §§ 1504.1 and 1504.2.