

Diagrams Presented by Lindsley Williams to the DC Zoning Commission April 5, 2007
Zoning Commission Cases 06-47 and 07-03

Base Zoning in the District of Columbia (circa 2006) Focusing on R-4 and R-5-A zones

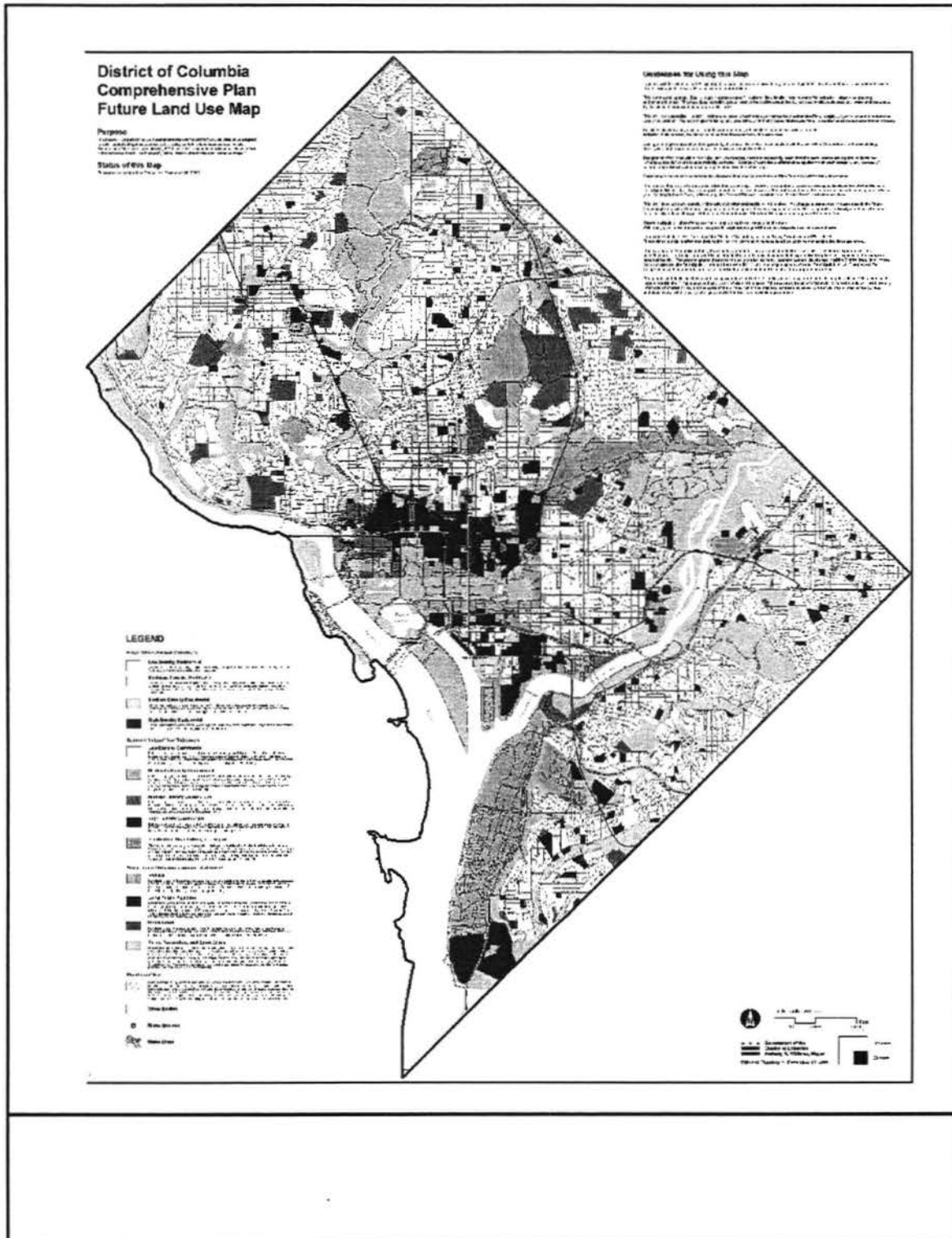


CASE NO. 07-03

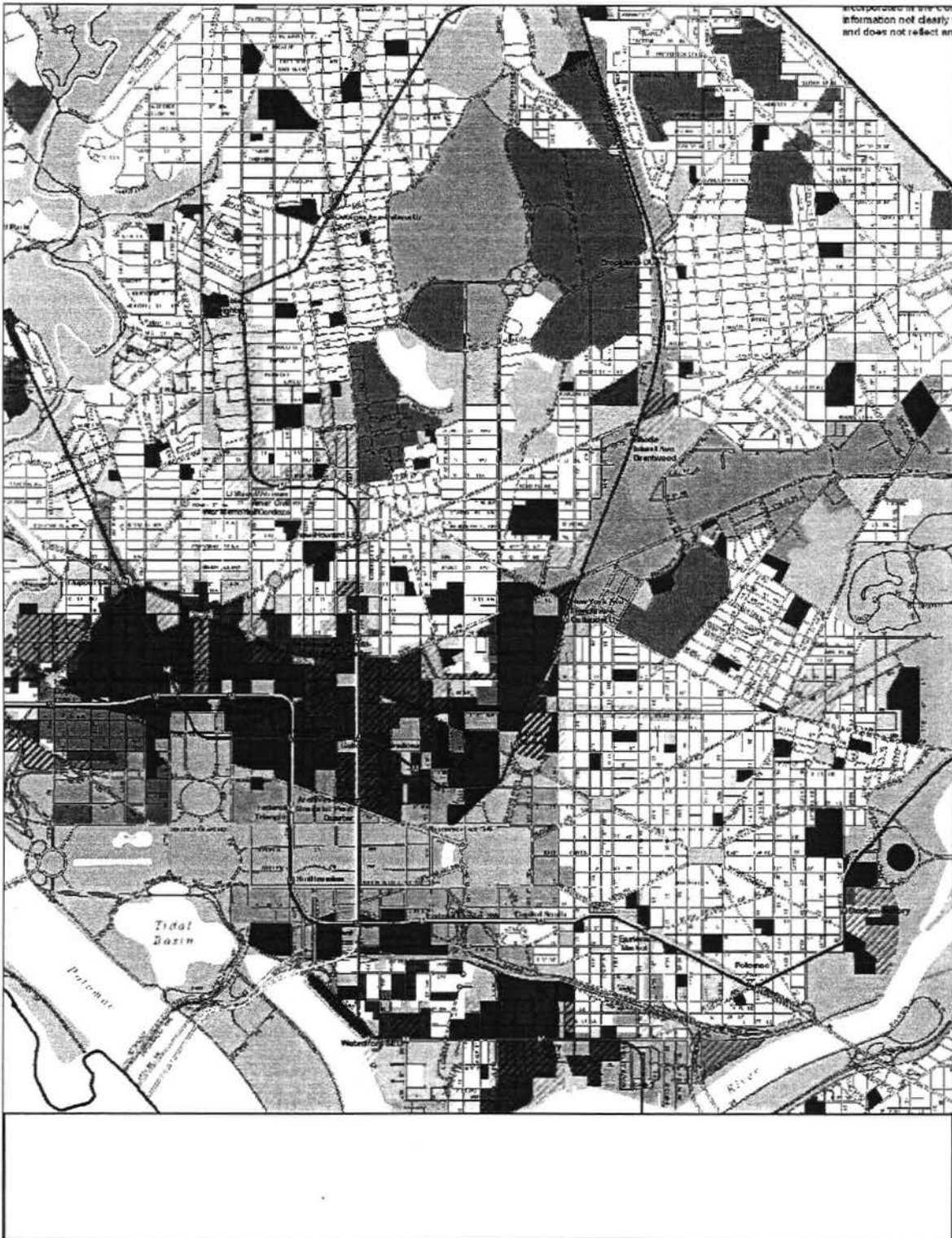
EXHIBIT NO. 8

ZONING COMMISSION
District of Columbia
CASE NO.07-03
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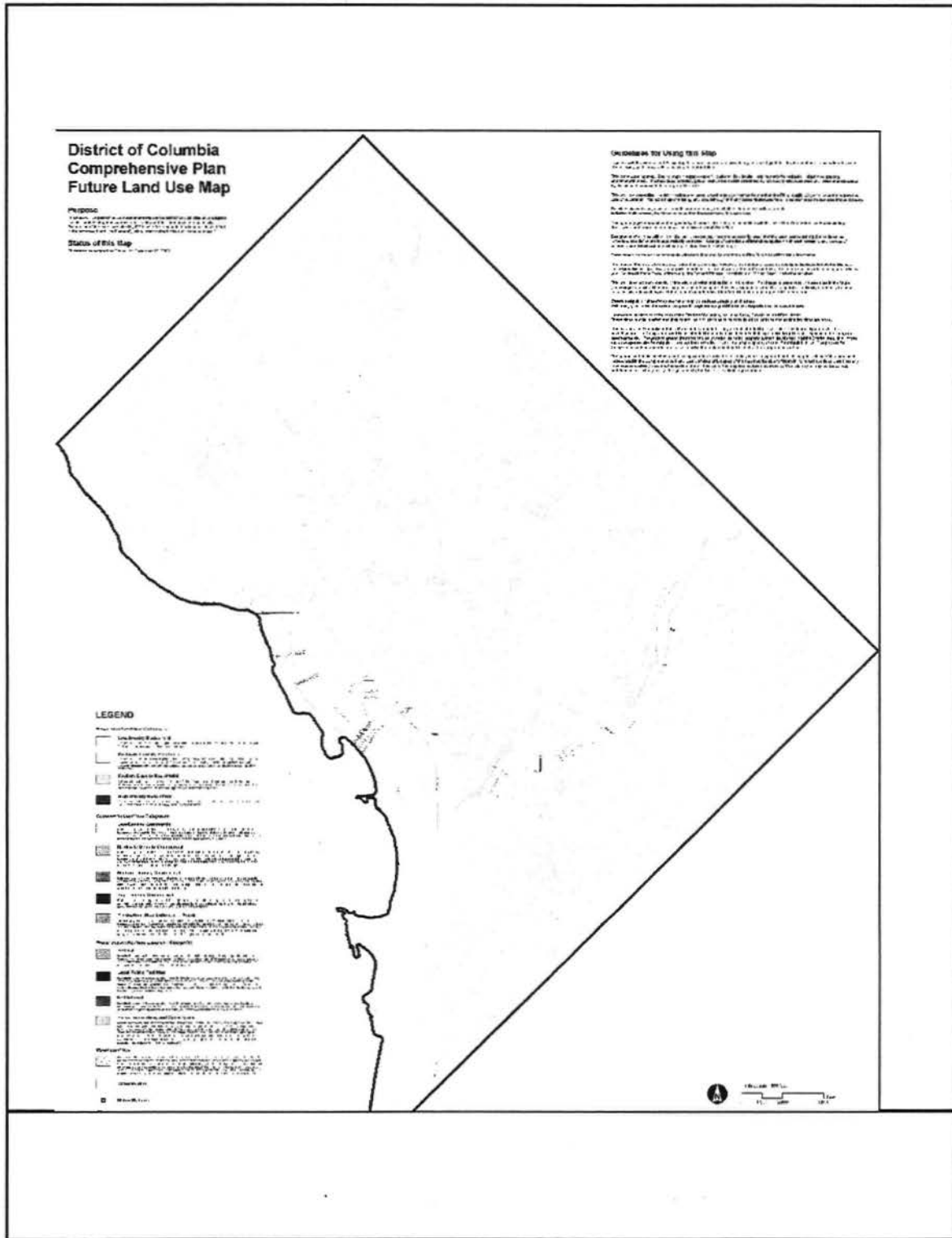
Future Land Use (2007) in the District of Columbia



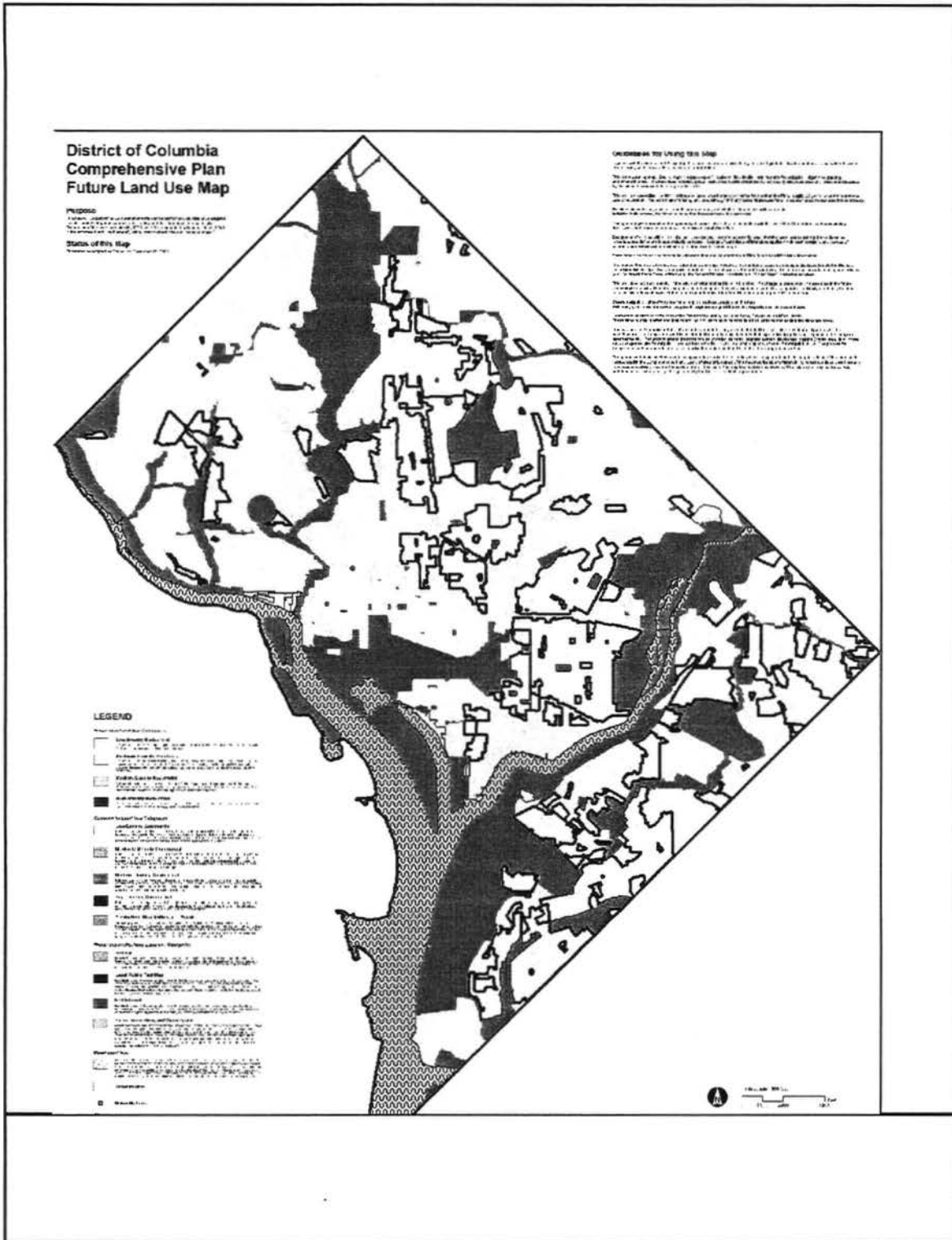
Future Land Use (2007) in the District of Columbia for Areas Currently Zoned R-4



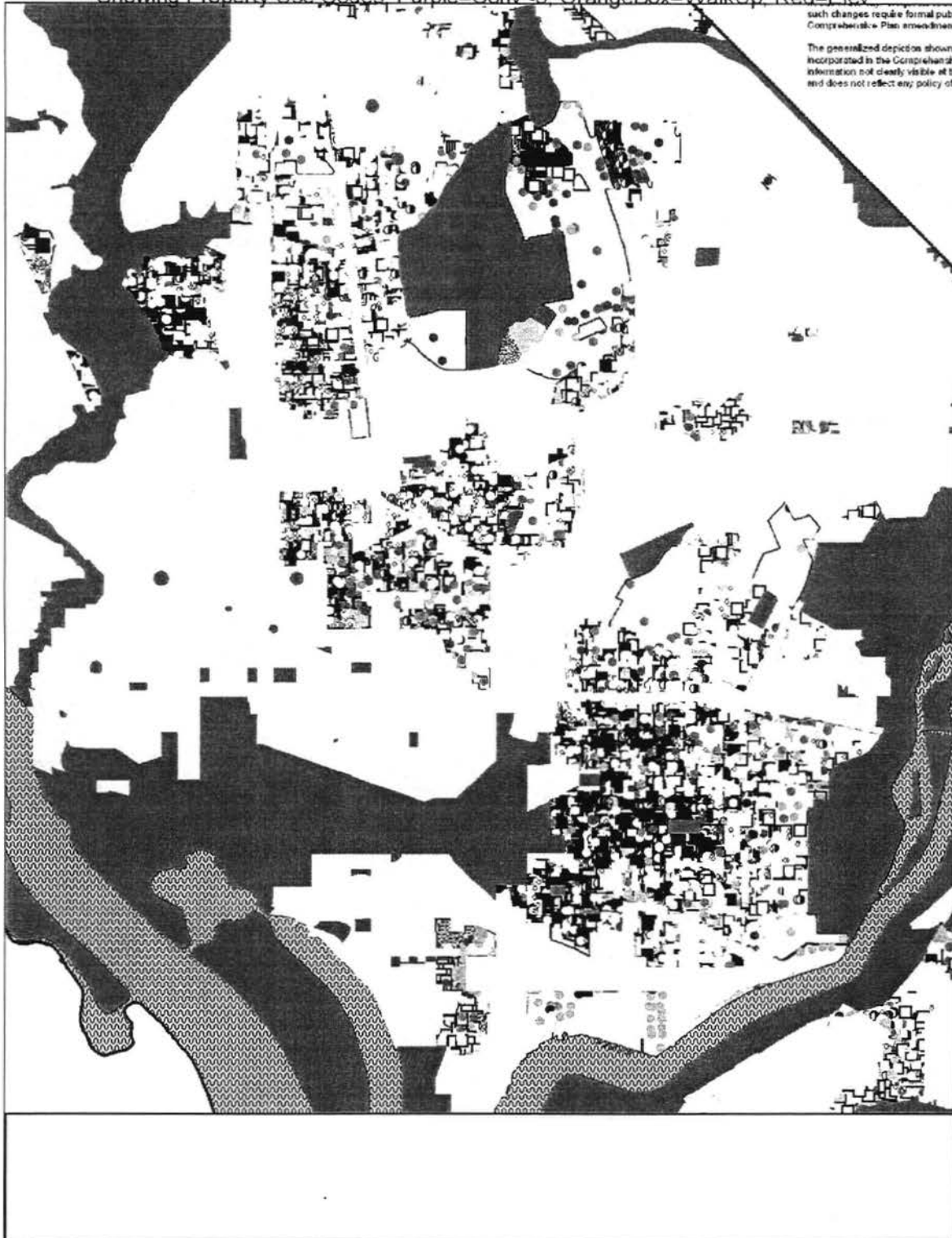
Future Land Use (2007) in DC for Areas of Moderate and Medium Density Residential Use



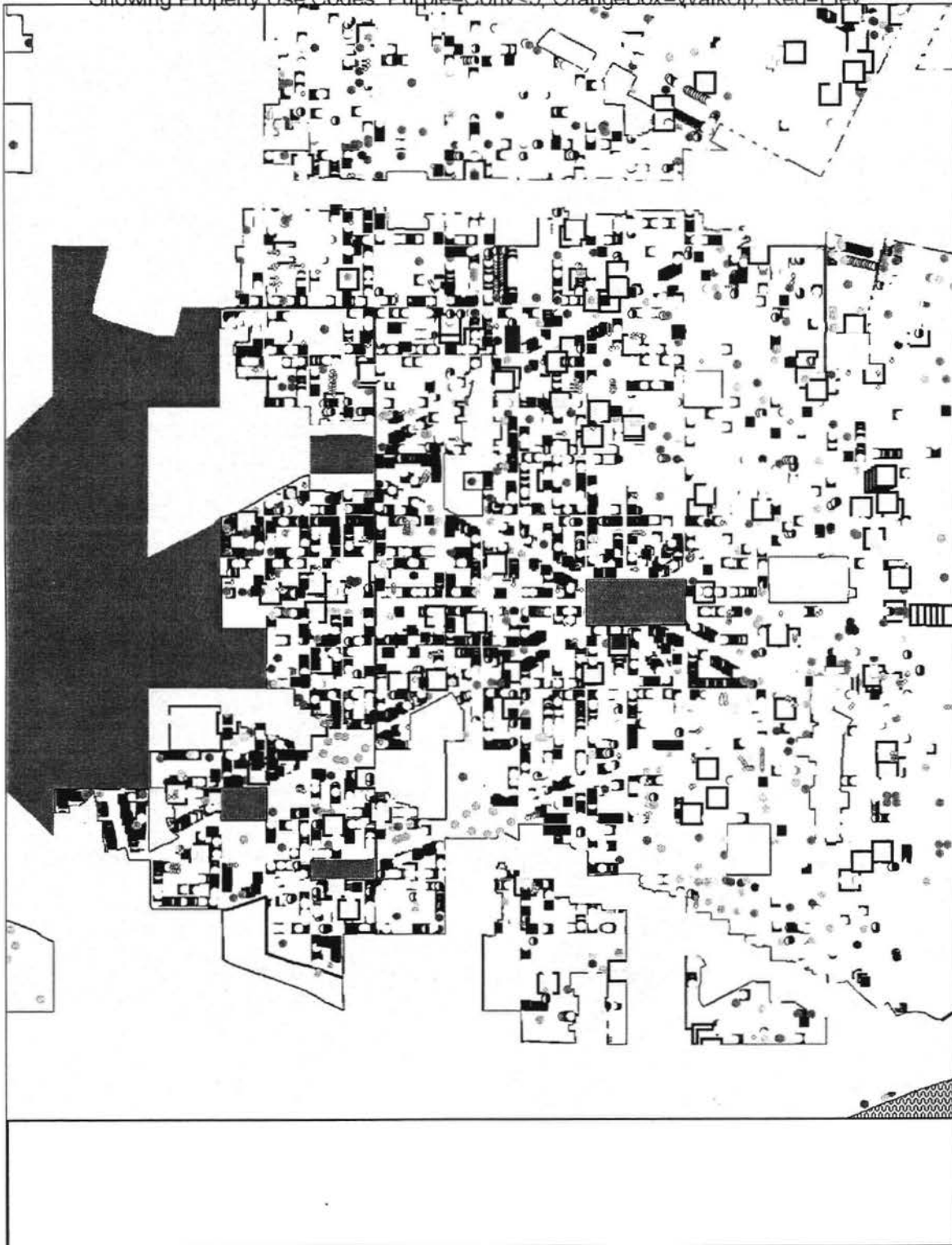
Future Land Use (2007) in DC for Areas of Moderate and Medium Density Residential Use
 Showing Extent of R4 (REd) and R5A Zones (Purple)



Future Land Use (2007) in DC for Areas of Moderate and Medium Density Residential Use
Showing Property Use Codes: Purple=Conv<5; OrangeBox=WalkUp; Red=Flay



Future Land Use (2007) Capitol Hill for Areas of Moderate and Medium Density Residential Use
Showing Property Use Codes: Purple=Conv<5; OrangeBox=WalkUp; Red=Elev



Definitions of Land Use Categories

Residential Categories

Four residential categories appear on the Future Land Use Map, as follows: 224.5

Low Density Residential

This designation is used to define the District's single family neighborhoods. Single family detached and semi detached housing units with front, back, and side yards are the predominant uses. The R-1-A, R-1-B, and R-2 Zone Districts are generally consistent with the Low Density Residential land use category, although other zones may apply. 224.6

Moderate Density Residential *[emphasis and underlining added – LW]*

This designation is used to define the District's row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings [flats and 3-4 unit apartments in zone-speak], row houses, and low-rise apartment buildings. In some of the older inner city neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). The R-3, R-4, R-5-A Zone districts are generally consistent with the Moderate Density Residential category; the R-5-B district and other zones may also apply in some locations. 224.7

Medium Density Residential

This designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. The R-5-B and R-5-C Zone districts are generally consistent with the Medium Density designation, although other zones may apply. 224.8

High Density Residential

This designation is used to define neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant use. Pockets of less dense housing may exist within these areas. The corresponding Zone districts are generally R-5-D and R-5-E, although other zones may apply. 224.9

EXISTING SECTION 350.4 (d)

350 R-5 DISTRICTS: GENERAL PROVISIONS

350.4 The following uses are permitted as a matter of right in an R-5 District:

- (d) Hotel, only in R-5-B, R-5-C, R-5-D, and R-5-E Districts, in existence as of May 16, 1980, with a valid Certificate of Occupancy or a valid application for a building permit; **provided that the gross floor area of the hotel may not be increased and the total areas within the hotel devoted to function rooms, exhibit space, and commercial adjuncts may not be increased. An existing hotel may be repaired, renovated, remodeled, or structurally altered.**

EXISTING SECTION 330.5 (c)

330 R-4 DISTRICTS: GENERAL PROVISIONS

330.5 The following uses are permitted as a matter of right in an R-4 District

- (c) The conversion of a building or other structure existing before May 12, 1958, to an apartment house as limited by §§ 350.4 and 401.3.

ADVERTISED SECTION 330.5 (c)

330 R-4 DISTRICTS: GENERAL PROVISIONS

330.5 The following uses are permitted as a matter of right in an R-4 District

- (c) The conversion of a building or other structure existing before May 12, 1958, to an apartment house as limited by ~~§§ 350.4 and~~ 401.3 and 403.2.

SUGGESTED SECTION 330.5 (c)

330 R-4 DISTRICTS: GENERAL PROVISIONS

330.5 The following uses are permitted as a matter of right in an R-4 District

- (c) Apartment house in existence as of May 12, 1958, ~~with a valid Certificate of Occupancy or a valid application for a building permit;~~ **provided that the floor area of the apartment house may not be increased except as limited by §§ 401.3 and 403.2. An existing apartment house may be repaired, renovated, remodeled, or structurally altered. In addition, a building or other structure existing as of May 12, 1958 may be converted to an apartment house as limited by §§ 401.3 and 403.2**

EXISTING SECTION 233

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1)

- 223.1 An addition to a one-family dwelling or flat, in those Residence Districts where a flat is permitted, that does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.
- 223.2 The addition shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
- (a) The light and air available to neighboring properties shall not be unduly affected;
 - (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
 - (c) The addition, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and
 - (d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.
- 223.3 The lot occupancy of the dwelling or flat, together with the addition, shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.
- 223.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.
- 223.5 This section may not be used to permit the introduction or expansion of a nonconforming use.

HYPOTHETICAL SECTION "423"

423 ADDITIONS TO APARTMENT HOUSES OR BUILDINGS CONVERTED TO THAT USE (R-4)

- 423.1 An addition to an apartment house existing as of May 12, 1958 or a building existing as of May 12, 1958 since or now being converted to an apartment house, in the R-4 Residence District where such a use is permitted, that does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.
- 423.2 The addition or conversion shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
- (a) The light and air available to neighboring properties shall not be unduly affected;
 - (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
 - (c) The addition, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses and other buildings and the uses within them along the subject street frontage; and
 - (d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.
- 423.3 The minimum lot area shall be no less than 600 square feet per apartment or bachelor apartment and lot occupancy of the apartment house, together with the addition and any accessory buildings and other structures that factor into lot occupancy, shall not exceed seventy percent (70%) in the R-4 District.
- 423.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.
- 423.5 This section may not be used to permit the introduction or expansion of a nonconforming use.