

The Committee of 100
on the Federal City



By IZIS

March 27, 2025

Mr. Anthony J. Hood, Chairman
DC Zoning Commission
One Judiciary Square
441 4th St. N.W., Second Floor
Washington, D.C. 20016

Re: Z.C. Case No. 24-20
Text Amendment to Subtitles B, D-F & I Clarifying Rear Yard Measurements in the R,
RF & RA Zones

Dear Chairman Hood and Members of the Commission:

The Committee of 100 on the Federal City offers these comments on the Office of Planning's proposed text amendments in the above reference case.

The Office of Planning has proposed a Text Amendment to Subtitles B, D-F & I in order to Clarify Rear Yard Measurements in the R, RF & RA Zones. OP's explanation of the proposed text amendment falls short of what the public needs to know to assess the appropriateness of the proposed changes. In its set-down report, OP states that the proposed changes "revert to the previously existing regulation that allowed accessory buildings to occupy no more than 30% of the rear yard, and make it clear that special exception relief for encroachments should be taken from the accessory building rear yard section and not the rear yard section as only accessory buildings exceeding 30% of the required rear yard area will now require special exception relief . These simple changes will reduce excess special exception relief cases before the Board of Zoning Adjustment (BZA) and will bring the code in line with current interpretations." The Notice of Public Hearing is similarly obtuse.

The brief explanations seem to indicate that the changes to the existing regulations will impact accessory dwelling units. Yet, the definition of what is an ADU is not proposed to change (the maximum building area for an accessory building in an R zone remains "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.”). This is a clue that the text change is not related to ADUs despite OP’s framing of its intent.

OP is not reverting to old rules on measuring rear yards. It is indeed proposing to change those rules which actually were carried forward to ZRR16 and are current rules. There are two definitions for rear yards. One describes the openness of the area. The second explains how to measure from the rear wall of the main structure, even if it is irregular, to the rear lot line. OP proposes to delete both of these references and to create a new measuring rule for rear yards. Importantly, neither the set down report (Exhibit 2) nor OP’s subsequent report (Exhibit 8) address how rear yard measurements are proposed to be changed.

The proposed changes do not seem to be simple, as OP asserts. The Committee of 100 recommends that the Zoning Commission direct the OP to provide a plain English explanation of what the proposed text amendment are designed to accomplish, with examples that include illustrations. The following questions should be answered: Will the proposed text amendments shrink or expand the minimum required rear yard depth? Will the changes impact the maximum allowable lot occupancy? Will the proposed changes facilitate or hinder approval of ADUs?

In short, before approving the proposed changes, which OP states are either a clarification or a correction, a more complete explanation is needed. C100 urges the Zoning Commission to request that OP amend the proposed text amendments with clear and accurate explanations. This should be done prior to publishing a Notice of Proposed Rulemaking.

Please do not hesitate to contact me if you have any questions.

Respectfully submitted,

Shelly Repp
Chair, Committee of 100
chair@committeeof100.net; 202-494-0948