

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF VIRTUAL PUBLIC HEARING**

**TIME AND PLACE:**    **March 31, 2025, @ 4:00 p.m.**  
Via WebEx: <https://dcoz.dc.gov/ZC24-20> (to participate & watch)  
Via Telephone: 1-650-479-3208 Access code: 2304 967 5401 (audio participation & listen)  
Via YouTube: <https://www.youtube.com/c/DCOfficeofZoning> (to watch)  
Instructions: <https://dcoz.dc.gov/release/virtual-public-hearings>  
Witness Sign Up: <https://dcoz.dc.gov/service/sign-testify>

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**Z.C. Case No. 24-20 (Office of Planning – Text Amendment to Subtitles B, D-F & I for Clarifications to Rear Yard Measurements in the R, RF & RA Zones)**

**THIS CASE IS OF INTEREST TO ALL ANCs**

**Oral and Written Testimony**

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ’s website indicated above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing – by 3:00 p.m.**, call 202-727-0789 to sign up to testify.
- All written comments and/or testimony **must** be submitted to the record **at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements*.

On December 9, 2024, the Office of Planning (OP) filed with the Office of Zoning a report (OP Setdown Report) that served as a petition to the Zoning Commission for the District of Columbia (Commission) proposing amendments to Title 11 of the DCMR (Zoning Regulations of 2016 [Zoning Regulations] to which all references herein refer unless otherwise specified) that would clarify several inconsistencies regarding rear yards that have been identified resulting from the administration of the Zoning Regulations of 2016.

The proposal would make the following amendments to the Zoning Regulations:

**Subtitle B, Definitions, Rules of Measurement, and Use Categories** – Chapter 1 Definitions and Chapter 3 General Rules of Measurement:

- § 100 Definitions – Removes rear yard, depth of from the definitions;
- § 317 Rear Yards – Adds language regarding required rear yards; and
- § 318 Rules of Measurement for Rear Yards – Clarifications to how rear yards are measured from rear line of building toward rear lot line, clarifies measuring on irregular lots.

**Subtitle D, Residential House (R) Zones** – Chapter 50 Accessory Building Regulations for Residential House Zones:

- § 5003 Maximum Building Area – Adds “an area equal to” into existing language; and

*This hearing is governed by the Open Meetings Act. Please address any questions or complaints at this public hearing to the Office of Open Government at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov).*

**ZONING COMMISSION**  
District of Columbia  
CASE NO.24-20  
EXHIBIT NO.6

- § 5004 Rear Yard – Removes prohibition on locating in the required rear yard, limits occupying rear yard to 30% for all accessory buildings.

**Subtitle E, Residential Flats (RF) Zones** – Chapter 50 Accessory Building Regulations for Residential Flat (RF) Zones:

- § 5003 Building Area – Adds “an area equal to” into existing language; and
- § 5004 Rear Yard Area – Removes prohibition on locating in the required rear yard, limits occupying rear yard to 30% for all accessory buildings.

**Subtitle F, Residential Apartment (RA) Zones** – Chapter 50 Accessory Building Regulations for Residential Apartment (RA) Zones:

- § 5003 Rear Yard - Removes prohibition on locating in the required rear yard, limits occupying rear yard to 30% for all accessory buildings.

**Subtitle I, Downtown Zones** – Chapter 2 General Development Standards for Downtown (D) Zones:

- § 205 – Rear Yard – Updates code references to Subtitle B.

The proposed amendments would add clarity to the definitions for rear yards and provide additional guidance on measuring required rear yard on standard and irregular lots consistent with current Zoning Administrator interpretations. Specifically, Subtitles D through F would be altered to add clarity to the building area development standards. For Rear Yard Area, the amendments would remove the prohibition of accessory structures in the required rear yard and reintroduce language found in ZR58 that permitted up to thirty percent (30%) of the rear yard to be occupied as a matter of right by accessory buildings. The proposed amendments to Subtitle I would change references resulting from the proposed changes within Subtitle B. Ultimately, the proposed amendments would allow accessory buildings to occupy no more than thirty percent (30%) of the rear yard; and would clarify that special exception relief from the accessory building rear yard section is required for accessory buildings exceeding 30% of the required rear yard. The OP Setdown Report states that the proposed amendments would reduce excess special exception relief cases before the Board of Zoning Adjustment and reduce Zoning Administrator challenges when interpreting and applying the Zoning Regulations to projects.

At its December 19, 2024 public meeting, the Commission voted to set down the proposed amendments for a public hearing and authorized flexibility for OP to work with the Office of Zoning Legal Division to refine the proposed amendments and add any conforming language as necessary.

The OP Setdown Report also serves as the pre-hearing report required by Subtitle Z § 501.

The complete record in the case can be viewed online at the Office of Zoning’s Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

## **PROPOSED TEXT AMENDMENT**

The proposed amendments to the text of the Zoning Regulations are as follows) text to be deleted is marked in ~~bold and strikethrough~~ text; new text is shown in **bold and underline** text):

### **Amendments to Subtitle B, DEFINITIONS, RULES OF MEASUREMENT, AND USE CATEGORIES**

**Section 100, DEFINITIONS, of Chapter 1, DEFINITIONS** is proposed to be amended to delete the definition of “depth of rear yard” to read as follows:

100.2           When used in this title, the following terms and phrases shall have the meanings ascribed:

...

Yard, Rear: A yard between the rear line of a building or other structure and the rear lot line, except as provided elsewhere in this title. The rear yard shall be for the full width of the lot and shall be unoccupied, except as specifically authorized in this title.

~~**Yard, rear, depth of: The mean horizontal distance between the rear line of a building and the rear lot line, except as provided elsewhere in this title.**~~

...

**Section 317, REAR YARDS, of Chapter 3, GENERAL RULES OF MEASUREMENT**, is proposed to be amended by adding a new § 317.2 and renumbering §§ 317.2-317.3 to §§ 317.3-317.4 to read as follows:

317.2           **Required rear yards regulate a minimum distance within the rear yard.**

317.23           ...

317.34           ...

**Section 318, RULES OF MEASUREMENT FOR REAR YARDS, of Chapter 3, GENERAL RULES OF MEASUREMENT**, is proposed to be amended by renumbering § 318.1 to § 318.5; § 318.2 to § 318.1; ; and §§ 318.3-318.8 to §§ 318.6-318.11; and add new §§ 318. 2-318.5 to read as follows:

~~**318.1           In the case of a lot that is triangular or irregularly shaped, the furthestmost point or line from the street lot line shall be deemed the point or line from which the required rear yard shall be measured.**~~

318.21           The depth of a **required** rear yard shall be measured as the mean horizontal distance between the rear line of a building and the rear lot line, except as provided

elsewhere in this title. For purposes of measuring the rear yard, the rear line of a building shall be a mean horizontal distance starting at the point where the principal building area, as defined in Subtitle B, § 312, extends furthest from the front lot line.

318.2      Within a rear yard, the minimum required rear yard depth shall be measured as the mean horizontal distance between the rear line of a building and the rear lot line, except as provided in Subtitle B, §§ 318.4 through 318.8 and elsewhere in this title;

318.3      The required rear yard shall be unoccupied for the full width of the lot, except as specifically authorized in this title;

318.4      In the R, RF, and RA zones, the depth of a required rear yard shall be measured as the mean horizontal distance from the rear line of a building toward the rear lot line for the full width of the lot, except as provided in Subtitle B, §§ 318.5 through 318.8.

318.45      In the case of a lot that is triangular or irregularly shaped, the furthestmost point or line from the street lot line shall be deemed the point or line from which the required rear yard shall be measured.

318.36      ...

318.47      Where a lot does not have a rear lot line, such as when the side yards converge at a point, or where the rear lot lines intersect at an angle less than ninety degrees (90°), a **required** rear yard shall be measured as an arc from the point opposite the front lot line(s); ~~and~~

318.58      Where there is more than one (1) rear lot line generally parallel to the front lot line but separated by a lot line generally perpendicular to the rear lot lines, then the **required** rear yard ~~setback~~ shall be measured from the rear lot line more distant from the front lot line, and measured across the full width of the property to where it intersects both side lot lines.

318.69      ...

318.710      ....

318.811      ....

#### Amendments to Subtitle D, RESIDENTIAL HOUSE (R) ZONES

Section 5003.1 of § 5003, **MAXIMUM BUILDING AREA, of Chapter 50, ACCESSORY BUILDING REGULATIONS FOR RESIDENTIAL HOUSE (R) ZONES** is proposed to be amended to read as follows:

5003.1        The maximum building area for an accessory building in an R zone shall be **an area equal to** the greater of thirty percent (30%) of the required rear yard or four hundred and fifty square feet (450 sq. ft.).

Section 5004.1 of § 5004, **REAR YARD, of Chapter 50, ACCESSORY BUILDING REGULATIONS FOR RESIDENTIAL HOUSE (R) ZONES** is proposed to be amended by deleting § 5004.1(a), renumbering § 5004.1(b) to § 5004.1(a), and adding a new § 5004.1(b) to read as follows:

5004.1        ...

~~(a) — Not in a required rear yard; and~~

~~(b)~~(a) Set back at least seven and one-half feet (7.5 ft.) from the centerline of any alley-; **and**

**(b)    Not occupying, in combination with all accessory buildings on a lot, more than thirty percent (30%) of the area of a required rear yard.**

#### **Amendments to Subtitle E, RESIDENTIAL FLATS (RF) Zones**

Section 5003.1 of § 5003, **BUILDING AREA, of Chapter 50, ACCESSORY BUILDING REGULATIONS FOR RESIDENTIAL FLAT (RF) ZONES** is proposed to be amended to read as follows:

5003.1        The maximum building area for an accessory building in an RF zone shall be **an area equal to** the greater of thirty percent (30%) of the required rear yard or four-hundred and fifty square feet (450 sq. ft.).

Section 5004.1 of § 5004, **REAR YARD, of Chapter 50, ACCESSORY BUILDING REGULATIONS FOR RESIDENTIAL FLAT (RF) ZONES** is proposed to be amended by deleting § 5004.1(a), renumbering § 5004.1(b) to § 5004.1(a), and adding a new § 5004.1(b) to read as follows:

5004.1        ...

~~(a) — Not in a required rear yard; and~~

~~(b)~~(a) Set back at least seven and one-half feet (7.5 ft.) from the centerline of any alley-; **and**

- (b) Not occupying, in combination with all accessory buildings on a lot, more than thirty percent (30%) of the area of a required rear yard.**

#### **Amendments to Subtitle F, RESIDENTIAL APARTMENT (RA) ZONES**

Section 5003.1 of 5003 **REAR YARD**, of Chapter 50, **ACCESSORY BUILDINGS REGULATIONS FOR RESIDENTIAL APARTMENT (RA) ZONES** is proposed to be amended to read as follows:

5003.1 An accessory building other than a shed may be located within a rear yard in an RA zone provided that ~~it~~ **the accessory building** is:

~~(a) — Not in a required rear yard; and~~

~~(b)~~**(a)** Set back at least seven and one-half feet (7.5 ft.) from the centerline of any alley; **and**

**(b) Not occupying, in combination with all accessory buildings on a lot, more than thirty percent (30%) of the area of a required rear yard.**

#### **Amendments to Subtitle I, DOWNTOWN ZONES**

Sections 205.1 and 205.3 of § 205 **REAR YARD**, of Chapter 2 **GENERAL DEVELOPMENT STANDARDS FOR DOWNTOWN (D) ZONES** is proposed to be amended as follows:

205.1 Except as provided Subtitle B §§ 317 and 318. ~~69~~ and in Subtitle I § 205.2...

...

205.3 The required rear yard shall be measured according to the regulations in Subtitle B § 319~~8~~, with the following exception: ...

The complete record in the case, including the Petitioner's filings and the OP report, can be viewed online at the Office of Zoning website, through the Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

This virtual public hearing will be conducted in accordance with the rulemaking case provisions of the Zoning Commission's Rules of Practice and Procedure, Subtitle Z, Chapter 5.

#### **How to participate as a witness - oral presentation**

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing on OZ's website

at <https://dcoz.dc.gov/> or by calling Ella Ackerman at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, it is highly recommended that all written comments and/or testimony be submitted to the record at least 24 hours prior to the start of the hearing. The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |               |                |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals   | 3 minutes each |

### **How to participate as a witness – written statements**

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov). Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Ella Ackerman at (202) 727-0789 for further assistance.

### **“Great weight” to written report of ANC**

Subtitle Z § 505.1 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of the Commission meeting to consider final action, including any continuation thereof on the petition, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 505.2, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

**FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, ROBERT E. MILLER, JOSEPH S. IMAMURA, GWEN MARCUS WRIGHT AND TAMMY M. STIDHAM ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗?如果您需要特殊便利设施或语言协助服务(翻译或口译),请在见面之前提前五天与 Zee Hill 联系,电话号码 (202) 727-0312, 电子邮件 [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) 这些是免费提供的服务。

Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለመሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል [Zelalem.Hill@dc.gov](mailto:Zelalem.Hill@dc.gov) ይገናኙ እንኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።