

## **2203 LOCATION OF LOADING BERTHS, LOADING PLATFORMS, AND SERVICE/DELIVERY LOADING SPACES**

2203.1 Except as provided in this section, all required loading berths and service/delivery loading spaces shall be located as follows:

- (a) Within the building or structure the berths or spaces are designed to serve; or
- (b) On an open area of the lot:
  - (1) Within a rear yard;
  - (2) Within a side yard; provided, that in a Residence or Special Purpose District, the loading berths and service/delivery loading spaces shall be at least three feet (3 ft.) from any side lot line; or
  - (3) Elsewhere on the lot, only when located in Commercial and Industrial Districts.

2203.2 All loading platforms shall be located contiguous and with unobstructed access to the loading berth and shall have unobstructed access to an entrance to the building or structure.

2203.3 All loading berths shall be designed so that no vehicle or any part thereof shall project over any lot line or building line.

2203.4 Required loading berths may be provided in facilities designed to serve jointly two (2) or more adjoining buildings or structures on lots separated only by an alley within a single square; provided:

- (a) The number of berths in the joint facilities shall not be less than that required for the total combined floor area of the buildings or structures in § 2201; and
- (b) A binding covenant that is acceptable to the Zoning Administrator, ensuring the joint use of the loading berths and entered into by all property owners concerned, shall be recorded in the land records of the District of Columbia. A certified true copy of the covenant shall be filed with the Zoning Administrator. Joint use of the loading berths by all parties involved shall continue in effect so long as the binding agreement remains in force. If the agreement becomes legally ineffective or inoperable, then loading berths shall be provided as otherwise required by § 2201.

SOURCE: Final Rulemaking published at 31 DCR 6585, 6611 (December 28, 1984); as amended by Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8508 (October 20, 2000).

## **2503 STRUCTURES IN REQUIRED OPEN SPACES**

- 2503.1 Except for the structures and exceptions specified in this section, every part of a yard required under this title shall be open and unobstructed to the sky from the ground up.
- 2503.2 A structure, not including a building no part of which is more than four feet (4 ft.) above the grade at any point, may occupy any yard required under the provisions of this title. Any railing required by the D.C. Construction Code, Title 12 DCMR, shall not be calculated in the measurement of this height.
- 2503.3 A fence or retaining wall constructed in accordance with the D.C. Construction Code may occupy any yard required under the provisions of *this title*.
- 2503.4 Stairs leading to the ground from a door located on the story in which the principal entrance of a building is located may occupy any yard required under provisions of this title. The stairs shall include any railing required by the provisions of the D.C. Construction Code.
- 2503.5 [DELETED]

SOURCE: § 7602.2 of the Zoning Regulations (April 1981); as amended by: Final Rulemaking published at 27 DCR 2226, 2228 (May 23, 1980); Final Rulemaking published at 36 DCR 1509, 1522 (February 24, 1989); Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8526 (October 20, 2000); as amended by Final Rulemaking published at 55 DCR 34 (January 4, 2008).

## 404 REAR YARDS (R)

404.1 A rear yard shall be provided for each structure located in a Residence District, the minimum depth of which shall be as set forth in the following table:

<b>ZONE DISTRICT</b>	<b>MINIMUM DEPTH OF REAR YARD</b>
R-1-A, R-1-B	25 feet
R-2, R-3, R-4, R-5-A	20 feet
R-5-B, R-5-C, R-5-D	4 inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 15 feet.
R-5-E	3 inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet.

404.2 In the case of a through lot or a corner lot abutting three (3) or more streets, the depth of rear yard may be measured from the center line of the street abutting the lot at the rear of the structure.

404.3 In the case of a lot proposed to be used by a public library, public school or a public recreation and community center that abuts or adjoins along the rear lot line a public open space, recreation area, or reservation, the required rear yard may be reduced or omitted.

404.4 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.

SOURCE: § 3304 of the Zoning Regulations, effective May 12, 1958; as amended by Final Rulemaking published at 39 DCR 8305, 8307 (November 13, 1992); Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8368-69 (October 20, 2000); as amended by Final Rulemaking published at 50 DCR 10137 (November 28, 2003); as amended by Final Rulemaking and Order No. 09-17A published at 57 DCR 1898 (March 5, 2010).

**413 RETAINING WALLS**

413.1 In R-1, R-2, R-3, and R-4 Districts a retaining wall may be erected in accordance with the requirements of this section.

413.2 The height of a retaining wall shall be determined as follows:

- (a) The height of a retaining wall is the vertical distance measured from the natural grade at the base of the wall to the top of the wall;
- (b) When the height of a retaining wall varies, the height shall be measured at the highest point of the wall, from the natural grade at the base of the wall at that point; and
- (c) Berms or other similar forms of intermittent terrain elevation shall not be included in measuring retaining wall height.

413.3 Subject to the height limitations of § 413.4 through 413.7, the maximum height of a retaining wall shall be six feet (6 ft.).

413.4 A retaining wall shall not exceed four feet (4 ft.) in height in the following locations, unless a lower height is required by § 413.5 and 413.6:

- (a) Along a street frontage or property line;
- (b) Within any required side yard;
- (c) In the R-1 Districts, within twenty-five feet (25 ft.) of the rear property line, as measured from the rear property line inward; and
- (d) In the R-2, R-3, and R-4 Districts, within twenty feet (20 ft.) of the rear property line, as measured from the rear property line inward.

413.5 A retaining wall located along a street frontage on a block with adjacent existing retaining walls shall not be greater in height than the tallest adjacent existing retaining walls up to the maximum height of four feet (4 ft.).

413.6 A retaining wall located on any area between a property line and a building line shall not exceed a maximum height of forty-two inches (42 in.).

413.7 A retaining wall abutting an improved alley in the R-3 or R-4 Districts shall not exceed a maximum height of twelve feet (12 ft.).

413.8 Retaining walls may be tiered or terraced provided that the width of the area between each retaining wall is at least twice the height of the lower retaining wall.

The area between each wall shall be pervious and may not be paved or otherwise covered with impervious materials.

- 413.9 Retaining walls not meeting the requirements of this section, may be approved by the Board of Zoning Adjustment as a special exception pursuant to § 3104.1. In addition to meeting the general conditions for being granted a special exception as set forth in that subsection, the applicant must demonstrate that conditions relating to the building, terrain, or surrounding area would to make full compliance unduly restrictive, prohibitively costly, or unreasonable.

SOURCE: Final Rulemaking published at 61 DCR 5981 (June 13, 2014).

**305 REAR YARD**

305.1 A minimum rear yard shall be established for lots in the RA-1, RA-2, RA 3, RA-4 and RA-5 zones as set forth in the following table:

**TABLE F § 305.1: MINIMUM REAR YARD**

<b>Zone</b>	<b>Minimum Rear Yard</b>
RA-1	20 ft.
RA-2	A distance equal to 4 in. per 1 ft. of principal building height but not less than 15 ft.
RA-3	A distance equal to 4 in. per 1 ft. of principal building height but not less than 15 ft.
RA-4	A distance equal to 4 in. per 1 ft. of principal building height but not less than 15 ft.
RA-5	A distance equal to 3 in. per 1 ft. of principal building height but not less than 12 ft.

305.2 In the case of a through lot or a corner lot abutting three (3) or more streets, the depth of a rear yard may be measured from the center line of the street abutting the lot at the rear of the structure.

305.3 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.

SOURCE: Final Rulemaking published at 63 DCR 2447, 2915 (March 4, 2016 – Part 2); as amended by Final Rulemaking published at 63 DCR 10620 (August 19, 2016).