

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JS*
Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: June 30, 2025

SUBJECT: ZC 25-XX: Preliminary and Pre-hearing Report; Text Amendment to the Zoning Regulations: Subtitle D, Sections 207.3, 207.4 and 207.5 and Subtitle E, Sections 207.3, 207.4 and 207.5

The Office of Planning recommends the Zoning Commission set down the text amendments in Attachment 1 for a public hearing.

The proposed text amendments would do the following:

- Increase the matter-of-right rear addition standard for semi-detached and row buildings in the R and RF zones from ten (10) feet to sixteen (16) feet as a matter of right;
- Allow for additions of more than 16 feet as a special exception; and
- Add special exception language.

Because rowhouse and semi-detached lots are typically narrow, historically ranging between 15 to 25 feet in width, additions are predominately added to the rear of the property. The intent of this provision is to recognize the tight relationship between residential buildings that are attached as row or semi-detached buildings in the R, Residential and RF, Residential Flat zones, to allow for property owners to make additions to their property as a matter of right, and to maintain a reasonable level of light and privacy for adjoining back yards.

The maximum permitted lot occupancy and minimum rear yard requirements will continue to be applicable to all property and will regulate the overall development of a lot; the proposed 16-foot rear addition standard cannot be used to encroach into a required rear yard or to exceed lot occupancy as a matter of right.

If set down for a public hearing, OP requests flexibility to work with the Office of Zoning Legal Division on the draft language for the public hearing notice.

This report also serves as the prehearing report required by Subtitle Z § 501.

BACKGROUND

The recommendations of this case have evolved from the interaction of regulations and policies including case ZC 14-11 which regulated the conversion of rowhouses to apartments in the RF-Rowhouse zones, the adoption of the 2016 zoning regulations, the 2019 Mayoral Order on housing, the 2021 Comprehensive Plan, and the experience of cases before the Board of Zoning Adjustment (BZA).

- The ten-foot rear addition limitation (aka “10-foot rule”) evolved within the context of case ZC 14-11. Case ZC 14-11 regulated the conversion of rowhouses to apartments in the RF-Rowhouse zones. Because of the narrowness of rowhouse lots and the immediate adjacency of the buildings to their neighbors there was concern about the potential impact of rear additions on adjoining yards. The case was expanded to include a ten-foot limitation on matter-of-right rear additions to row and semi-detached buildings through Case 14-11B in 2017.
- In 2016 the Zoning Commission adopted new zoning regulations (“ZR16”). During the adoption of ZR16 the Zoning Commission directed staff to monitor the newly adopted regulations for potential issues with the development review process and administration.
- In 2019 the Mayor issued a Mayoral Order requiring agencies to review procedures and regulations and look for ways to reduce barriers to housing.
- In 2021 the Comprehensive Plan was updated and the Housing Element called for the removal of regulatory obstacles (H-1.5.E), the provision of “appropriate flexibility in zoning rules” for universal design for handicap residents (H- 4.3.A) and opportunities for older adults to age in place (H- 4.3.2). The Community Services and Facilities Element called for efforts to maximize “independence for older adults and persons with disabilities.”
- In reviewing the BZA cases, the BZA asked for clarity on the measuring point.

The intent of the proposed text amendments is to do the following:

- Provide clarity for measuring an addition;
- Make the process easier for a homeowner to construct a rear addition with minimal impact on the adjoining property; and
- Accommodate additions that are responsive to the universal design standards.

COMPREHENSIVE PLAN

Five sections of the Comprehensive Plan Housing and Community Services and Facilities elements speak directly to the issues of aging in place and universal design that would be furthered by these text amendments.

Chapter 5 - Housing Element

Action H- 4.3.A: Incentives for Accessible Units

Create financial incentives or *provide appropriate flexibility in zoning rules* and public space regulations for homeowners and landlords to retrofit units to make them accessible to older adults and persons with disabilities. Encourage the production of units that are visitable, ADA-accessible, or universally designed in new housing construction. 518.16

Policy H-4.3.2: Housing Choice for Older Adults

Provide a wide variety of affordable housing choices for the District's older adults that enable them to age in their neighborhoods either *by supporting their ability to remain in their homes or by providing new opportunities within multi-unit buildings that include Universal Design* and intergenerational options. Take into account the income range and health care needs of this population. Recognize the coming growth in the older adult population so that the production and rehabilitation of affordable housing for older adults *meets Universal Design standards and becomes a major District priority*. Acknowledge and support the establishment of senior villages and wellness centers throughout Washington, DC that allow older adults to remain in their homes and/or communities and age in place. 518.11

Policy H-4.3.4: Housing for Persons with Disabilities

Work toward a target of designing 12 percent of the new housing units added to the District's stock over the next 20 years specifically to meet the accessibility needs of persons with disabilities through Universal Design. These units should be spread evenly across affordability brackets. Facilitate and promote broader visitability standards in new construction and major renovations that enable people who have trouble with steps or who use wheelchairs or walkers to participate socially and reduce their isolation. 518.13

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

Chapter 11 - Community Services and Facilities Element

Policy CSF-2.3.3: Coordination to Better Serve Older Adults and Residents With Disabilities

Design and coordinate health, housing, and human services to foster the maximum degree of independence for older adults and persons with disabilities. 1108.16

Universal Design Standards

OP reviewed universal design standards for residential construction. Although not every addition is for a bedroom OP used the bedroom standards as a point of reference for understanding the universal design standards. The minimum recommended dimensions are based on a five-foot turning radius and a three-foot clear way around a bed for wheelchair mobility. Using the dimensions for a queen-sized bed and allowing two feet for the depth of furniture, the average bedroom is recommended to be 16.5 feet by 15.5 feet¹ and an universal bathroom to be 7 feet by 8 feet. The proposed 16-foot standard not only recognizes universal design but is expected to significantly reduce the number of projects that are required to go before the Board of Zoning Adjustment.

¹ Home Modification Occupational Therapy Alliance

Board of Zoning Adjustment Cases

Since these new regulations limiting rear additions went into effect, the Office of Planning has been tracking applications requesting relief from the regulations. Since 2016 there have been 62 cases before the BZA in all wards.

Length of Addition	Number of Cases
Between 10 and 16 feet	16
More than 16, up to and including 20 feet	10
More than 20 feet	10

Based on a review of 36 cases over the past three years, 16 of the additions were 16 feet or less. This amendment would have reduced the number of projects that needed relief by 44%, allowing property owners to more easily expand their homes consistent with universal design standards and save the time and money of a BZA review. All of the cases have been approved and all had support from the ANC and were recommended for approval by OP.

Racial Equity Tool Part 2 - Community Outreach and Engagement

On June 24 and June 26, 2025, OP held two virtual open houses for ANC members. The purpose of the meetings was to give advance awareness of the text amendment, solicit early feedback and answer any questions about the proposed zoning. Only two ANC members provided comments at the open house, one who did not support any change to the matter of right standard and another who thought six additional feet did not seem unreasonable.

OP also launched a project webpage through the Office of Planning website that provides an overview of the proposal, meeting recordings and the OP reports. A project-specific email address was also established, rearadditions@dc.gov, for members of the public to submit questions or comments about the proposal directly to OP.

Disaggregated Equity Data

The proposed text amendments will have a citywide impact and will not directly impact any specific planning area or population group. In terms of reasonable accommodation, the racial equity impacts of these amendments would be neutral. There is no specific data as to whether the BZA cases are for seniors wishing to age in place, disabled individuals wishing to modify their home for accommodation or for families desiring more space.

The provision of disaggregated race and ethnicity data regarding population, age and disability available in the Racial Equity Analysis Tool show that the disabled population is relatively steady between the populations. The data does not provide a correlation between these population groups and housing type.

On a national level the Population Reference Bureau, a nonpartisan, not-for-profit research organization focused on improving people's health and well-being, reports the following about the aging population.

The number of Americans ages 65 and older is projected to increase from 58 million in 2022 to 82 million by 2050 (a 47% increase), and the 65-and-older age group’s share of the total population is projected to rise from 17% to 23%.²

The disaggregated data for the District of Columbia show that the age group has increased over the last two ACS periods for all racial groups and in the District as a whole it as increased by 14.5%.

The older population is becoming more racially and ethnically diverse. Between 2022 and 2050 the share of the older population that identifies as non-Hispanic white is projected to drop from 75% to 60%³

The disaggregated data for the District of Columbia show that over the last two ACS periods the population has increased by 2.3% and the non-Hispanic white population has decreased by 1.1%.

More older adults can meet their daily care needs. Older adults are functioning better on their own, and a shrinking share are living in nursing homes and assisted living settings than a decade ago. Home modifications and assistive devices such as walkers have helped older Americans maintain their independence.⁴

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. Table1 below shows the disaggregated data by race for population by age and disability for the entire District. The table shows that over the last nine years the Black and Pacific Islander populations show a decrease in the percent of population with a disability but overall the Black population still has the highest percent of population with a disability.

Data is from the 2012-2016 and the 2019-2023 American Community Surveys (ACS), disaggregated by race where available.

TABLE 1	DISABILITY STATUS (Civilian noninstitutionalized population)	ACS District Total 2012-2016	ACS District Total 2019-2023	% Change
District Total	Total	648,263	663,014	
	Total pop with a disability	73,230	72,611	-0.8
	Percent with a disability	11.3	11.0	
	Under 18 years	114,429	125,405	9.6
	With a disability	5,195	5,680	
	18 to 64 years	461,142	454,382	
	With a disability	43,159	40,038	
	65 years and over	72,692	83,227	14.5
	With a disability	24,876	26,893	

² www.census.gov/data/tables/2023/

³ Richard Alba, “What Majority-Minority Society? A Critical Analysis of the Census Bureau’s Projections of America’s Demographic Future,” *Socius* 4, no. 1 (2018).

⁴ Vicki A. Freedman, Jennifer C. Cornman, and Judith D. Kasper, [National Health and Aging Trends Study: Trends Dashboards](#) (2021).

White alone	Total	262,215	259,358	
	Total pop with a disability	13,440	14,605	8.7
	Percent with a disability	5.1	5.6	
	Under 18 years	29,403	30,703	4.4
	With a disability	533	392	
	18 to 64 years	206,602	197,801	
	With a disability	7,089	7,834	
	65 years and over	26,210	30,854	17.7
	With a disability	5,818	6,379	
Black or African American alone	Total	312,180	285,982	
	Total pop with a disability	55,538	48,214	-13.2
	Percent with a disability	17.8	16.9	
	Under 18 years	68,361	64,490	-5.7
	With a disability	4,250	3,727	
	18 to 64 years	200,930	176,949	
	With a disability	33,427	26,203	
	65 years and over	42,889	44,543	3.8
	With a disability	17,861	18,284	
American Indian and Alaska Native alone	Total	2,156	2,044	
	Total pop with a disability	303	409	34.9
	Percent with a disability	14.1	20.0	
	Under 18 years	270	239	-11.5
	With a disability	8	11	
	18 to 64 years	1,569	1,322	
	With a disability	194	317	
	65 years and over	317	483	52.4
	With a disability	101	81	
Asian alone	Total	23,897	27,176	
	Total pop with a disability	1,246	1,271	2.0
	Percent with a disability	5.2	4.7	
	Under 18 years	2,043	2,286	11.9
	With a disability	10	65	
	18 to 64 years	20,308	22,653	
	With a disability	711	814	
	65 years and over	1,546	2,228	44.1
	With a disability	525	392	
Native Hawaiian and Other Pacific Islander-50	Total	271	368	
	Total pop with a disability	22	28	27.3
	Percent with a disability	8.1	7.6	
	Under 18 years	0	34	n/a
	With a disability	0	0	
	18 to 64 years	262	306	
	With a disability	22	28	
	65 years and over	9	28	211.1

	With a disability	0	0	
Some Other Race Alone	Total	29,489	32,143	
	Total pop with a disability	1,392	2,507	80.1
	Percent with a disability	4.7	7.8	
	Under 18 years	8,376	11,218	33.9
	With a disability	204	849	
	18 to 64 years	20,247	19,601	
	With a disability	925	1,365	
	65 years and over	866	1,324	52.9
	With a disability	263	293	
Two or More Races	Total	18,055	55,952	
	Total pop with a disability	1,289	5,577	332.7
	Percent with a disability	7.1	10.0	
	Under 18 years	5,976	16,435	175.0
	With a disability	190	636	
	18 to 64 years	11,224	35,750	
	With a disability	791	3,477	
	65 years and over	855	3,767	340.6
	With a disability	308	1,464	
Hispanic or Latino (Hispanics can be of any race and are included in race categories above)	Total	68,513	77,177	
	Total pop with a disability	3,874	6,332	63.4
	Percent with a disability	5.7	8.2	
	Under 18 years	17,527	21,660	23.6
	With a disability	317	1,203	
	18 to 64 years	47,387	50,458	
	With a disability	2,271	3,174	
	65 years and over	3,599	5,059	40.6
	With a disability	1,286	1,955	

There is no direct impact or clear intersectionality between the data, the BZA cases and the proposed amendments. However, one could extrapolate that as the older population becomes more racially and ethnically diverse and stays in their homes longer, they could benefit from these amendments. The same could be the surmised about the population with disabilities.

Criteria to Evaluate a Zoning Action through a Racial Equity Lens

When considering Comprehensive Plan policies related to racial equity, the anticipated positive and negative impacts and/or outcomes of the zoning action should be assessed. The amendments proposed as part of this case would reduce regulatory restrictions to desired additions to residential buildings. They would reduce the number of BZA cases requiring expensive and time-consuming applications, provide benefit to homeowners, while reducing the burden on ANC's and the BZA.

Factor	Question	OP Response
Direct Displacement	Will the zoning action result in displacement of tenants or residents?	The proposed amendment would not result in any displacement of residents
Indirect Displacement	What examples of indirect displacement might result from the zoning action?	The proposed amendment would not result in any indirect displacement of residents
Housing	Will the action result in changes to: <ul style="list-style-type: none"> ▪ Market Rate Housing ▪ Affordable Housing ▪ Replacement Housing 	The proposals are intended to remove barriers to the reasonable provision of home additions, including ones to accommodate Universal design and expand the opportunities to age in place; the proposals would not likely have a significant impact on the overall housing market.
Physical	Will the action result in changes to the physical environment such as: <ul style="list-style-type: none"> ▪ Public Space Improvements ▪ Urban Design Improvements 	The proposal would not likely result in significant changes to public space or urban design as the text would only affect additions to the rear of properties.
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 	The proposed amendments would not result in any significant new access to jobs, healthcare, retail or services.

Illustrations of the Proposal

The images below represent interpretation of the proposed changes to the regulations. Image 1 shows the initial provisions established in the 1958 zoning regulations where a rear addition was limited only by lot occupancy and rear yard.

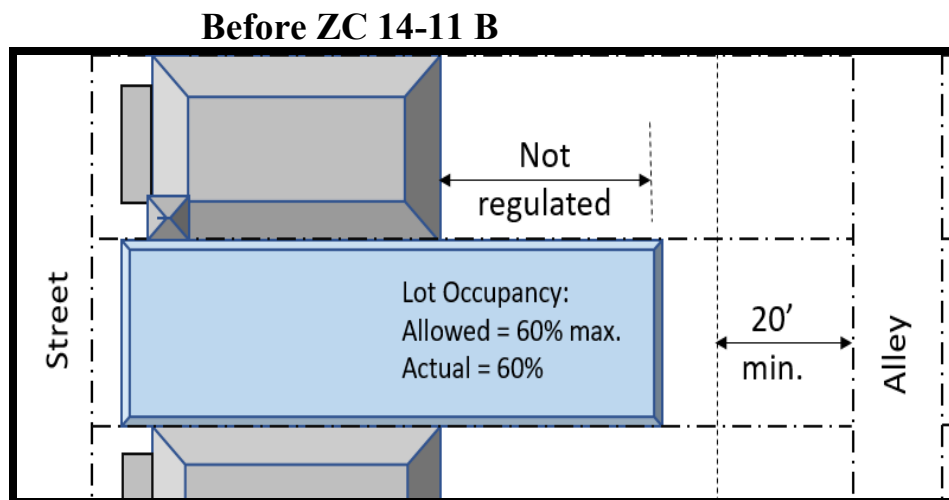


Image 2 shows the current requirement of a matter of right limitation of 10 feet with additional depth allowed by special exception. The addition does not encroach into the required rear yard or exceed the maximum lot occupancy.

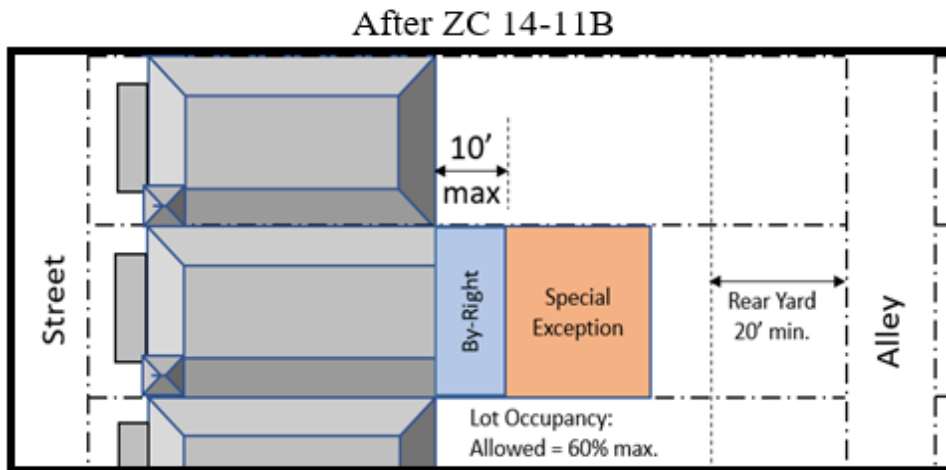


Image 2

Images 3 and 4 below show the proposed matter of right limitation of 16 feet with additional depth by special exception. Image 3 shows a scenario where the rear façade of adjoining buildings are the same. The proposed addition would be allowed to extend 16 feet as a matter of right and further only by special exception. The proposed addition would not encroach into the required rear yard or exceed the maximum lot occupancy.

Proposed

Image 3: MoR =16 feet, Sp Ex beyond 16 feet

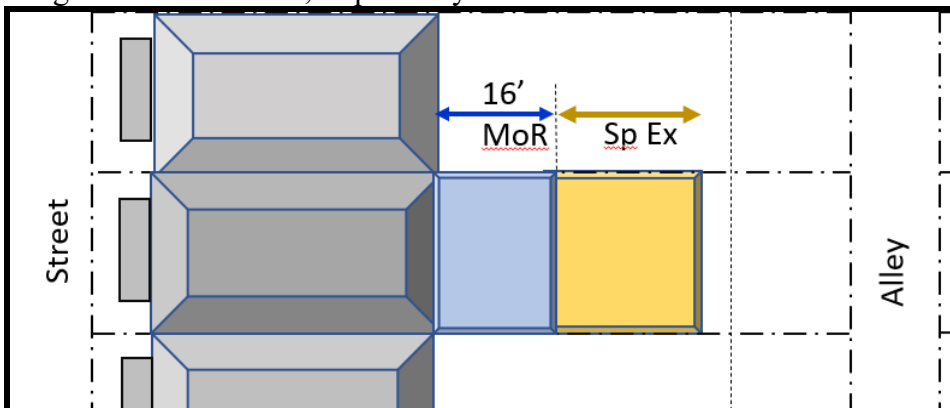


Image 4 shows a scenario where the rear façades of adjoining buildings are different, and the existing building already extends more than 16 beyond either adjoining rear façade. A proposed addition of any size could only be permitted by special exception in this scenario.

Image 4: MoR = 0 feet, Sp Ex beyond 16 feet

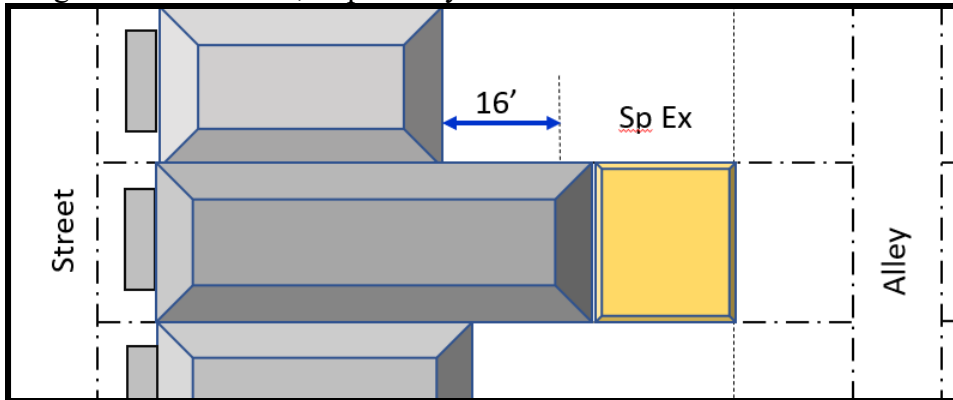
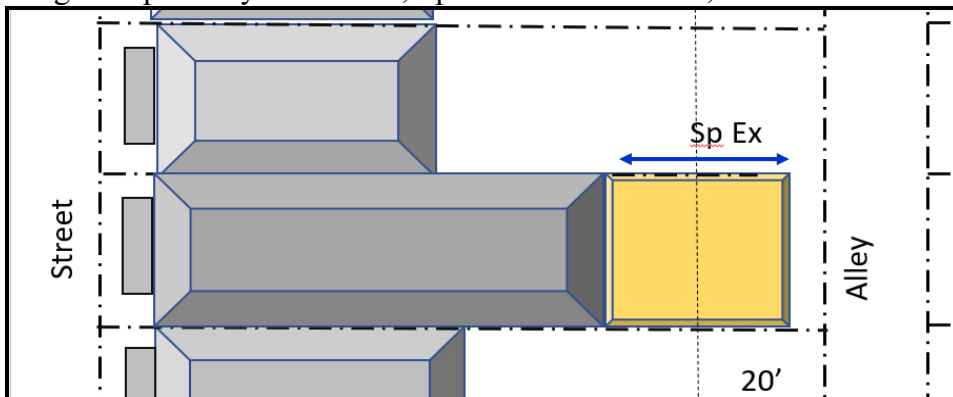


Image 5 shows a scenario where the existing building already extends more than 16 beyond either adjoining rear façade and a proposed addition would extend into the required rear yard and exceed 70% lot occupancy. In this scenario the proposed addition would require 1) special exception relief to be constructed beyond 16 feet, 2) special exception relief to extend into the rear yard and 3) a variance to exceed 70% lot occupancy.

Image 5: Sp Ex beyond 16 feet; Sp Ex from Rear Yard; Variance to Lot Occupancy



PROPOSED TEXT

The Office of Planning and the Office of the Zoning Administrator in the Department of Buildings have worked together on this text.

Amend Subtitle D RESIDENTIAL HOUSE (R) ZONES, Chapter 2 GENERAL DEVELOPMENT STANDARDS FOR RESIDENTIAL HOUSE (R) ZONES, Sections 207.3, 207.4 and 207.5 to read as follows:

- 207.3 **Except as limited by Subtitle D §207.4, ~~in~~ in** the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.
- 207.4 ~~Notwithstanding Subtitle D §§ 207.1 through 207.3, a~~ **A rear building facade wall** of a row or semi-detached building shall not be constructed to extend farther than ~~ten feet (10 ft.)~~ **sixteen feet (16 ft.)** beyond the farthest rear ~~building facade wall~~ **building facade wall** of any adjoining principal residential building on any adjacent property, **whichever building façade is more restrictive, and subject to the following:**
- (a) **If a building or addition is proposed to have more than one story, each story must comply with Subtitle D § 207.4 as measured against the farthest rear building facade, extended as a vertical plane, of any adjoining principal residential building on any adjacent property, whichever building façade is more restrictive; and**
- (b) **For the purposes of Subtitle D § 207.4, the farthest rear building façade means the rear building façade farthest from the front lot line that is enclosing conditioned building area.**
- 207.5 ~~A rear wall of a row or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on any adjacent property if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9 and subject to Subtitle E § 5201 if applicable.~~ **The Board of Zoning Adjustment may grant relief from the requirements of Subtitle D § 207.4 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:**
- (a) **The proposed construction shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:**
- (1) **The light and air available to neighboring properties shall not be unduly affected;**
- (2) **The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and**
- (b) **In demonstrating compliance with paragraph (a), the applicant shall use graphical representations such as plans, photographs, or elevation and**

section drawings sufficient to represent the relationship of the proposed construction to adjacent buildings and views from public ways; and

- (c) The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior lighting, building materials, or other features for the protection of adjacent or nearby properties, or to maintain the general character of a block.**

Amend Subtitle E RESIDENTIAL FLAT (RF) ZONES, Chapter 2 GENERAL DEVELOPMENT STANDARDS FOR RESIDENTIAL FLAT (RF) ZONES, Sections 207.3, 207.4 and 207.5 to read as follows:

207.3 **Except as limited by Subtitle E §207.4, in** the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.

207.4 ~~Notwithstanding Subtitle D §§ 207.1 through 207.3, a~~ **A rear building facade wall** of a row or semi-detached building shall not be constructed to extend farther than ~~ten feet (10 ft.)~~ **sixteen feet (16 ft.)** beyond the farthest rear ~~building facade wall~~ **building facade wall** of any adjoining principal residential building on any adjacent property, **whichever building façade is more restrictive, and subject to the following:**

(a) If a building or addition is proposed to have more than one story, each story must comply with Subtitle E § 207.4 as measured against the farthest rear building facade, extended as a vertical plane, of any adjoining principal residential building on any adjacent property, whichever building façade is more restrictive; and

(b) For the purposes of Subtitle E § 207.4, the farthest rear building façade means the rear building façade farthest from the front lot line that is enclosing conditioned building area.

207.5 ~~A rear wall of a row or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on any adjacent property if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9 and subject to Subtitle E § 5201 if applicable.~~
The Board of Zoning Adjustment may grant relief from the requirements of Subtitle E § 207.4 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:

(a) The proposed construction shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

(1) The light and air available to neighboring properties shall not be unduly affected;

(2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and

- (b) In demonstrating compliance with paragraph (a), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed construction to adjacent buildings and views from public ways; and**
- (c) The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior lighting, building materials, or other features for the protection of adjacent or nearby properties, or to maintain the general character of a block.**