



CITIZENS ASSOCIATION
of GEORGETOWN

October 28, 2013

**Before the Zoning Commission of the District of Columbia,
Case No. 08-06A: Subtitle G**

**A Proposed Commercial/Residential Transition Requirement
For Georgetown**

**Testimony of Richard Hinds, Legal Advisor, Citizens Association
of Georgetown**

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The lot occupancy requirements in the existing zoning code (11 DCMR §772) applicable to the commercial zones of Georgetown (mostly zoned C-2-A) provide important protection against over-expansion of commercial buildings which directly abut residential properties. The proposed zoning regulations for C-2-A would delete lot occupancy requirements for all mixed use commercial buildings. (G §301.1). CAG supports that proposal when the commercial buildings in question do not abut a residential lot zoned R-1 or R-3. However, the existing 60% lot occupancy in C-2-A helps create a buffer between commercial buildings (which can reach a height of 50 feet as a matter of right) and adjoining residences (which are typically 35 feet high or less in Georgetown). While the 15 foot rear setback and FAR requirements (2.5 for mixed use) place some limits on additions to mixed use buildings, the proposed elimination of lot occupancy requirements makes it possible to build an addition close to 15' from the rear lot line on typical lots. Accordingly, there is a need in Georgetown for a transition requirement to prevent a fifty-foot tall mixed use building being built right up to the 15' rear setback, adversely affecting the light, air and the historic setting of an abutting residential building. Preserving open space is critical to preserving the historic character of buildings in Georgetown, a DC and National Landmark Historic District.

After discussing this issue at great length with representatives of the Georgetown Business Association and reaching agreement on a solution we therefore propose adding the following transition provision for Georgetown as a new provision applicable to the requirements for zone M-4 (C-2-A) in Georgetown:

- (1) For mixed use buildings in zone M-4 (C-2-A) that directly abut the rear or the side of a residential lot in historic Georgetown (as defined in DC Code 6-1201), the maximum height of the building within thirty feet (30') of the rear lot line shall be twenty-five feet (25').
- (2) The Board shall have the authority to grant relief by special exception pursuant to Subchapter Y, Chapter 8 from the above height and set back requirements upon a showing that there are unique conditions present which render the requirements unnecessary or which would present peculiar and exceptional difficulties to or exceptional and undue hardship upon the owner of the property.
- (3) The FAR of a building subject to this requirement would be increased from 2.5 to 3.0 (3.5 IZ).
- (4) A commercial lot that is separated from a residential lot by a street or public alley is not subject to this requirement.
- (5) Existing nonconforming buildings are exempt from this transition requirement but any addition to such buildings must comply.

The attached diagram illustrates our proposal.

We are pleased to report that the Georgetown Business Association representing businesses and landlords in Georgetown is in agreement with this proposal.

Pamla Moore

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Richard Hinds

President

Chair, Historic Preservation
& Zoning Committee

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**Proposed Buffer Provision for C-2 Lots
Abutting a Residential Lot in Georgetown**

