

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Matt Jesick, Development Review Specialist
JS Jennifer Steingasser, Deputy Director, Development, Design and Preservation

DATE: May 19, 2025

SUBJECT: Setdown Report for a Proposed Text Amendment (ZC 25- __)
Amend the Zoning Regulations Governing Alley Lots

This report serves as the Pre-hearing Filing required by 11 DCMR § Z-501 as a prerequisite to the advertisement of the proposed text amendments.

I. APPLICATION-IN-BRIEF

The Office of Planning (OP) proposes text amendments to facilitate the reuse of vacant or underutilized alley lots and to standardize and clarify existing alley lot regulations citywide.

The proposed amendments are in response to requests from the Zoning Commission and the Board of Zoning Adjustment, and are intended to address direction provided by those bodies and concerns raised by property owners and other DC agencies. They are intended to implement Comprehensive Plan policies, by furthering several policies regarding infill development, efficient land utilization, and innovative approaches to housing development in neighborhoods. On balance, the proposed amendments would not be inconsistent with the Comprehensive Plan, including when viewed through a racial equity lens.

They would, among other changes:

- Reduce alley width requirement for subdivision of an alley lot;
- Establish a Special Exception process for review of alley lot subdivision which seeks relief from minimum requirements;
- Allow residential use on alley lots in R-1 and R-2 zones;
- Allow second residential unit within an alley lot building (an accessory dwelling unit or second principal unit, depending on the zone) based on the lot size;
- Reduce maximum lot occupancy for alley lots in R-1 and R-2 zones;
- Increase yard requirements for alley lots in the R-1 zone.

II. RECOMMENDATION

OP recommends that the application be **set down for a public hearing**.

If set down for a public hearing, OP requests flexibility to work with OZLD to refine the text prior to a public hearing notice. Prior to a public hearing, OP will continue to work with other District

agencies to refine the zoning text and address any comments from the Commission. OP will also continue to solicit feedback from ANCs, property owners, and the general public on the draft text.

III. BACKGROUND

Zoning Commission case #19-13 was a previous text amendment addressing the rules governing alley lots. During the public hearing for that case, the Commission heard testimony from alley lot owners that more needed to be done to facilitate the use of their lots, which often face hurdles impeding their development, such as burdensome infrastructure costs. In response, the Commission directed OP to further study the alley lot regulations, including specific direction to examine alley width requirements and the potential for a special exception mechanism for subdivision relief before the Board of Zoning Adjustment (BZA). BZA members have also asked OP to examine alley lot subdivision and development standards, as a result of their review of BZA alley lot cases. Furthermore, alley lot property owners have regularly petitioned OP to bring forward amendments to address their concerns.

In response to these requests, OP undertook additional alley lot research and now proposes a series of text amendments to further facilitate the reuse of vacant or underutilized alley lots in all residential zones in the city. The goals of the text amendment include:

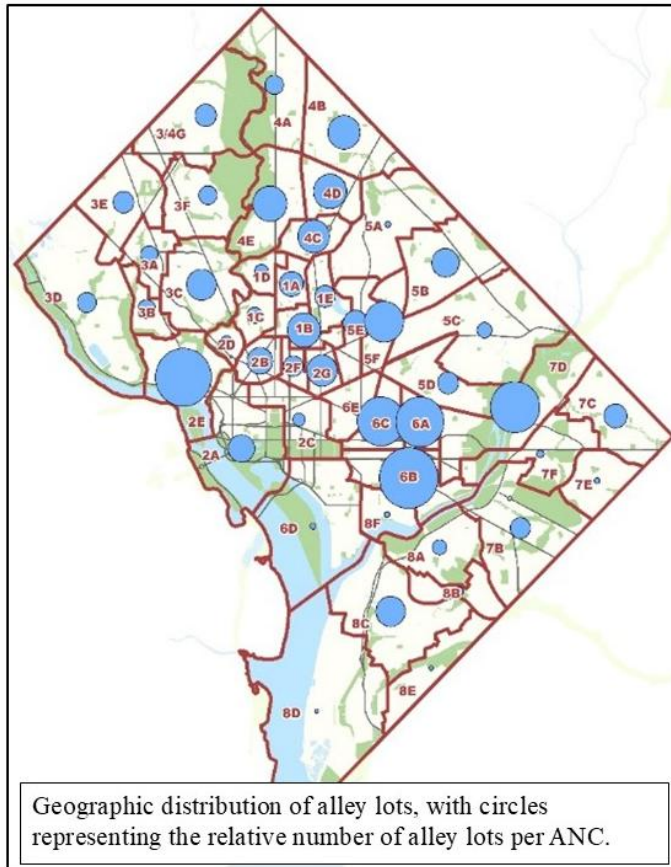
- Implement the policies of the Comprehensive Plan, especially in regard to infill development, efficient land utilization, and innovative approaches to housing development in neighborhoods;
- Implement Plan policies which seek to match the character of new development to existing communities;
- Facilitate the use of vacant or underutilized alley lots where current regulations render use or development of the properties infeasible; and
- Clarify the Regulations where necessary to make them easier to use by the public, and easier to administer by the ZC, BZA, and staff.

IV. BACKGROUND DATA REGARDING ALLEY LOTS

OP, based on GIS analysis, estimates that there are 1,897 alley lots in the District. The largest concentrations are in older neighborhoods near the center of the city. Locations near the edge of the city tend to have fewer alley lots. ANC 6B has the most, with 198, and ANC 8D and 8E have the fewest, with 1 each. A table with the number of alley lots by ANC can be found in Attachment 2.

Nearly half of all alley lots, 887, are located in the RF-1 zone. R-3 is next, with about 17% of lots (329) falling in that zone. Please see Attachment 2 for the quantities for each zone category.

Many of the alley lots are very small, with 661 of the total number of alley lots having less than 450 square feet of land area. Attachment 2 contains tables that quantify the number of alley lots in each zone, the number that are less than 450 sq.ft. in area, and a more detailed breakdown by lot size of the alley lots in three of the most common zone categories – RF-1, R-3, and R-1B.



OP estimates that the existing uses for alley lots are as shown in the following table.

Existing Uses on Alley Lots

Use	Total Number	Lots < 450 sq.ft. in area
Residential	319	19
Residential Parking Garage	454	222
Commercial, Institutional, Government	92	3
Surface Parking	80	16
Vacant	890	379
Recreational	3	0
Unknown	59	22
TOTAL	1897	661

those, 379 (43%) are less than 450 square feet in size, so would not be permitted to have a residential use unless they were enlarged through a lot consolidation. The median lot area for the vacant lots is 552.5 square feet. Of all vacant lots, the zone categories reflect the quantity of alley lots in general, with RF-1 having the most vacant lots, followed by R-2, R-3 and R-1B. See the relevant table in Attachment 2. Staff will continue to work with OP's GIS staff to collect necessary data.

The vacant lots would be the most likely to experience new development. Of

OP also reviewed the results of the 29 alley lot BZA cases that have been decided since the approval of ZR-16. Data derived from those cases is summarized in the table below.

Category	Number
Total BZA alley lot cases since ZR-16	29
Approved by the Board	21
Denied by the Board	6
Withdrawn	2
Number that had alley widths of => 15 feet	20
Of the 29 cases, number which sought SE or VAR relief for alley width in order to subdivide or establish a residential use	15
Approved by BZA	11
Denied by BZA	3
Withdrawn	1
Of the 15, number that had alley widths < 15 feet	8
Of the 8 cases, number approved by the Board	7 (1 w/d)

V. SUMMARY OF PROPOSED TEXT AMENDMENTS

Most of the proposed text amendments fall into three main categories: alley lot subdivision, uses, and development standards. A version of the complete proposed zoning amendments is provided in Attachment 4. The following table summarizes the major proposed amendments from those categories.

Type	Relevant Section	Amendment
Subdivision	C § 306.1(a)	Permit matter of right (MOR) alley lot subdivision on alleys of 15 feet minimum width.
Subdivision	C § 306.5	Establish a special exception mechanism to review applications for subdivision that do not meet MOR requirements.
Use	U § 600.1(f)	Permit residential use on alley lots in the R-1 and R-2 zones.
Use	U § 600.1(f)(3), (4) and (5)	Permit a second residential unit on an alley lot, which could be an accessory unit or a second principal unit depending on the zone, and could be matter of right or by special exception, depending on the zone and lot area.
Use	U § 600.1(f)(6) and I § 210.4(b)	Permit residential use on a 15-foot-wide alley as a MOR in all circumstances
Use	U § 600.1(h)	Add home occupations as a permitted use in an alley lot dwelling
Development Standards	D § 5100.2(c)	Establish maximum lot occupancy for alley lots in the R-1 and R-2 zones, tied to alley lot size.
Development Standards	D § 5100.2(e) and (g)	Establish increased yard requirements for alley buildings in the R-1 zone.

Other changes would build on the direction of these proposed amendments or clarify the Regulations for owners and for administration and permitting, as described in the table below.

Type	Relevant Section	Amendment
Clarification	B § 308.2	For alley lots, align the method of establishing the BHMP to that for street-facing lots.
Clarification	C § 306.1(c)	Clarify the alley frontage standard by moving it to its own subsection.
Development Standard – Parking	C § 710.2(c)(2)	Amend language so that vehicle parking on alley lots may be between the building and lot line.
Development Standards – Height	D, E and F § 5100.2(b)	Increase height maximum from 20 feet to 22 feet to align with accessory building regulations.
Development Standards – Relief	D, E and F § 5201.3(a)	Add lot occupancy to the list of development standards for alley lots for which the Board can grant relief under § 5201.
Referral Agency	C § 306, U § 601, and I § 210	Add DOEE as a referral agency for alley-lot-related special exceptions.
Clarification	D, E, F and G § 5100, and I § 210	Add purpose statements to the development standards for alley lots and add introductory language to the development standards section.
Clarification	E § 5100.2(a)	Add line to development standards table to establish Minimum Lot Area and note that the area is as prescribed by the zone.
Clarification	D and E § 5100.2(c)	Clarify the text of the lot occupancy provision.
Clarification	F § 5100	Add a lot occupancy standard where none exists today.
Clarification	D, E, F and G § 5100, and I § 210	Clarify the applicability of the side yard requirement.
Clarification	F § 5100.2(b)	Change pervious surface requirement to a GAR requirement, as used throughout the RA zones.
Clarification	I § 210	Reformat the entire section so that it matches alley regulations in the other subtitles.
Clarification	I § 210.5(a)	Add referral requirement for special exception applications.
Clarification	I § 210.4 (former)	Delete statement that residential uses must meet building code as this is a requirement throughout the regulations.
Clarification	J § 500	Clarify introductory language and add rows in the development standards table as appropriate.

The proposed zoning changes would not:

- Rezone any property, or allow a use not otherwise permitted within that zone.
- Alter the matter of right lot area or frontage minimums for subdivision;
- Change the existing methods of combining or converting alley record lots or alley tax lots;

- Alter the special exception mechanism for residential uses not meeting the matter of right use requirements;
- Impact other uses presently permitted;
- Substantively change the development standards for alley buildings in the RF or MU zones; or
- Result in the closure of any public alleys.

VI. COMPREHENSIVE PLAN

Comprehensive Plan Land Use Maps

This proposed text amendment would apply citywide, so would not fall under any particular Generalized Policy Map or Future Land Use Map designation. However, many alley lots can be found in areas shown as Neighborhood Conservation Areas on the Policy Map. The proposed text amendment could facilitate infill development on underutilized lots, at a scale compatible with existing alley buildings and surrounding development. This would be consistent with the guidelines of the Plan regarding Neighborhood Conservation Areas (§§ 225.4 and 225.5) which say, in part:

The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs. Limited development and redevelopment opportunities do exist within these areas. The diversity of land uses and building types in these areas should be maintained and new development, redevelopment, and alterations should be compatible with the existing scale, natural features, and character of each area.

Similarly, infill development would be compatible with the relevant designations of the Future Land Use Map. Many alley lots are found in areas described as appropriate for moderate or low-density residential development, and the development standards and use regulations for alley lots would ensure the compatibility of any new buildings in terms of height, bulk and intensity and types of uses permitted.

Comprehensive Plan Analysis through a Racial Equity Lens and the Zoning Commission's Racial Equity Tool

The Comprehensive Plan requires the Zoning Commission and staff to examine city policies, including the implementation of policy in zoning, through a racial equity lens. The Commission created a Racial Equity Tool to assist in its evaluation of zoning actions through a racial equity lens. The four parts of the tool ask the applicant to provide analysis of the relevant policies from the Comprehensive Plan and other planning documents, descriptions of community outreach and input, data that describes the racial and economic characteristics of the subject planning area, and analysis of specific factors related to equity.

Racial Equity Tool Part 1 – Comprehensive Plan Guidance

Racial equity is a broad and encompassing goal of the entire District government. As explained in the Framework Element of the Plan,

[t]he District seeks to create and support an equitable and inclusive city. Like resilience, equity is both an outcome and a process. Equity exists where all people share equal rights, access, choice, opportunities, and outcomes, regardless of characteristics such as race, class, or gender. Equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities. Equity is not the same as equality. Framework Element, § 213.6

Section 2501.8 of the Implementation Element calls for “the Zoning Commission to evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis.”

The direction to consider equity “as part of [the Zoning Commission’s] Comprehensive Plan consistency analysis” indicates that the equity analysis is intended to be based on the policies of the Comprehensive Plan and whether a proposed zoning action is “not inconsistent” with the Comp Plan. Whenever the Commission considers Comprehensive Plan consistency, the scope of the review and Comprehensive Plan policies that apply will depend on the nature of the proposed zoning action.

Equity is discussed throughout the Comprehensive Plan. In the context of zoning, certain priorities stand out, including affordable housing, displacement, and access to opportunity. The Plan provides a number of policies that informed the creation of proposed zoning and which, when viewed through a racial equity lens, give the Commission a framework for evaluating the proposal. Below is an analysis of how the text amendment could further some of the larger policy focus areas relevant to alley lots. Please see a compilation of relevant policies in Attachment 1.

Framework Element Guiding Principles: The Comprehensive Plan seeks to create and support an equitable and inclusive city, and embodies those goals in several guiding principles. The text amendments could further the guiding principles of the Plan by providing additional housing options while protecting the character of neighborhoods, in all parts of the District. The text amendment was also generated in-part by and informed by public input, through conversations with ANC commissioners, alley lot owners, and other residents as well as through discussions as part of BZA hearings for alley lots.

Land Use Element: The text amendment could partially address some of the key equity issues identified by the Land Use Element, including allowing opportunities for new growth and balancing competing demands for finite land resources while minimizing impacts to adjacent residential properties. The Land Use Element puts a strong emphasis on infill development, which would be facilitated by the text amendment. Specifically, Policies LU-1.5.1 and LU-1.5.2 call for infill on “vacant lots that create gaps in the urban fabric” and state that the District should “facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints.” The text amendments, however, attempt to accomplish those goals while also addressing other Land Use policies, such as 2.1.5 and 2.1.7, which seek to protect low-density and rowhouse residential neighborhoods. Policy 2.1.8 acknowledges that guidance, but also

recommends the exploration of approaches, including zoning changes, to accommodate the “appropriate production of additional housing”, and a “modest increase in density and more diverse housing types” in residential neighborhoods.

Housing Element: The Housing Element of the Plan seeks to further equity by expanding the production of housing, and providing opportunities for all forms of housing throughout the District. The amendments could help to achieve these goals by eliminating regulatory barriers to developing certain vacant lots, and also by permitting housing to be developed in zones on lots where it is currently prohibited. See, for example, Action H-1.5.E, which asks the District to “Continue to identify and review regulatory impediments to the production of market rate and affordable housing.” It also states that the government should “Remove unnecessary and burdensome regulations and propose more efficient and effective alternatives for achieving important policy and regulatory goals.”

Area Elements: The area elements of the Plan call for equitable outcomes such as maintaining and enhancing the built form of neighborhoods, and taking advantage of vacant land to create more housing. The proposed amendments could further those objectives by facilitating the use of long-vacant sites, while also maintaining and strengthening regulations meant to ensure an appropriate scale of development.

On balance, including when evaluated through a racial equity lens, the proposed zoning text amendments would not be inconsistent with the Comprehensive Plan and would further a number of written Plan policies.

Racial Equity Tool Part 2 - Community Outreach and Engagement

Alley lot owners have periodically provided feedback to OP since the approval of case #19-13. OP began formal outreach to the owners for the present text amendment in October 2024. In April 2025, OP held virtual open houses for ANC members and had further engagement with alley owners and owner representatives. The purpose of the meetings was to solicit feedback on potential amendments and answer questions about the proposed zoning. Meetings were held on the following dates:

- October 17, 2024, 12:30 – 1:30, for alley lot owners group;
- October 21, 2024, 1:00 – 1:30, for an individual owner;
- April 1, 2025, 5:30 – 6:30, for all ANC commissioners;
- April 3, 2025, 12:00 – 1:00, for all ANC commissioners;
- April 4, 2025, 1:00 – 2:00, for alley lot owners group;
- April 7, 2025, 12:00 – 1:00, for owner representatives; and
- April 11, 2025, 12:30 – 1:00, for an individual owner.

Comments were generally positive, but feedback resulted in the following changes to OP’s proposal:

- Increase in yard requirements for R-1 alley lots where they abut the rear yards of street-facing lots;
- Limiting new alley lot residential uses in R-1 to existing alley lots, or lots created from existing alley lots;

- Adding DOEE as a referral agency for special exceptions involving alley lots; and
- Establishing Home Occupations as a permitted use on alley lots.

Some suggestions from the meetings have not been incorporated in the current proposal, including exempting alley dwellings from parking requirements, allowing higher lot occupancies for alley buildings in the R-1 and R-2 zones, or permitting three stories for alley lot buildings.

OP also launched a project [webpage](#)¹ through the Office of Planning’s website that provides an overview of the proposal, meeting recordings and transcripts, and basic data about alley lots. A project-specific email address was also established, alleylots@dc.gov, for members of the public to submit questions or comments about the proposal. If the proposal is set down, OP anticipates additional ANC and community discussions prior to a public hearing.

OP has also begun reaching out to other DC agencies. DDOT has expressed no fundamental concerns with the proposal, and as of this writing FEMS has not responded to requests for feedback. Should the application be set down, OP will make a formal request for comments to multiple government agencies, including DDOT, FEMS, DC Water, DPW and DOEE.

Racial Equity Tool Part 3 – Planning Area Data

As this proposal is for a citywide text amendment, the demographic data from individual planning areas would not be applicable. Although the proposal would provide new housing opportunities, likely including home-ownership opportunities, throughout the District, it is not anticipated that the proposed zoning changes would have significant impacts on citywide demographic trends. For the Commission’s background, however, basic District-wide data is presented below, including population, housing cost burden, and housing tenure. Data is from the 2012-2016 and the 2019-2023 American Community Surveys (ACS), disaggregated by race where available. Data can be found at the OP State Data Center Data Hub [website](#).

¹ <https://planning.dc.gov/node/1770551>

Table 1 – Population District-wide

Race or Ethnicity	District 2012-2016	District 2012-2016 %	District 2019-2023	District 2019-2023 %
Total Population	659,009	100.0%	672,079	100.0%
Asian Alone	24,036	3.6%	27,465	4.1%
Black or African American	318,598	48.3%	290,772	43.3%
Hispanic or Latino	69,106	10.5%	77,760	11.6%
Indian and Alaska Native	2,174	0.3%	2,044	0.3%
Native Hawaiian and Pacific Islander	271	0.0%	378	0.1%
Some Other Race	29,650	4.5%	32,338	4.8%
Two or More Races	18,245	2.8%	56,533	8.4%
White Alone	266,035	40.4%	262,549	39.1%

Table 2 – Housing Cost Burden District-wide*

Race or Ethnicity	District 2012-2016 %	District 2019-2023 %
Total	38.6%	34.0%
Asian Alone	-	33.6%
Black or African American	-	44.3%
Hispanic or Latino	-	35.1%
Indian and Alaska Native	-	42.6%
Native Hawaiian and Pacific Islander	-	76.2%
Some Other Race	-	42.8%
Two or More Races	-	33.3%
White Alone	-	24.1%

* Note: Housing cost burden by race derived from housing cost data was not available from the U.S. Census Bureau American Community Survey (ACS) 5-year estimates prior to the 2019-2023 data product.

Table 3 – Housing Tenure District-wide

Race or Ethnicity	District Renter Occupied 2012-2016 %	District Owner Occupied 2012-2016 %	District Renter Occupied 2019-2023 %	District Owner Occupied 2019-2023 %
Total Population	59.3%	40.7%	55.9%	44.1%
Asian Alone	60.6%	39.4%	54.3%	45.7%
Black or African American	64.1%	35.9%	59.0%	41.0%
Hispanic or Latino	69.1%	30.9%	63.5%	36.5%
Indian and Alaska Native	67.2%	32.9%	50.0%	50.0%
Native Hawaiian and Pacific Islander	90.9%	9.1%	-	-
Some Other Race	82.5%	17.5%	73.5%	26.5%
Two or More Races	67.3%	32.7%	64.6%	35.4%
White Alone	52.2%	47.8%	41.9%	58.1%

Racial Equity Tool Part 4 – Zoning Commission Evaluation Factors

According to the Racial Equity Tool, the Commission will use the following criteria, themes and questions in its evaluation of a zoning action’s consistency with the Comprehensive Plan, as viewed through a racial equity lens.

- *What Comprehensive Plan policies related to racial equity will potentially be advanced by approval of the zoning action?*

Please refer to OP’s analysis above, under Part 1 of the Racial Equity Tool discussion.

- *What Comprehensive Plan policies related to racial equity will potentially not be advanced by approval of the zoning action?*

It is possible that some residents could experience negative impacts due to the future development of vacant sites, particularly as they relate to construction, additional person-trips in the alleys, or changes to the perception of privacy. However, overall, the proposed text amendment is intended to be consistent with the policies of the Comprehensive Plan, would provide important opportunities for alley lot owners and new, alternative housing opportunities for DC residents in all parts of the city; and could potentially lessen concerns raised by some residents about alley lot safety and maintenance. The proposed provisions would ensure that alley lot dwellings would be consistent with prevailing neighborhood character in terms of use and building height. Although this analysis did not identify any inconsistencies with the Comprehensive Plan, any Plan policies not advanced by the zoning action would be outweighed by the furtherance of other important District priorities.

- *When considering the following themes/questions based on Comprehensive Plan policies related to racial equity, what are the anticipated positive and negative impacts and/or outcomes of the zoning action? Note: Additional themes may also apply.*

Factor	Question	OP Response
Direct Displacement	Will the zoning action result in displacement of tenants or residents?	The text amendment should not result in direct displacement. Existing alley dwellings or businesses should not be impacted.
Indirect Displacement	What examples of indirect displacement might result from the zoning action?	OP does not anticipate indirect displacement as a result of this zoning action. Additional development of vacant or underutilized lots could occur, but it is unlikely to be at a scale which would significantly impact a surrounding neighborhood.
Housing	Will the action result in changes to: <ul style="list-style-type: none"> ▪ Market Rate Housing ▪ Affordable Housing ▪ Replacement Housing 	The text amendment could result in additional market rate housing development. No affordable housing requirement is proposed with the amendments, but given the typical smaller scale of dwellings on alley lots, it is possible that the total cost of the units could be lower than dwellings on nearby street-facing lots, which would typically be larger. The proposal to allow, in some instances, accessory dwelling units would also provide more affordable options.
Physical	Will the action result in changes to the physical environment such as: <ul style="list-style-type: none"> ▪ Public Space Improvements ▪ Infrastructure Improvements ▪ Arts and Culture ▪ Environmental Changes ▪ Streetscape Improvements 	The action could result in the creation of new infrastructure, such as the installation of water, sewer and electric utilities by property owners to serve their alley lots. The alleys themselves in some cases may need improvement. The zoning changes, if they result in new development, could improve the security and physical appearance of some alleys and alley lots, which can sometimes be overgrown and neglected, or even used as illegal dumping grounds.
Access to Opportunity	Is there a change in access to opportunity? <ul style="list-style-type: none"> ▪ Job Training/Creation ▪ Healthcare ▪ Addition of Retail/Access to New Services 	OP does not anticipate any significant impacts regarding access to job opportunities or trainings. There should not be a major impact to access to retail or services, but the amendments would permit Home Occupations, which would be an avenue for small businesses to get established.
Community	How did community outreach and engagement inform/change the zoning action? <ul style="list-style-type: none"> ▪ (e.g., did the architectural plans change, or were other substantive changes made to the zoning action in response to community input/priorities etc.?) 	OP's meetings with ANC members and others resulted in substantive changes to the proposal, including: <ul style="list-style-type: none"> • Increase in yard requirements for R-1 alley lots where they abut the rear yards of street-facing lots; • Limiting new alley lot residential uses in R-1 to existing alley lots, or lots created from existing alley lots; • Adding DOEE as a referral agency for special exceptions involving alley lots; and • Establishing Home Occupations as a permitted use on alley lots.

VII. ATTACHMENTS

1. Relevant Comprehensive Plan Policies
2. Alley Lot Background Data
3. Proposed Text Amendments

JS/mrj

Attachment 1

Relevant Comprehensive Plan Policies

2. FRAMEWORK ELEMENT

Guiding Principles

1. The District seeks to create and support an equitable and inclusive city. Growth must be managed equitably to support all District residents, including vulnerable communities and District protected classes. We must recognize that managing growth and change includes addressing the historic, structural, and systemic racial inequities and disenfranchisement of many District residents...

2. Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city, such as local cultural heritage, and reduce negatives such as poverty, crime, food deserts, displacement, and homelessness. 219.2

4. Diversity also means maintaining and enhancing the District's mix of housing types. Housing should be developed for households of different sizes, including growing families as well as singles and couples, and for all income levels. 219.4

11. The residential character of neighborhoods must be protected, maintained and improved. Many District neighborhoods possess social, economic, historic, and physical qualities that make them unique and desirable places in which to live. As the District continues to grow, more residents, and those of varied socio-economic backgrounds, should be accommodated, including the production and preservation of affordable housing, while using zoning, design, and other means to retain the qualities that physically characterize these neighborhoods and make them attractive. Zoning and other means should be used to attract neighborhood serving retail that, in turn, enhances the surrounding residential neighborhood. 220.3

18. Public input in decisions about land use and development is an essential part of creating successful neighborhoods, from development of the Comprehensive Plan to every facet of its implementation. 220.10

3. LAND USE ELEMENT

The critical land use issues are addressed in this element. These include the following:

- Providing adequate housing, particularly affordable housing;
- Conserving, creating, and maintaining inclusive neighborhoods, while allowing new growth that fosters equity, including racial equity, and accessibility;
- Strengthening downtown;
- Enhancing neighborhood commercial districts and centers;
- Balancing competing demands for finite land resources;
- Directing growth and new development to achieve economic vitality and creating jobs while minimizing adverse impacts on residential areas and open spaces;
- Promoting transit-accessible, sustainable development;
- Improving resilience; and
- Siting challenging land uses. 300.2

Although Washington, DC was almost fully developed by 1960, the demand for land, housing, and jobs has continued to fuel land use change. The changing needs of the federal government, private industry, and other institutions continually reshape the landscape. Aging, environmentally inefficient, and underused building stock requires refurbishment and replacement. The renewed popularity of urban living generates the need for more housing and new amenities. 300.4

Land Use Goal 302

Ensure the efficient use of land resources to meet long-term neighborhood, District-wide, and regional needs to help foster other District goals; to protect the health, safety, and welfare of District residents, institutions, and businesses; to address past and current inequalities disproportionately impacting communities of color; to sustain, restore, or improve the character, affordability, and equity of neighborhoods in all parts of the District; to provide for additional housing and employment opportunities; and to effectively balance the competing demands for land to support a growing population and the many activities that take place within Washington, DC's boundaries. 302.1

Policy LU-1.4.3: Housing Around Metrorail Stations

Build housing adjacent to Metrorail stations that serves a mix of incomes and household types, including families, older adults, and persons with disabilities, and prioritize affordable and deeply affordable housing production. Leverage the lowered transportation costs offered by proximity to transit to increase affordability for moderate and low-income households. 307.11

Policy LU-1.4.6: Development Along Corridors

Encourage growth and development along major corridors, particularly priority transit and multimodal corridors. Plan and design development adjacent to Metrorail stations and corridors to respect the character, scale, and integrity of adjacent neighborhoods, using approaches such as building design, transitions, or buffers, while balancing against the District's broader need for housing. 307.14

Action LU-1.4.B: Zoning Around Transit

With public input, develop and use zoning incentives to facilitate new and mixed-use development, and particularly the provision of new housing, and new affordable housing in high opportunity areas to address more equitable distribution. 307.20

LU-1.5 Neighborhood Infill Development 308

Hundreds of small vacant lots across Washington, DC are located away from transit stations and off the major boulevards. Analysis conducted through the Comprehensive Plan revision determined that vacant, residentially zoned lots totaled more than 400 acres in 2005. Approximately 50 percent of this acreage was zoned for single-family homes, 15 percent was zoned for townhomes and row houses, and 35 percent was zoned for multi-family development. Most of the sites were less than one acre in size. Some of this land may not be developable to the limits allowed by zoning due to site constraints, such as poor access, awkward parcel shapes, and steep topography. 308.1

Infill development on vacant lots is strongly supported in the District, provided that such development is compatible with its surroundings and consistent with environmental protection and public safety objectives. There are opportunities for change from vacant to vibrant in residential and commercial areas. In residential areas, infill sites present some of the best opportunities for family housing and low-to-moderate-density development, as well as community gardens and pocket parks. In commercial areas, infill development can fill gaps in the street wall and create more cohesive and attractive neighborhood centers. Vacant lots in such settings may also present opportunities for public uses. 308.2

In both residential and commercial settings, infill development must be sensitive to neighborhood context including density and scale. High-quality design standards should be required. 308.3

Infill development may also include the restoration of vacant and abandoned structures. In 2003, there were an estimated 2,700 vacant and abandoned residential properties in the District. While the number has declined since then, some parts of Washington, DC continue to have a relatively higher amount of vacant buildings. 308.4

Policy LU-1.5.1: Infill Development

Encourage infill development on vacant land within Washington, DC, particularly in areas where there are vacant lots that create gaps in the urban fabric and detract from the character of a commercial or residential street. Such development should reflect high-quality design, complement the established character of the area and should not create sharp changes in the physical development pattern. 308.6

Policy LU-1.5.2: Long-Term Vacant Sites

Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures that would address these constraints. 308.7

What Makes a Great Neighborhood? 310.8

...The 2004 A Vision for Growing an Inclusive City identified essential physical qualities that all neighborhoods should share. These included the following:

[...]

- Housing choices, including homes for renters and for owners, and a range of units that meet the different needs of the community;

Policy LU-2.1.1: Variety of Neighborhood Types

Maintain a variety of neighborhoods, ranging from low-density to high-density. The positive elements that create the identity and design character of each neighborhood should be preserved and enhanced while encouraging the identification of appropriate sites for new development and/or adaptive reuse to help accommodate population growth and advance affordability, racial equity, and opportunity. 310.7

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply, including affordable units, and expand neighborhood commerce with parallel goals to preserve historic resources, advance environmental and sustainability goals, and further Fair Housing. The overarching goal to create vibrant neighborhoods in all parts of the District requires an emphasis on conserving units and character in some neighborhoods and revitalization in others, including inclusive and integrated growth and meeting communities and public facility needs. All neighborhoods have a role to play in helping to meet broader District-wide needs, such as affordable housing, public facilities, and more. 310.10

Policy LU-2.1.4: Rehabilitation Before Demolition

In redeveloping areas characterized by vacant, abandoned, and underused older buildings, generally encourage rehabilitation and adaptive reuse of architecturally or historically significant existing buildings rather than demolition. 310.11

Policy LU-2.1.5: Support Low-Density Neighborhoods

Support and maintain the District's established low-density neighborhoods and related low-density zoning. Carefully manage the development of vacant land and alterations to existing structures to be

compatible with the general design character and scale of the existing neighborhood and preserve civic and open space. 310.12

Policy LU-2.1.7: Row House Neighborhood Character

Respect the character of row house neighborhoods by ensuring that infill development is compatible with existing design patterns and maintains or expands the number of family-sized units. Upward and outward extension of row houses that compromise their design should be discouraged. 310.14

Policy: LU-2.1.8 Explore Approaches to Additional Density in Low and Moderate-Density Neighborhoods

Notwithstanding Policy LU-2.1.5, explore approaches, including rezoning, to accommodate a modest increase in density and more diverse housing types in low-density and moderate-density neighborhoods where it would result in the appropriate production of additional housing and particularly affordable housing. Build upon the guidance of the April 2020 Single Family Housing Report to diversify the cost of housing available in high-opportunity, high-cost low- and moderate-density neighborhoods, especially near transit. However, neighborhood planning and engagement is a condition predicate to any proposals. Infill and new development shall be compatible with the design character of existing neighborhoods. Minimize demolition of housing in good condition. 310.15

Policy LU-2.3.12: Arts and Culture Uses in Neighborhoods

Recognize the importance of low-profile, neighborhood-serving arts and culture as assets for community preservation and building. Encourage the preservation or expansion of arts and culture in discretionary review of development projects. 312.14

Policy LU-3.2.10: Cottage Industries and Makers

Support low-impact cottage industries and makers in neighborhood commercial districts and on appropriate industrial lands. Maintain zoning regulations that regulate such uses in residential areas to avoid land use conflicts and negative business-related impacts while allowing residents to explore low-impact entrepreneurship in or near their homes. 316.11

5. HOUSING ELEMENT

H-1.1 Expanding Housing Supply 503

Expanding the housing supply is a key part of the District’s vision to create vibrant neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of market rate and affordable housing is essential to the future of the neighborhoods. It is also a key to improving the District’s fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, zoning, permitting, inspection, and taxation programs, recognizing and responding to the needs of all segments of the community to achieve an adequate and diverse housing supply. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs. Public investment in high-quality public infrastructure, including transportation, public space, schools, and libraries, is also critical to ensuring that all neighborhoods provide a high degree of access to opportunity. Regulatory processes should encourage, not discourage, the creation of new housing. 503.1

The supply of housing should grow sufficiently to slow rising costs of market rate rental and for-sale housing. Expanding supply alone will not fulfill all of Washington, DC’s housing needs at lower income

levels, but it is one important element of the strategy to ensure unmet demand at higher price points does not further hasten the loss of naturally occurring affordable housing. 503.2

Policy H-1.1.1: Private Sector Support

Encourage or require the private sector to provide both new market rate and affordable housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 503.3

Policy H-1.1.2: Production Incentives

Provide suitable regulatory, tax, and financing incentives to meet housing production goals, prioritizing affordable housing production in support of the targets in Policy H-1.2.2. These incentives should continue to include zoning regulations that permit greater building area for commercial projects that include housing than for those that do not, and relaxation of height and density limits near transit. Strongly encourage incentives and strategies that result in the production of more deeply affordable housing, such as the use of income averaging across a range of affordable housing income levels. 503.4

Policy H-1.1.3: Balanced Growth

Strongly encourage the development of new housing, including affordable housing, on surplus, vacant, and underused land in all parts of Washington, DC. Ensure that a sufficient supply of land is planned and zoned to enable the District to meet its long-term housing needs, including the need for low- and moderate- density single-family homes, as well as the need for higher-density housing. 503.5

Policy H-1.1.8: Production of Housing in High-Cost Areas

Encourage development of both market rate and affordable housing in high-cost areas of the District, making these areas more inclusive. Develop new, innovative tools and techniques that support affordable housing in these areas. Doing so increases costs per unit but provides greater benefits in terms of access to opportunity and outcomes. 503.10

Action H.1.1.C: Research New Ways to Expand Housing

Continue research to expand market rate and affordable housing opportunities in Washington, DC, such as expanding existing zoning tools and requirements and evaluating housing concepts that emphasize permanent affordability, such as social housing and community land trusts. Consider a broad range of options to address housing constraints, which could include updating the Height Act of 1910 (a federal law) outside of the L'Enfant Plan area, if it can promote housing production. 503.14

H-1.5 Reducing Barriers to Production 507

The development of housing may be hampered by both governmental and non- governmental constraints. Governmental constraints include lengthy delays in permit processing and plan approval; insufficient coordination among agencies and utilities; zoning regulations, which may not reflect contemporary housing trends; and even prohibitions on certain types of housing. Non-governmental constraints include the high cost of land and rising interest rates. Although much progress has been made, serious barriers still exist. Fear of these barriers, and their costs, keep some developers from undertaking projects in Washington, DC at all and some homeowners from registering their basement units or other rental uses of their property. 507.1

Policy H-1.5.1: Land and Building Regulations

Ensure the District's land regulations, including its housing and building codes, zoning regulations, construction standards, and permitting fees, enable the production of housing for all income groups. Avoid regulations that make it prohibitively expensive or difficult to construct housing. 507.2

Action H-1.5.E: Remove Regulatory Obstacles

Continue to identify and review regulatory impediments to the production of market rate and affordable housing. Remove unnecessary and burdensome regulations and propose more efficient and effective alternatives for achieving important policy and regulatory goals. 507.10

6. ENVIRONMENTAL PROTECTION ELEMENT

E-6 The Link Between Land Use, Transportation, and Air Quality 621

...the District's land use development patterns mean that jobs, housing, and recreation are in proximity to each other. As the Land Use and Transportation Elements of this Comprehensive Plan note, clustering higher-density development along major corridors, bus routes, and near Metrorail stations means shorter and fewer car and truck trips, thus reducing vehicle miles traveled (VMT) and motor vehicle emissions, which improves air quality for residents. At the same time, historic land use patterns segregated residents by race and income with the result that these residents frequently have longer trips, often by car, to reach jobs, education, shopping and services. Equitable development patterns have the potential to improve or mitigate air quality problems by providing and promoting alternatives to vehicular travel, such as mass transit, biking, or walking. 621.4

7. ECONOMIC DEVELOPMENT ELEMENT

Policy ED-2.2.4: Support Local Entrepreneurs

Support the efforts of local entrepreneurs who enhance the District's economy by manufacturing and retailing goods within Washington, DC, which increases the local employment and tax revenue generated by consumer retail spending. 708.9

9. URBAN DESIGN ELEMENT

Policy UD-2.2.5: Infill Development

New construction, infill development, redevelopment, and renovations to existing buildings should respond to and complement the defining visual and spatial qualities of the surrounding neighborhood, particularly regarding building roof lines, setbacks, and landscaping. Avoid overpowering contrasts of scale and height as infill development occurs. 909.10

10. HISTORIC PRESERVATION ELEMENT

Policy HP-2.5.3: Compatible Development

Preserve the important historic features of the District while permitting compatible new infill development. Within historic districts, respect the established form of development as evidenced by lot coverage limitations, height limits, open space requirements, and other standards that contribute to the character and attractiveness of those areas. Ensure that new construction, building additions, and exterior changes are in scale with and respect their historic context through sensitive siting and design, and the appropriate use of materials and architectural detail. 1014.9

14. ARTS AND CULTURE ELEMENT

Policy AC-3.1.1: Housing for the Cultural Workforce

Encourage innovative approaches that remove barriers to housing for the cultural workforce, such as work-live housing, where the residential use is an accessory to production space. 1409.3

Policy AC-3.1.4: Live-Work Spaces

The District's zoning and land use regulations should support the development of live-work space for creators in a variety of settings around the District. 1409.6

15. CAPITOL HILL ELEMENT

Policy CH-1.1.2: Renovation of Housing Stock

Encourage the rehabilitation and renovation of the building stock throughout the Capitol Hill Planning Area, taking steps to acknowledge and enhance its unique neighborhood character both within and outside historic districts. Where infill development occurs, its scale and character should be compatible with prevailing neighborhood densities, and its design should contribute to neighborhood continuity and quality. When evaluating compatibility of improvements designed to either enhance energy efficiency or to create more affordable housing, consideration should be given to weighing the benefits to the community and District against the benefits of preserving historic features. 1507.3

16. CENTRAL WASHINGTON ELEMENT

Policy CW-1.1.21: Downtown Street and Block Pattern

Maintain a fine-grained pattern of downtown blocks, streets, and alleys, with intersections and frontages that encourage pedestrian movement and reduce the potential for immense variations in scale and fortress like office buildings. Preserve and encourage activation of historic alleys like Blagden, Naylor, and Prather's. 1608.22

17. FAR NORTHEAST AND SOUTHEAST ELEMENT

Policy FNS-1.1.1: Conservation of Low-Density Neighborhoods

Recognize the value and importance of Far Northeast and Southeast's established single-family neighborhoods to the character of the local community and to the entire District. Comprehensive Plan and zoning designations for these neighborhoods reflect and preserve the existing land use pattern while allowing for taller and denser infill development that is compatible with neighborhood character. 1708.2

Policy FNS-1.1.7: Row House Neighborhoods

In the Fairlawn and Twining neighborhoods, encourage infill housing constructed so as to be compatible with the architectural style and materials of the brick row houses and semi-detached homes that predominate in these areas. 1708.8

Policy FNS-2.2.1: Deanwood's Residential Character

Strongly encourage infill development on vacant lots in the Deanwood community. Where designated on the Future Land Use Map, development should respect and perpetuate the low-density, single-family character of the neighborhood, with new one-, two-, three-, and four-bedroom family homes that complement existing architectural traditions and community character. 1712.1

Policy FNS-2.5.1: Marshall Heights Infill

Support the development of the many scattered vacant lots in the Marshall Heights community with new low-density residential development, especially single- and two-family homes. This will provide ownership opportunities for area residents and housing stock needed to attract families with children back to the Far Northeast and Southeast Area. Improve schools, parks, and other public services in Marshall Heights to meet the needs created by additional growth and attract families to the area. 1715.3

18. FAR SOUTHEAST AND SOUTHWEST ELEMENT

Policy FSS-1.1.4: Infill Housing Development

Support infill housing development on vacant sites within Far Southeast/ Southwest, especially in Historic Anacostia and in the Hillside, Fort Stanton, Bellevue, Congress Heights, and Washington Highlands neighborhoods. Infill with affordable housing options can help meet the demand of low-income families currently living in the Planning Area, reduce the rates of families living without housing, and decrease the affordable housing waitlist. Infill with housing for persons of low and moderate income can help provide homes for persons and families who might otherwise be displaced from Washington, DC due to high housing costs. 1808.5

Policy FSS-2.3.2: Housing Opportunities

Encourage compatible infill development on vacant and underused land within the Hillside and Fort Stanton neighborhoods, emphasizing low-to moderate-density housing designed for families while allowing higher densities where appropriate to increase housing opportunities near transit. Special care should be taken to respect the area's topography, avoid erosion, improve the street and circulation system, and mitigate any traffic increases caused by new development. 1813.4

19. LOWER ANACOSTIA WATERFRONT / NEAR SOUTHWEST ELEMENT

Policy AW-1.1.1: Conservation of Established Waterfront Neighborhoods

Revitalize and preserve established neighborhoods in the Waterfront Planning Area while promoting infill development to provide new housing opportunities, including accessory dwelling units, to meet a range of affordability levels and housing needs. Continued investment in the existing housing stock and in established local commercial areas should be strongly encouraged. 1907.2

20. MID CITY ELEMENT

Policy MC-1.1.1: Neighborhood Conservation

Retain and reinforce the historic character of Mid-City neighborhoods, particularly its mix of row houses, apartment houses, as well as historic districts, and walkable neighborhood shopping districts. The Planning Area's squares, alleyways, and historic alley lots offer opportunities for preservation and creative development. The area's rich architectural heritage and cultural history should be preserved and enhanced. 2008.2

Policy MC-1.1.3: Infill and Rehabilitation

Encourage redevelopment of vacant lots and the rehabilitation of abandoned structures within the community, particularly along Georgia Avenue NW, Florida Avenue NW, 11th Street NW, and North Capitol Street NW and in the Shaw, Bloomingdale, and Eckington communities. Similarly, encourage the redevelopment of vacant lots and the rehabilitation of vacant buildings located at the interiors of the

Planning Area's squares. Infill development should be compatible in scale and character with adjacent uses and encourage more housing opportunities. 2008.4

21. NEAR NORTHWEST ELEMENT

Policy NNW-1.1.1: Residential Neighborhoods

Maintain and enhance the historic, architecturally distinctive mixed-density character of Near Northwest residential neighborhoods, including Burleith, Georgetown, Foggy Bottom, Dupont Circle, Sheridan-Kalorama, Logan Circle, Mount Vernon Square, and Shaw. Ensure that infill development within these areas is architecturally compatible with its surroundings and positively contributes to the identity and quality of each neighborhood, while providing new housing opportunities, especially affordable housing options. 2108.2

Policy NNW-2.1.2: Reinforce Existing Development Patterns

Stabilize and maintain existing moderate-density row house areas within the Shaw/Convention Center area. Locate multi-unit buildings in areas already zoned for greater density, including areas near the Mount Vernon Square and Shaw/Howard University Metro stations, and on publicly owned land with the potential for housing. Ensure that development on infill sites scattered throughout the row house portions of the Shaw/Convention Center area is sensitive to and complements the neighborhood's character. 2111.6

22. ROCK CREEK EAST ELEMENT

Policy RCE-1.1.1: Strengthening Lower Density Neighborhoods

Maintain and strengthen the neighborhoods of the Rock Creek East Planning Area while providing new housing opportunities for a range of incomes and household sizes. Any new development in the Planning Area should be attractively designed and should contribute to the community's physical characteristics. 2208.2

Policy RCE-1.1.2: Design Compatibility

Ensure that renovations, additions, and new construction in the area's low density neighborhoods respect the scale and densities of adjacent properties, provide new housing opportunities, and preserve parklike qualities, such as dense tree cover and open space. 2208.3

23. ROCK CREEK WEST ELEMENT

Policy RCW-1.1.1: Neighborhood Conservation

Preserve the low-density residential neighborhoods west of Rock Creek Park. Future development in both residential and commercial areas should be carefully managed to address the existing scale, function, and character of these neighborhoods. Updates to zoning regulations offer the opportunity to create more accessory dwelling units for this area to help absorb a share of the District's growth and provide a more proportional portion of affordable and moderate-income housing sensitive to existing neighborhood context. 2308.2

24. UPPER NORTHEAST ELEMENT

Policy UNE-1.1.2: Compatible Infill

Encourage compatible residential infill development throughout Upper Northeast neighborhoods, especially in Brentwood, Ivy City, and Trinidad, where numerous scattered vacant residentially- zoned properties exist. New and rehabilitated housing in these areas should meet the needs of a diverse community that includes renters and owners; seniors, young adults, and families; and persons of low and very low-income, as well as those of moderate and higher incomes. 2408.3

Policy UNE-2.1.1: Ivy City Infill Development

...Support the development of additional infill housing in Ivy City, including loft-style and live-work housing that blends with the industrial character of the neighborhood. Support a range of housing designs that fosters affordability and accommodates a mix of household types, including families. Rehabilitation and renovation of the existing housing stock should also be strongly encouraged. 2411.6

25. IMPLEMENTATION ELEMENT

Policy IM-1.3.1: Updating Land Use Controls

Regularly review and update the District’s land use controls and building codes to eliminate obsolete regulations and develop new regulations that address emerging issues, land uses, building types, and technologies. 2504.3

Action IM-1.3.A: Monitor and Review New Zoning Regulations

Regularly monitor and review the zoning regulations to verify that they are working to achieve their purpose and submit corrections, changes, and amendments as necessary. 2504.8

Attachment 2 Alley Lot Background Data

Number of Alley Lots by Zone

Zone	Number
ARTS	4
D	15
MU-12	25
MU-4	92
Other MU	28
NMU	14
PDR	13
R-1	172
R-2	182
R-3	329
RA-1	44
RA-2	84
Other RA	8
RF-1	887
TOTAL	1897

Existing Uses on Alley Lots

Use	Number
Residential	319
Residential Parking Garage	454
Commercial, Institutional, Government	92
Surface Parking	80
Vacant	890
Recreational	3
Unknown	59
TOTAL	1897

Number of Alley Lots by ANC

ANC	Estimated # of Alley Lots	Estimated # < than 450 sq.ft.
1A	34	4
1B	64	14
1C	14	9
1D	11	8
1E	26	4
2A	41	5
2B	39	6
2C	9	4
2D	8	4
2E	180	75
2F	23	8
2G	53	9
3A	17	12
3B	19	7
3C	51	29
3D	21	3
3E	25	14
3F	19	3
3/4G	27	14
4A	20	7
4B	61	5
4C	59	24
4D	64	46
4E	68	48
5A	2	1
5B	44	13
5C	13	1
5D	26	6
5E	35	2
5F	88	62
6A	134	50
6B	198	53
6C	129	29
6D	2	0
6E	4	0
7B	24	2
7C	31	5
7D	140	63
7E	2	1
7F	3	2
8A	12	4
8B	4	1
8C	49	2
8D	1	0
8E	1	0
8F	2	2

Lot Size Breakdown RF-1 Zones		Lot Size Breakdown R-3 Zones		Lot Size Breakdown R-1B Zone	
Category	Number	Category	Number	Category	Number
Total # of Lots	887	Total # of Lots	329	Total # of Lots	152
Lots < 450 sf	302	Lots < 450 sf	160	Lots < 450 sf	35
Lots >= 450 sf	585	Lots >= 450 sf	169	Lots >= 450 sf	117
Lots >= 900 sf	326	Lots >= 2,000 sf	29	Lots >= 5,000 sf	28
Lots >= 1,800 sf	147	Lots >= 3,000 sf	14	Lots >= 7,500 sf	13
Lots >= 2,700 sf	67	Lots >= 5,000 sf	8	Lots >= 10,000 sf	8
		Lots >= 10,000 sf	2		

Vacant Alley Lots by Zone

Zone	Number	Zone	Number
RF-1	367	R-1A	2
R-2	111	RA-5/DC	2
R-3	109	D-5	1
R-1B	105	D-6	1
R-3/GT	48	D-6-R	1
RA-1	41	MU-13	1
MU-4	26	MU-6B/DC	1
RA-2	24	NMU-4/GA	1
RF-1/CAP	14	PDR-1	1
NMU-7B/GA	9	PDR-1/CAP	1
RA-2/DC	6	R-1A/FH	1
MU-12	3	R-1B/SH	1
MU-5A	3	R-3/FB	1
RA-3	3	RA-4/DC	1
ARTS-3	2	RF-1/DC	1
MU-3A	2		

Attachment 3 Draft Text Amendments

Subtitle B – Section 308, Rules of Measurement for Building Height

- 308 RULES OF MEASUREMENT FOR BUILDING HEIGHT:
RESIDENTIAL ZONES AS DEFINED IN SUBTITLE A § 101.9
- 308.1 The height of buildings, not including a penthouse or rooftop structure, in residential zones, as defined in Subtitle A § 101.9, shall be measured in accordance with the rules provided in this section. If more than one (1) of these subsections applies to a building, the rule permitting the greater height shall apply.
- 308.2 The building height measuring point (BHMP) shall be established at the adjacent natural or finished grade, whichever is the lower in elevation, at the mid-point of the building façade of the principal building that is closest to a street lot line, or, in the case of an alley lot, that is closest to an alley lot line. For any excavations projecting from the building's façade other than an exception to grade as defined at Subtitle B § 100.2 the elevation of the midpoint of a building façade shall be the equivalent of the lowest such elevation; excluding existing driveways adjacent to the midpoint(s) directly connecting a garage and public right of way.
- 308.3 The height of a building with a flat roof shall be measured from the BHMP to the highest point of the roof excluding parapets and balustrades not exceeding four feet (4 ft.) in height.
- 308.4 The height of a building with a roof that is not a flat roof shall be measured as follows:
- (a) From the BHMP to the average level between the highest eave, not including the eave of a dormer and the highest point of the roof; and
 - (b) Where there are no eaves, the average level shall be measured between the top of the highest wall plate and the highest point of the roof.
- 308.5 The height of a building permitted to be ninety feet (90 ft.) shall be measured from the BHMP to the highest point of the roof excluding parapets and balustrades not exceeding four feet (4 ft.) in height.
- 308.6 Where a building is removed from all lot lines by a distance equal to its proposed height above grade, the height of building shall be measured from the BHMP to the highest point of the roof or parapet.

308.7 If a building fronts on more than one (1) street, any front may be used to determine street frontage; but the basis for measuring the height of the building shall be established by the street selected as the front of the building.

308.8 A conforming structure in existence on June 14, 2013, that would have been rendered nonconforming as a result of the adoption of amendments to this section made in Z.C. Order No. 12-11, shall be deemed conforming; provided that the height of the structure may neither be increased or extended.

~~308.9 For Alley Lots, the BHMP shall be established at grade at the mid-point of the Alley Lot Line or, where an Alley Lot abuts more than one alley, the mid-point of the alley lot line that would result in the BHMP with the highest elevation. Building height for Alley Lots shall be measured in accordance with Subtitle B §§ 308.2 through 308.4 and the rules provided in the applicable zone district, with any conflict resolved in favor of the lowest maximum height.~~

308.910 The building height of accessory buildings shall be measured from (i) the lower of the finished or natural grade at the middle of the side of the accessory building that faces the principal building, or (ii) the midpoint of the alley lot line if required for vehicular access to the alley, to the highest point of the roof of the building including parapets, penthouses, and rooftop structures.

Subtitle C – Section 306, Alley Lot Subdivision

306 NEW ALLEY RECORD LOTS

306.1 A new Alley Record Lot shall:

- (a) Have frontage along a public alley with a minimum alley width of ~~fifteen~~twenty-four feet (~~15~~24 ft.), ~~with the alley frontage no less than fourteen feet (14 ft.);~~
- (b) Have access to a public street through a public alley or alleys with an alley width of not less than ~~fifteen~~twenty-four feet (~~15~~24 ft.) at any point between the new Alley Record Lot and the street;
- (c) Have alley frontage of not less than fourteen feet (14 ft.);
- (de) Meet the lot area standards applicable for non-Alley Lots in the same zone; if no minimum lot area standard is provided, the Alley Record Lot shall be a minimum of eighteen hundred square feet (1,800 sq. ft.) of lot area; and
- (ed) Not be created by subdividing an existing record lot unless the subdivision application includes a statement, supported by a plat depicting the proposed Alley Record Lot and its existing record lot, that establishes to the Zoning Administrator's satisfaction that the remainder of that existing record lot and the new Alley Record Lot each comply with Subtitle C § 302 in addition to all other applicable requirements.

306.2 An Alley Record Lot may be combined with an abutting Alley Record Lot to create a larger Alley Record Lot without meeting the requirements of Subtitle C §§ 306.1.

306.3 An Alley Tax Lot recorded with the Office of Tax and Revenue prior to May 12, 1958, may be converted into an Alley Record Lot without meeting the requirements of Subtitle C § 306.1, if the Alley Tax Lot:

- (a) Has a minimum square footage of four hundred and fifty square feet (450 sq. ft.); or
- (b) Is combined with an abutting Alley Tax Lot created before May 12, 1958, or with an abutting Alley Record Lot, to create a larger Alley Record Lot.

306.4 An Alley Tax Lot not meeting the requirements of Subtitle C §§ 306.1 through 306.3 that was recorded with the Office of Tax and Revenue prior to September 6, 2016, may be converted to an Alley Record Lot if approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, and subject to the following requirements:

- (a) The Alley Tax Lot connects to an improved public street through an improved alley or system of alleys that provides adequate public safety, and infrastructure availability; and
- (b) The Office of Zoning shall refer the application to the following agencies for their review and recommendation, if filed to the case record within the forty (40) day period established by Subtitle A § 211:
 - (1) Department of Transportation (DDOT);
 - (2) Department of Public Works (DPW);
 - (3) Metropolitan Police Department (MPD);
 - (4) Fire and Emergency Medical Services Department (FEMS);
 - (5) DC Water (WASA);
 - (6) [Department of Energy and the Environment \(DOEE\)](#); and
 - (7) If a historic district or historic landmark is involved, the Historic Preservation Office (HPO).

306.5 A proposed subdivision of an alley lot that does not meet the requirements of Subtitle C § 306.1 may be approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, and subject to the following requirements:

- (a) The requirements of C § 306.1(e) shall still be met;
- (a) The lot or lots connect to an improved public street through an improved alley or system of alleys that provides adequate public safety, and infrastructure availability; and
- (b) The Office of Zoning shall refer the application to the following agencies for their review and recommendation, if filed to the case record within the forty (40) day period established by Subtitle A § 211:
 - (1) Department of Transportation (DDOT);
 - (2) Department of Public Works (DPW);
 - (3) Metropolitan Police Department (MPD);
 - (4) Fire and Emergency Medical Services Department (FEMS);

- (5) DC Water (WASA);
- (6) Department of Energy and the Environment (DOEE); and
- (7) If a historic district or historic landmark is involved, the Historic Preservation Office (HPO).

Subtitle C – Section 710, Vehicle Parking Location Restrictions

710 LOCATION RESTRICTIONS

710.1 The intent of this section is to prevent negative impacts on neighboring property from excessive parking, minimize vehicle-pedestrian conflicts, respect the pedestrian environment, foster good urban design, and provide space for active uses to line parking structures.

710.2 Vehicle parking spaces shall be located:

[...]

(c) On an open area of the lot, except:

- (1) Between a building restriction line and a front lot line;
- (2) In any zone other than a PDR zone, surface parking spaces shall not be located between the front façade of a building, as extended for the full width of the front of the lot, and the front lot line; provided that a building used solely as a parking attendant shelter, [or a building on an alley lot](#), shall not trigger this restriction;

[...]

Subtitle D – Chapter 51, R Zones Alley Lot Development Standards

CHAPTER 51 ALLEY LOT REGULATIONS FOR RESIDENTIAL HOUSE (R) ZONES

5100 GENERAL PROVISIONS

5100.1 The purposes of this section are to:

- (a) Facilitate the re-use of existing alley buildings and the use of vacant or underutilized lots;
- (b) Ensure that alley buildings are subordinate in scale and height to street-facing buildings;
- (c) Provide for smaller-scale housing and, where appropriate, smaller-scale and low-impact non-residential uses; and
- (d) Where appropriate, ensure the continuation of adequate levels of open space consistent with low-density zones.

5100.2~~1~~ The following development standards shall apply to buildings on Alley Record Lots in the R zones, and are intended to achieve the purposes of D § 5100.1. The other development standards of this Subtitle shall not apply except as noted.:

TABLE D § 5100.<u>2</u>1: ALLEY LOT DEVELOPMENT STANDARDS (R)	
<u>(a) Minimum Lot Area</u>	<u>As prescribed by the zone</u>
<u>(b) Maximum Height</u>	<u>229 ft. and 2 stories, including the penthouse</u>
<u>(c) Maximum Lot Occupancy – Any R-1 or R-2 zone</u>	
<u>Less than 3,000 sq. ft. of lot area</u>	<u>80%</u>
<u>Less than 5,000 sq. ft. of lot area but greater than or equal to 3,000 sq. ft. of lot area</u>	<u>60%</u>
<u>5,000 square feet or more</u>	<u>40%</u>
<u>(d) Maximum Lot Occupancy – Any R-3 zone</u>	
<u>Less than 1,800 sq. ft. of lot area</u>	<u>No maximum</u> N/A
<u>Between 1,800 and 2,000 sq. ft. of lot area</u>	<u>90%</u>
<u>Over 2,000 sq. ft. of lot area</u>	<u>80%</u>
<u>(e) Minimum Rear Yard – Any R-1 Zone</u>	<u>25 ft. from any lot line that is also the rear lot line of a street-facing lot;</u> <u>85 ft. from any other lot line of all abutting non-Alley Lots</u>

TABLE D § 5100.21: ALLEY LOT DEVELOPMENT STANDARDS (R)	
<u>(f)</u> <u>Minimum Rear Yard – All other R Zones</u>	<u>5 ft. from any portion of a lot line that abuts any non-Alley Lot;</u> <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(g)</u> Minimum Side Yard – <u>Any R-1 Zone</u>	<u>25 ft. from any lot line that is also the rear lot line of a street-facing lot;</u> <u>85 ft. from any other lot line of all abutting non-Alley Lots</u>
<u>(h)</u> <u>Minimum Side Yard – All other R Zones</u>	<u>5 ft. from any portion of a lot line that abuts any non-Alley Lot;</u> <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(i)</u> Minimum Alley Centerline Setback	7.5 ft. from the centerline of all abutting alleys
<u>(j)</u> Minimum Pervious Surface	10%

5100.32

Uses on Alley Lots shall be as permitted in Subtitle U, Chapter 6.

Subtitle D – Chapter 52, R Zones Relief to Development Standards

5201 SPECIAL EXCEPTION RELIEF FROM CERTAIN REQUIRED DEVELOPMENT STANDARDS

[...]

5201.3 For a new or enlarged ~~principal~~ building on an Alley Record Lot, the Board of Zoning Adjustment may grant relief from the following development standards as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

(a) Lot occupancy;

(b) Yards, including alley centerline setback; and

(c) Pervious surface.

Subtitle E – Chapter 51, RF Zones Alley Lot Development Standards

5100 GENERAL PROVISIONS

5100.1 The purposes of this section are to:

- (a) Facilitate the re-use of existing alley buildings and the use of vacant or underutilized lots;
- (b) Ensure that alley buildings are subordinate in scale and height to street-facing buildings; and
- (c) Provide for smaller-scale housing and, where appropriate, smaller-scale and low-impact non-residential uses.

5100.~~2~~1 The following development standards shall apply to buildings on Alley Record Lots in the RF zones, and are intended to achieve the purposes of E § 5100.1. The other development standards of this subtitle shall not apply.

TABLE E § 5100.2<u>1</u>: ALLEY LOT DEVELOPMENT STANDARDS (RF)	
<u>(a)</u> Minimum Lot Area	<u>As prescribed by the zone</u>
<u>(b)</u> Maximum Height	<u>220 ft. and 2 stories, including the penthouse</u>
<u>(c)</u> Maximum Lot Occupancy	
Less than 1,800 sq. ft. of lot area	<u>No maximum</u> N/A
<u>Less than 2,000 sq. ft. but greater than or equal to 1,800 sq. ft.</u> Between 1,800 and 2,000 sq. ft. of lot area	90%
<u>Over 2,000 sq. ft. of lot area or more</u>	80%
<u>(d)</u> Minimum Rear Yard	5 ft. from any <u>portion of a lot line that abuts any of all</u> abutting non-Alley Lots; <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(e)</u> Minimum Side Yard	5 ft. from any <u>portion of a lot line that abuts any of all</u> abutting non-Alley Lots; <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(f)</u> Minimum Alley Centerline Setback	7.5 ft. from the centerline of all abutting alleys
<u>(g)</u> Minimum Pervious Surface	10%

5100.~~3~~2 Uses on Alley Lots shall be as permitted in Subtitle U, Chapter 6.

Subtitle E – Chapter 52, RF Zones Relief to Development Standards

5201 SPECIAL EXCEPTION RELIEF FROM CERTAIN REQUIRED
DEVELOPMENT STANDARDS

[...]

5201.3 For a new or enlarged building on an Alley Record Lot, the Board of Zoning Adjustment may grant relief from the following development standards as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

(a) [Lot occupancy](#);

(b) _____ Yards, including alley centerline setback; and

(c) ~~b~~ Pervious surface.

Subtitle F – Chapter 51, RA Zones Alley Lot Development Standards

5100 GENERAL PROVISIONS

5100.1 The purposes of this section are to:

- (a) Facilitate the re-use of existing alley buildings and the use of vacant or underutilized lots;
- (b) Ensure that alley buildings are subsidiary in scale and height to street-facing buildings; and
- (c) Provide for smaller-scale housing and, where appropriate, smaller-scale and low-impact non-residential uses.

5100.2~~1~~ The following development standards shall apply to buildings on Alley Record Lots in RA zones, and are intended to achieve the purposes of F § 5100.1. The other development standards of this Subtitle shall not apply, unless noted otherwise below.~~;~~

TABLE F § 5100.1: ALLEY LOT DEVELOPMENT STANDARDS (RA)	
<u>(a)</u> Maximum Height	<u>22</u> 0 ft. and 2 stories, including the penthouse
<u>(b)</u> Lot Occupancy	
<u>Less than 1,800 sq. ft. of lot area</u>	<u>No maximum</u>
<u>Less than 2,000 sq. ft. but greater than or equal to 1,800 sq. ft. of lot area</u>	<u>90%</u>
<u>2,000 sq. ft. of lot area or more</u>	<u>80%</u>
<u>(c)</u> (b) Minimum Rear Yard	5 ft. from any <u>portion of a lot line that abuts any of all</u> <u>abutting non-Alley Lots;</u> <u>None required for that portion of the Alley Lot that does not</u> <u>abut a non-Alley Lot.</u>
<u>(d)</u> (c) Minimum Side Yard	5 ft. from any <u>portion of a lot line that abuts any of all</u> <u>abutting non-Alley Lots;</u> <u>None required for that portion of the Alley Lot that does not</u> <u>abut a non-Alley Lot.</u>
<u>(e)</u> (d) Minimum Alley Centerline Setback	7.5 ft. from the centerline of all abutting alleys
<u>(f)</u> (e) <u>Minimum Green Area Ratio</u> Minimum Pervious Surface	<u>As required by zone</u> 10%

5100.3~~2~~ Uses on Alley Lots shall be as permitted in Subtitle U, Chapter 6.

Subtitle F – Chapter 52, RA Zones Relief to Development Standards

5201 SPECIAL EXCEPTION RELIEF FROM CERTAIN REQUIRED
DEVELOPMENT STANDARDS

[...]

5201.3 For a new or enlarged ~~principal~~ building on an Alley Record Lot, the Board of Zoning Adjustment may grant relief from the following development standards as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

(a) Lot occupancy;

(b) Yards, including alley centerline setback; and

(c) Pervious surface.

Subtitle G – Chapter 51, MU Zones Alley Lot Development Standards

5100 GENERAL PROVISIONS

5100.1 The purposes of this section are to:

- (a) Facilitate the re-use of existing alley buildings and the use of vacant or underutilized lots;
- (b) Ensure that alley buildings are subsidiary in scale and height to street-facing buildings; and
- (c) Provide for smaller-scale housing and commercial uses.

5100.2~~1~~ The following development standards shall apply to buildings on Alley Record Lots in the MU zones, and are intended to achieve the purposes of G § 5100.1. The other development standards of this Subtitle shall not apply, unless noted otherwise below.:

TABLE G § 5100.<u>2</u>1: ALLEY LOT DEVELOPMENT STANDARDS (MU)	
<u>(a)</u> Maximum Height	
MU-6, MU-8, MU-9, MU-10, and MU-15 zones	30 ft. and 3 stories, including <u>thea penthouse-or-rooftop structure</u>
All other MU zones	<u>220</u> ft. and 2 stories, including the penthouse-or-rooftop structure
<u>(b)</u> Lot Occupancy	<u>No Maximum</u>
<u>(c)</u> b Minimum Rear Yard	5 ft. from any <u>portion of a lot line that abuts any of all abutting non-Alley Lots;</u> <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(d)</u> e Minimum Side Yard	5 ft. from any <u>portion of a lot line that abuts any of all abutting non-Alley Lots;</u> <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(e)</u> d Minimum Alley Centerline Setback	7.5 ft. from the centerline of all abutting alleys
<u>(f)</u> e Minimum Green Area Ratio	As required by zone

5100.3~~2~~ Uses on Alley Lots shall be as permitted in Subtitle U, Chapter 6.

Subtitle I – Section 210, D Zones Alley Lot Development Standards

210 ALLEY LOTS

210.1 The purposes of this section are to:

- (a) Facilitate the re-use of existing alley buildings and the use of vacant or underutilized lots;
- (b) Ensure that alley buildings are subsidiary in scale and height to street-facing buildings; and
- (c) Provide for smaller-scale housing and commercial uses.

210.2+ The following development standards shall apply to buildings on alley lots in D zones, and are intended to achieve the purposes of I § 210.1. The other development standards of this Subtitle shall not apply, unless noted otherwise below:

<u>TABLE I § 210.2: ALLEY LOT DEVELOPMENT STANDARDS (D)</u>	
<u>(a) Maximum Height</u>	<u>30 ft and 3 stories, including the penthouse</u>
<u>(b) Lot Occupancy Maximum</u>	<u>100%</u>
<u>(c) Minimum Rear Yard</u>	<u>5 ft. from any portion of a lot line that abuts any non-Alley Lot;</u> <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(d) Minimum Side Yard</u>	<u>5 ft. from any portion of a lot line that abuts any non-Alley Lot;</u> <u>None required for that portion of the Alley Lot that does not abut a non-Alley Lot.</u>
<u>(e) Minimum Alley Centerline Setback</u>	<u>7.5 ft. from the centerline of all abutting alleys</u>
<u>(f) Minimum Green Area Ratio</u>	<u>As required by zone</u>

~~(a) — A building or structure shall not exceed the lesser of thirty feet (30 ft.) or three (3) stories, including the penthouse, as measured from the ground level of a building wall fronting on an alley to which the alley building or structure is adjacent;~~

~~(b) — A building or structure on an alley lot shall be set back at least five feet (5 ft.) from any lot line of all abutting non-alley lots; and~~

~~(c) — A building or structure on an alley lot shall be setback at least seven and one-half feet (7.5 ft.) from the centerline of all alleys the alley lot abuts.~~

210.32 With the exception of residential uses, a building or structure on an alley lot shall

be subject to the same permissions, conditions, and restrictions as matter-of-right, special exception, and prohibited uses as the zone in which the alley lot is located.

210.43 Residential use is permitted, subject to the following conditions:

- (a) A building may not be constructed or converted to a single or multiple dwelling unit unless the lot is an Alley Record Lot and there is a minimum of four hundred and fifty square feet (450 sq. ft.) of lot area per unit; and
- (b) The Alley Lot has access to an improved public street ~~as follows:~~
 - ~~(1) Through an improved public alley or alleys with an alley width of not less than fifteen feet (15 ft.) twenty-four feet (24 ft.) at any point between the Alley Lot and the street; or~~
 - ~~(2) The public street is within three hundred (300) linear feet of the Alley Lot as measured along an improved public alley or alleys with an alley width of not less than fifteen feet (15 ft.) at any point.~~

~~210.4 The residential dwelling shall meet all building code requirements for a permanent residential structure.~~

210.5 If the Zoning Administrator or other authorized building official determines that the access from a proposed dwelling on an alley lot is insufficient to provide the intended public safety, hygiene, or other building code requirement, the application for the residential dwelling shall be referred to the Board of Zoning Adjustment for consideration as a special exception under Subtitle X, Chapter 9 with the following additional criteria:

- (a) The Office of Zoning shall refer the application to the following agencies for their review and recommendation:
 - (1) Department of Transportation (DDOT);
 - (2) Department of Public Works (DPW);
 - (3) Metropolitan Police Department (MPD);
 - (4) Fire and Emergency Medical Services Department (FEMS);
 - (5) DC Water (WASA);
 - (6) Department of Energy and the Environment (DOEE); and
 - (7) If a historic district or historic landmark is involved, the Historic Preservation Office (HPO); and

(b~~a~~) The Board of Zoning Adjustment determines, after considering relevant agency comments concerning water and sewer services, waste management, traffic and parking, and public safety relating to fire concerns, there is no adverse impact to the adjoining properties; and

(c~~b~~) The Board of Zoning Adjustment determines that adequate public utilities and safety can be provided for the residents of the proposed dwelling and adjoining buildings.

Subtitle J – Section 500, PDR Zones Alley Lot Development Standards

500 GENERAL PROVISIONS

500.1 The following development standards shall apply to buildings on Alley Record Lots in PDR zones. [The other development standards of this Subtitle shall not apply, unless noted otherwise below.:](#)

TABLE J § 500.1: ALLEY LOT DEVELOPMENT STANDARDS (PDR)	
(a) Maximum Height	
If the alley lot is located in a square with R or RF zoned properties	220 ft., including the penthouse
All other alley lots	30 ft., including the penthouse
(b) Maximum Lot Occupancy	No Maximum
(b) Minimum Rear Yard	5 ft. from any lot line of all abutting non-Alley Lots
(c) Minimum Side Yard	5 ft. from any lot line of all abutting non-Alley Lots
(d) Minimum Alley Centerline Setback	7.5 ft. from the centerline of all abutting alleys
(e) Transition setbacks	As stated for the zone
(e) Green Area Ratio	As stated for the zone

Subtitle U – Chapter 6, Alley Lot Use Permissions

600 MATTER-OF-RIGHT USES ON ALLEY LOTS (R, RF, AND RA)

600.1 The following uses shall be permitted as a matter-of- right on an alley lot in the R, RF, and RA zones subject to any applicable conditions:

- (a) Agricultural, both residential and large;
- (b) Artist studio inside a building, subject to the following conditions:
[...]
- (c) Camping by the owner of an alley lot on the alley lot in a tent, wagon, van, automobile, truck, or trailer, subject to the following conditions:
[...]
- (d) Community solar facility, subject to the following conditions:
[...]
- (e) Parking, subject to the following conditions:
[...]
- (f) Residential use, subject to the following limitations:

~~(1) The Alley Lot is not wholly or partially within any of the R-1 or R-2 zones;~~

~~(12)~~ A building may not be constructed as or converted to a dwelling unit unless the lot is an Alley Record Lot and there is a minimum of four hundred and fifty square feet (450 sq. ft.) of lot area;

~~(2)~~ In any R-1 zone, a residential use is permitted only on an alley lot existing as of [DATE], or an alley lot subdivided from an alley lot existing as of [DATE].

~~(33)~~ In any R zone, the use shall be limited to one (1) principal dwelling unit and one (1) accessory apartment per lot; The accessory apartments is-are not permitted subject to the conditions of U § 253 and the following lot area minimums;

<u>TABLE U § 600(f)(2): MINIMUM LOT AREA FOR MATTER OF RIGHT ACCESSORY APARTMENT ON AN ALLEY LOT</u>	
<u>Zone</u>	<u>Lot Area Minimum (sq. ft.)</u>
<u>Any R-1A zone</u>	<u>7,500</u>
<u>Any R-1B zone</u>	<u>5,000</u>
<u>Any R-2 zone</u>	<u>3,000</u>
<u>Any R-3 zone</u>	<u>2,000</u>

(4) In any RF zone, the use shall be limited to one principal unit, except that two principal units shall be permitted on lots that have 1,800 square feet of lot area or more;

(5) In any RA zone, the use shall be limited to two principal units;

(64) The Alley Lot has access to an improved public street as follows:

(A) Through an improved public alley or alleys with an alley width of not less than fifteen ~~twenty-four~~ feet (15~~24~~ ft.) at any point between the lot and the public street; or

(B) The public street is within three hundred (300) linear feet of the Alley Lot as measured along an improved public alley no or alleys with an alley width of not less than fifteen feet (15 ft.) at any point; and

(75) AThe dwelling unit may also contain a parking garage for use by residents of the dwelling.

(g) Short-Term Rental as an accessory use to a principal residential use.

(h) Home occupations, pursuant to U § 251.

601 SPECIAL EXCEPTION USES ON ALLEY LOTS (R, RF, AND RA)

601.1 The following uses shall be permitted on an Alley Lot in the R, RF, and RA zones, as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to any specific provisions of each section:

(a) [RESERVED]

(b) Artist studio not meeting the criteria of Subtitle U § 600.1(b), subject to the following conditions:
 [...]

(c) No camp or any temporary place of abode [...], unless approved as a special exception subject to the following conditions:

[...]

- (d) Community solar facility not meeting the requirements of Subtitle U § 600.1(d), subject to the following:
[...]
- (e) Parking uses not meeting the criteria of Subtitle U § 600.1(e), subject to the following conditions:
[...]
- (f) Residential use not meeting the criteria of Subtitle U § 600.1(f), subject to the following conditions:

~~(1) The Alley Lot is not wholly or partially within any of the R-1 or R-2 zones;~~

(12) A building may not be constructed or converted for a dwelling unit unless the lot is an Alley Record Lot and there is a minimum of four hundred and fifty square feet (450 sq. ft.) of lot area;

(2) In any R-1 zone, a residential use is permitted only on an alley lot existing as of [DATE], or an alley lot subdivided from an alley lot existing as of [DATE].

(3) In any R zone, the use shall be limited to a maximum of one (1) principal dwelling unit and one (1) accessory apartment per lot; The accessory apartment is subject to the conditions of U § 253;

(43) In any RF or RA zone, the use shall be limited to a maximum of two (2) principal dwelling units per lot; accessory apartments are not permitted;

(54) The Alley Lot connects to an improved public street through an improved alley or system of alleys that provides adequate public safety and infrastructure availability;

(65) The Office of Zoning shall refer to the following agencies for their review and recommendation, if filed to the case record within the forty (40) day period established by Subtitle A § 211:

(A) Department of Transportation (DDOT);

(B) Department of Public Works (DPW);

(C) Metropolitan Police Department (MPD);

(D) Fire and Emergency Medical Services Department (FEMS);

(E) DC Water (WASA);

(F) [Department of Energy and the Environment \(DOEE\)](#); and

(~~GF~~) If a historic district or historic landmark is involved, the Historic Preservation Office (HPO); and

(~~76~~) The Board of Zoning Adjustment shall consider relevant agency comments concerning:

(A) Public safety;

(B) Water and sewer services;

(C) Waste management;

(D) Traffic and parking;

(E) Historic preservation; and

(g) Storage of wares or goods on an Alley Lot provided that the use shall be limited to the following:

[...]

602 USES ON ALLEY LOTS IN THE NONRESIDENTIAL ZONES

602.1 Any matter-of-right use permitted within a zone in which an alley lot is located other than an R, RA, or RF zone shall be permitted as a matter of right use on the alley lot, subject to the same conditions or limitations.

602.2 Any special exception use permitted within the zone in which the alley lot is located shall be permitted as a special exception use on the alley lot, subject to the same conditions or limitations.

602.3 Any use not permitted within the zone in which the alley lot is located shall not be permitted on the alley lot, subject to any conditions or limitations.

602.4 Any use permitted as a matter of right pursuant to Subtitle U § 602.1 that does not comply with the required conditions for the matter-of-right use may apply for permission as a special exception.