



June 9, 2014



OP Response Types – examples to date

- Amendments to the Advertised Text
 - Automated Parking instead of Mechanical Parking
 - Tree credit in GAR
 - Campus FAR calculations
 - Private school and church parking standards
- Corrections and Clarification to Advertised Text
 - Zone Names
 - Definitions
 - Residential permitted over corner stores
 - Standards of External Effects in PDR
- New Language that hasn't been advertised
 - Large Format Retail Special Exception
 - Auto Repair in PDR Special Exception
 - Outdoor Lighting Standards
 - Limits on Residential Conversions in Rowhouse zones
- ZC Requested Information and Clarification

- Use Permissions
- Industrial/Production, Distribution & Repair (PDR) Zones
- Live Work
- Trailers / Tiny Houses in Alleys
- R-4/Residential Flat (RF) Zones
- Lighting
- Zone Names

Use Permissions Comparison 1

Zone	Use (first permitted)	EXISTING CODE			PROPOSED TEXT	
		Matter-of-Right	Special Exception		Matter-of-Right	Special Exception
R-3	All Matter of Right Uses Above					
	Dwelling, <i>one-family</i> row	320.3(b)			D 1601.2(k)	
	Apartment, accessory (4000 s.f. lot)		202.10		D 1601.2(a)	D § 1606
	Corner Store	n/a	n/a		D 1601.2(e)	D § 1605
R-4	All Matter of Right Uses Above					
	Child development center in a church	330.5(e)			E 1101.2 (f)	
	Child development center: 6-15	330.5(d)			E 1101.2 (f)	E 1102.2(c)
	Clinic	330.5(f)			E 1101.1	
	Club, private (or lodge)	330.5(g)			NP	NP
	Dormitory	330.5(g)			NP	NP
	Dwelling, two-family (flat)	330.5(b)			E 1101.2(d)	
	Fraternity or sorority house	330.5(g)			NP	NP
	Hospital or sanitarium	330.5(f)			E 1101.1	
	Museum	330.5(h)			NP	NP

Use Permissions Comparison 2

Zone	Use (first permitted)	EXISTING CODE			PROPOSED TEXT		
		Matter -of-Right	Special Exception		Matter -of-Right	Special Exception	
R-1-A, R-1-B							
	Agriculture, Large	n/a			D1601.2(b)		The following conditions shall apply to the by right with conditions (C) and Accessory (A) uses in the above table. (b) Agricultural (Large), except for a private stable
	Agriculture, Residential	n/a			D1601.2(c)		Agricultural (Residential), except for a private stable
	Car-sharing on unimproved lot 2 cars	201.1(a)			D1601.2(j)		Parking: 1) Car-sharing spaces on an unimproved lot, with no more than two (2) spaces permitted; 2) Private garage, as a principal use, designed to house no more than two (2) motor vehicles and not exceeding four hundred fifty square feet (450 sq. ft.) in area; and 3) Private garage on an alley lot so recorded on the records of the Surveyor, District of Columbia, or recorded on the records of the D.C. Office of Tax and Revenue, on or before November 1, 1957.
	Reuse of Public School	201.1(w)			D1601.2(l)		Former Public Schools, subject to the conditions of D § 1607.

PDR Zones

	Existing Regulation	Proposed Regulation
Name	CM-1 and CM-1/LO	P-1
Height	40 feet	50 feet
No. of Stories	3	n/a
Floor Area Ratio - Total - Total non-PDR	3.0 3.0	3.5 2.0 Difference between 3.5 and 2 may only be used for Prod, Distribution and Repair uses
Rear Setback 0-20' above grade 20' above grade - From Residential Zone	0" except when abutting resid zones 2.5 "/1'; 12 feet min 2.5 "/1'; 12 feet min	0" except when abutting residential zones 2.5 "/1'; 12 feet min 25 feet min
Side Setback - From Residential Zone - All Other	3 "/1'; 8 feet min 0	25 feet setback from any residential zone15 feet when separated by alley; Landscape, and solid fence or wall 0
Buffer - Langdon Area - All other Adjacent Residential	25 feet setback from residential, 15 feet when separated by alley; Landscape and solid fence or wall - Not applicable	25 feet setback from residential, 15 feet when separated by alley; Landscape and solid fence or wall 25 feet setback from <u>all</u> residential, 15 feet when separated by alley; Landscape and solid fence or wall
Transition Height	Not applicable	1:1 setback starting at 10 ft above residential zone height, and measured from property line
Court – Open	None required but if provided: 2.5"/1' ; 6' min	None required but if provided: 2.5"/1' ; 6' min
Court – Closed	None required but if provided: 2.5"/1' ; 12' min; 250 sf min area	None required but if provided: 2.5"/1' ; 12' min 250 sf min area
Roof Structures	18' 6"	18' 6"
Green Area Ratio 1-story warehouse - All other	0.10 0.30	0.10 0.30
Stds of External Effects	Yes	Yes

LO Use Restrictions – Proposed for All PDR zones

806.4 The following uses shall be prohibited in the LO District on any lot located in whole or in part within one hundred feet (100 ft.) of a Residence District:

- (a) Any use prohibited in the Mixed Use (CR) District by § 602;
[“602.1 The following uses shall be specifically prohibited] :
- (a) Any establishment that has as a principal of massages
 - (b) Any industrial use prohibited in an M District;
 - (c) Any use first permitted in the M District;
 - (d) Car wash, as a principal use;
 - (e) Carting, express, moving, or hauling terminal or yard, except a cooperative central delivery or pick-up system for goods or merchandise solely to serve businesses in the area;
 - (f) Chemical manufacturing, storage, or distribution;
 - (g) Drive-through establishment (any establishment where goods or services are rendered directly to occupants of motor vehicles while in the vehicles);
 - (h) Enameling, plating, or painting (except artist's studio), as a principal use;
 - (i) Firearms retail sales establishments as a principal or an accessory use;
 - (j) Gasoline service station;
 - (k) Material salvage;

J 304.2: Regardless of the permissions, and in addition to any restrictions or conditions of this chapter, the following uses shall not be permitted on any lot located in whole or in part within one hundred feet (100 ft.) of a residential zone:

- (a) Any establishment that has as a principal use of massages;
J 302.7 (a) – same list is included
- (b) Car wash as a principal use;
- (c) Carting, express, moving, or hauling terminal or yard, except a cooperative central delivery or pick-up system for goods or merchandise solely to serve businesses in the area;
- (d) Chemical manufacturing, storage, or distribution;
- (e) Drive-through establishment (any establishment where goods or services are rendered directly to occupants of motor vehicles while in the vehicles);
- (f) Enameling, plating, or painting (except an artist's studio), as a principal use;
- (g) Firearms retail sales establishments as a principal or an accessory use;
- (h) Gasoline service station;
- (i) Material salvage;

LO Use Restrictions – Proposed for All PDR zones (continued)

(l) <u>Outdoor advertising</u> or billboard as a principal use; (m) <u>Outdoor material storage</u>; (n) <u>Packing or crating</u> operations as a principal use; (o) <u>Parking lot</u>, except a temporary surface parking lot permitted pursuant to § 601.1(ee); (p) <u>Sexually-oriented</u> business establishment; (q) <u>Smelting or rendering</u>; and (r) <u>Veterinary hospital</u>. (b) <u>Outdoor materials storage</u> or outdoor processing, fabricating, or repair, whether a principal or accessory use; and (c) Incinerator.	(j) <u>Outdoor advertising</u> or billboard as a principal use; (k) <u>Outdoor material storage</u>; (l) <u>Packing or crating</u> operations as a principal use; (m) <u>Parking lot</u>; (n) <u>Sexually-oriented</u> business establishment; (o) <u>Smelting or rendering</u>; and (q) <u>Outdoor material storage</u> processing, fabricating, or repair, whether a principal or accessory use; (p) <u>Incinerator</u>.
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LO Screening – Proposed for ALL PDR Zones

806.5 The following yard and screening standards shall apply to development of a lot in the LO District that coincides with the lot line of a property in a Residence District or that is separated only by a street or alley from a property in a Residence District:

(a) A yard of twenty-five feet (25 ft.) shall be provided on the portion of the lot adjacent to the Residence District; provided:

(1) Where there is a street or an alley between the residential and industrial lots, the required yard shall be fifteen feet (15 ft.) measured from the lot line; and

(2) The yard shall not be used for parking, loading, or accessory uses;

(b) A fence or wall shall be erected as a buffer between the residential and industrial lots, as follows:

(1) Where the residential and industrial lots abut each other, or where there is a street separating the residential and industrial lots, the fence or wall shall be erected along the required fifteen-foot (15 ft.) setback line, or a building wall may be located at the setback line in place of the fence or wall;

(2) Where an alley serves as the residential-industrial zone district boundary, the fence or wall shall be erected along the lot line adjacent to the alley; and

(3) The fence or wall shall be no less than eight feet (8 ft.) and no more than ten feet (10 ft.) high, and shall be either a solid, wood or board-on-board fence or a brick or stone wall;

209 TRANSITION SETBACK REGULATIONS

209.1 Transition setback regulations apply along any and all lot lines of a lot in a P zone when the lot or portion of the lot directly abuts a residential zone or an alley that abuts a residential zone, unless the P zoned lot is only used for residential purposes.

209.2 The following required setbacks shall be provided on a lot in a P zone subject to the following conditions:

(a) A twenty five feet (25 ft.) setback shall be provided from each lot line that is directly abutting a lot in a residential zone;

(b) A fifteen feet (15 ft.) setback shall be provided from each lot line that is abutting an alley that serves as the zone boundary line between a P zone and a residential zone;

209.4 Any setback area required by this section shall not be used for parking, loading, or accessory uses.

209.3 Any setback required by this section shall be located on the P zoned lot and shall be extend as a vertical plane, parallel to the P zoned lot line;

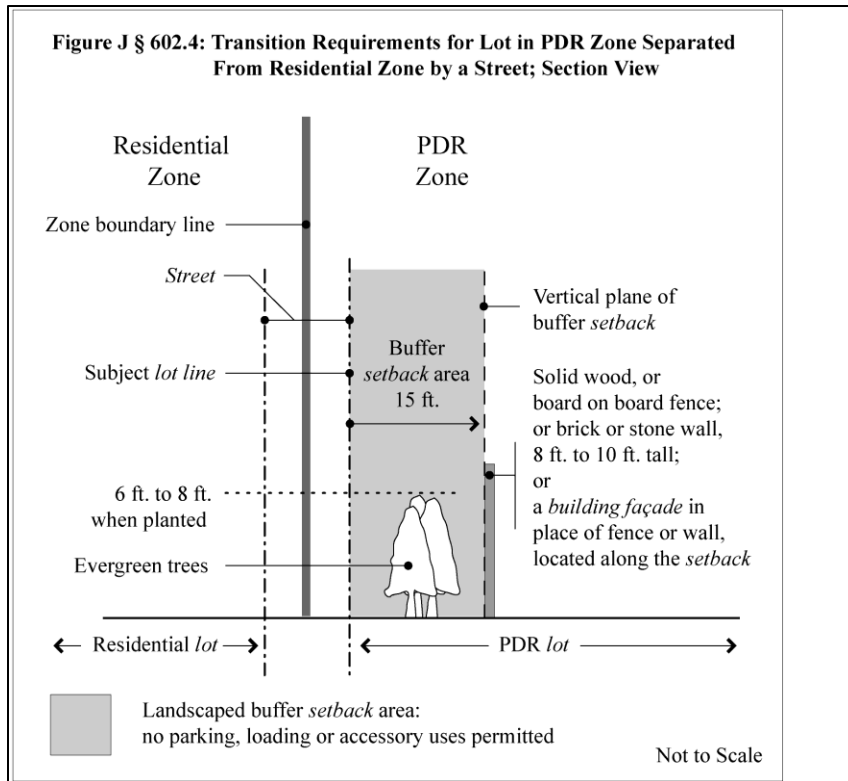
209.6 A form of screening shall be erected between the residential and PDR lots, and shall be located along the required setback identified in paragraph (a) above. The screening shall be either:

(a) A solid wood or board-on-board fence, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height; or

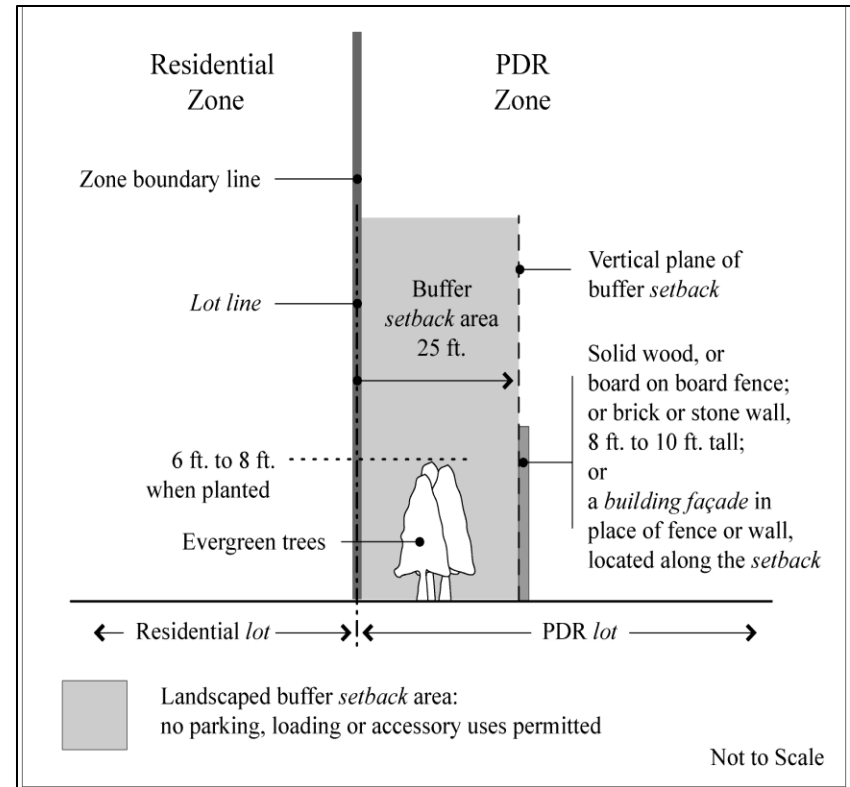
(b) A brick or stone wall, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height

LO Setbacks – Proposed for ALL PDR Zones

15-foot Setback from alley that is a ZBL with R zone



25-foot Setback from lot line that abuts an R zoned lot



- Setback Expanded from LO and will be applicable to ALL Industrial zones

Live-Work (Home Occupation)

- An accessory use, including a business, profession, or other economic activity, which is conducted full-time or part-time in a dwelling unit that serves as the principal residence of the practitioner.
- Permitted as an accessory use subject to Conditions.
- Following uses are prohibited as Home Occupations:
 - Animal Sales, Care and Boarding;
 - Entertainment, Assembly and Performing Arts;
 - Firearms Sales;
 - Motor Vehicle-related;
 - Production, Distribution and Repair;
 - Sexually-based Business Establishment; and
 - Waste-related Services.

TRAILERS (Tiny Houses)

- Alley lot
- Current DC code:
 - Doesn't permit the construction of habitable foundation-built dwellings on an alley lot unless the alley is more than 30 feet wide.
 - However, private parking of vehicles and trailers (which these are considered) on private property is permitted
- Proposed Text:
 - Doesn't permit the construction of or use of a structure as a dwellings on an alley lot unless the alley is more than 24 feet wide
 - Definition of Structures excludes "trailer"
 - Definition of Temporary Use requires a CoO for use of a "structure"
- Proposal:
 - Prohibit camping or other sleeping in any structure, trailer, tent or under the sky in alleys unless approved by special exception

R-4/RF Zones

- Pressure on R-4 neighborhoods
- R-4 flats are being converted to multi-family dwellings
- R-4 flats are being expanded in a manner that is not consistent with the surrounding neighborhood
 - Popping up
 - Extending back
 - Height
 - Limit Mezzanines

Lighting - New Concept

- Met with Naval Observatory staff about light pollution
- Sustainable DC Plan includes action items related to reducing light pollution
 - Action 1.6: Launch a citywide educational campaign to lower citywide energy use. (Short Term) - Focus on turning off lights, etc.
 - Action 2.2: Replace 75% of public lighting with fixtures that reduce light pollution. (Long Term) - Dark Sky initiative
- Proposing lighting regulations for Subtitle C

Amend Names – More Familiar

- R-1-A → R-1 → R-1-A
- R-1-B → R-2 → R-1-B
- R-2 → R-3 → R-2
- R-3 → R-4 → R-3
- Avoids confusion; for SF residential lot owners
- Represents 45% of all Residential land and 100% of SF zones
- R-5 → A (Apartment) → RA (Residential Apartment)
- C → M (Mixed Use) → MU (Mixed Use)

Additional Work

- OP continues to work on the following items:
 - Zone naming;
 - Modified Proposed Zone Names
 - Code Organization;
 - Regroup those zones covered by overlay that amends use and development standards across land uses
 - i.e. = Reed Cooke
 - Redundancies; and
 - Corrections.