

**TO:** District of Columbia Zoning Commission  
**FROM:** <sup>JLS</sup> Jennifer Steingasser, Deputy Director Development Review & Historic Preservation  
**DATE:** May 21, 2018  
**SUBJECT:** Zoning Commission 17-18: Request for a Text Amendment to the Zoning Regulations: Subtitle B - Definitions and Rules of Measurement and Other Changes and Correlating Rules in Subtitles D, E, F, J and K.

Attached is the Appendix referred to in the May 14, 2018 report which provides information on other DC regulations related to changes of grade. Tim Maher, from OP's Design Division will be available for questions at the May 24, 2018 meeting.

Additionally, OP would like to make two corrections to the text amendments that were proposed in the May 14<sup>th</sup> report.

- 1) **Window well: A subsurface space adjacent to a building open at the top or protected by a grating or guard that affords access, air, light, or emergency egress to a ~~basement~~ window.**

The word "basement" should not have been included in the proposed definition.

- 2) **308.2** The building height measuring point (BHMP) shall be established at the existing **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. ~~**If any areaway(s) or other excavation project more than five feet (5 ft.) or window well(s) project more than four feet (4 ft.) from anywhere along the building façade facing the nearest street, the BHMP shall be the equivalent of the lowest elevation of the areaway(s), excavation, or window well(s) along the façade, excluding:**~~
  - ~~**(a) — driveways directly connecting a garage and public right of way, only where existing, or**~~
  - ~~**(b) — for building permit applications officially accepted by the Department of Consumer and Regulatory Affairs as being complete prior to the effective date of this title, so long as the driveway is not expanded in width along the façade.**~~ **subject to the following:**
    - (1) For any excavations projecting from the building facing the nearest street or from the opposite façade of the building that are not permitted exceptions to natural or finished grade, the elevation of the midpoint of a building façade shall be the equivalent of the lowest such elevation; however, this does not include existing driveways adjacent to the midpoint(s) directly connecting a garage and public right of way.**

Section 308.2 should match the language proposed in Section 304.5 as reflected by this change.



## Regulations Related to Changes of Grade

DCMR 24: Public Space and Safety - International Building Code - DCMR 12: Construction Code

DC Office of Planning  
May 21<sup>st</sup> 2018



The DC Office of Planning

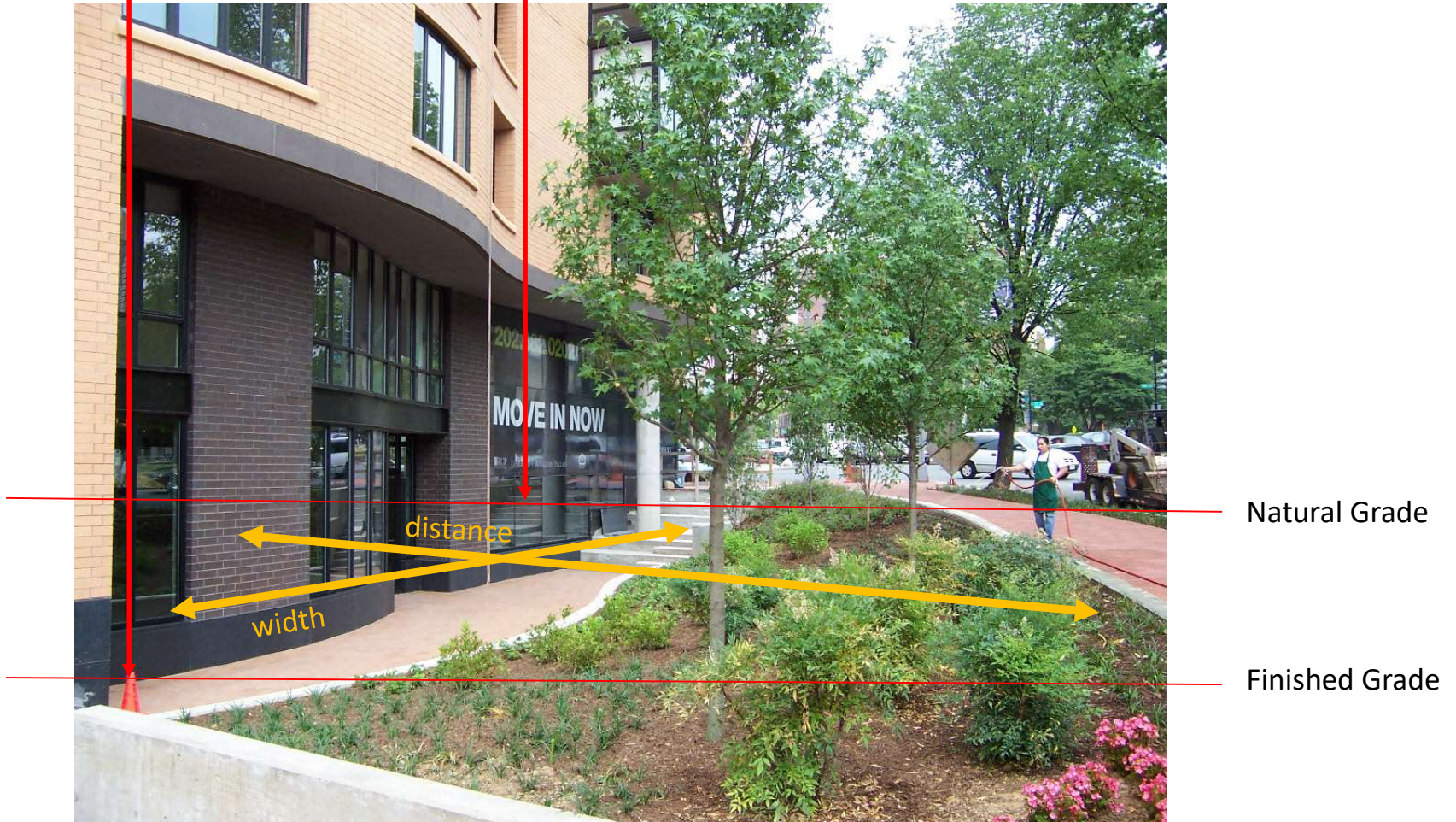




# Where to measure building height when adjacent grade changes?

building height 2

building height 1



**Implications of grade changes for measuring building height?**



# Where to measure building height when adjacent grade changes?



Natural Grade

Finished Grade?

Finished Grade?

**DCMR 24: Public Space and Safety**

24-104. Public Parking: Paving, Grading, and Covering

**International Building Code**

Section 1030: Emergency Escape and Rescue

**DCMR 12: Construction Code**

Chapter 32: Encroachments

## DCMR Title 24: Public Space and Safety

### 24-104. PUBLIC PARKING: PAVING, GRADING, AND COVERING

104.1 Without the written authority of the Mayor, no person shall change the grade of any parking; pave or cover any portion of a parking; or construct any walls, steps, coping, fences, or other structures on a parking.

Adopted after 1890 when a property owner refused to restore the grade of a terraced “public parking” that was a permanent feature of elevations along a street. The terrace had been removed to bring the front of his house to the grade of the street. The regulation is intended to prevent disrupting the uniformity of terraced fronts and requires changes of public parking grade to be approved by the District Commissioners.\* Today it is regulated by the Department of Transportation and changes of parking grade require approval of the Public Space Committee.

\*“The New Parking Bill. Provision for the Protection of Uniform Terrace Fronts.” August 27, 1890. Washington Post. Pg. 4.





## 2015 International Building Code:

### Section 1030: Emergency Escape and Rescue

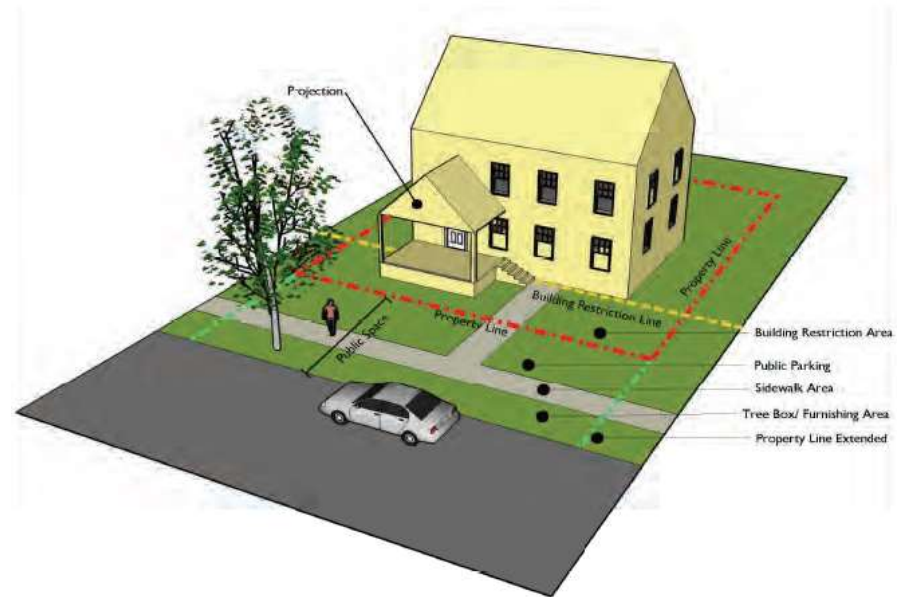
**1030.5 Window Wells.** An emergency escape and rescue opening with a finished sill height below the adjacent ground level shall be provided with a window well in accordance with Section 1030.5.1 and 1030.5.2.

**1030.5.1 Minimum size.** The minimum horizontal area of the window well shall be 9 square feet with a minimum dimension of 36 inches. The area of the window well shall allow for the emergency escape and rescue opening to be fully operated.

**1030.5.2 Ladders or steps.** Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or steps. Ladders or rungs shall have an inside width of at least 3 inches from the wall and shall be spaced not more than 18 inches on center vertically for the full height of the window well. The ladder or steps shall not encroach in the required dimensions of the window well by more than 6 inches. The ladder or steps shall not be obstructed by the emergency escape or rescue opening. Ladders or steps required by this section are exempt from the stairway requirements of Section 1011.



# DCMR 12A: Construction Code, Chapter 32: Encroachments (aka. Building Projections)





## What are building restriction lines?

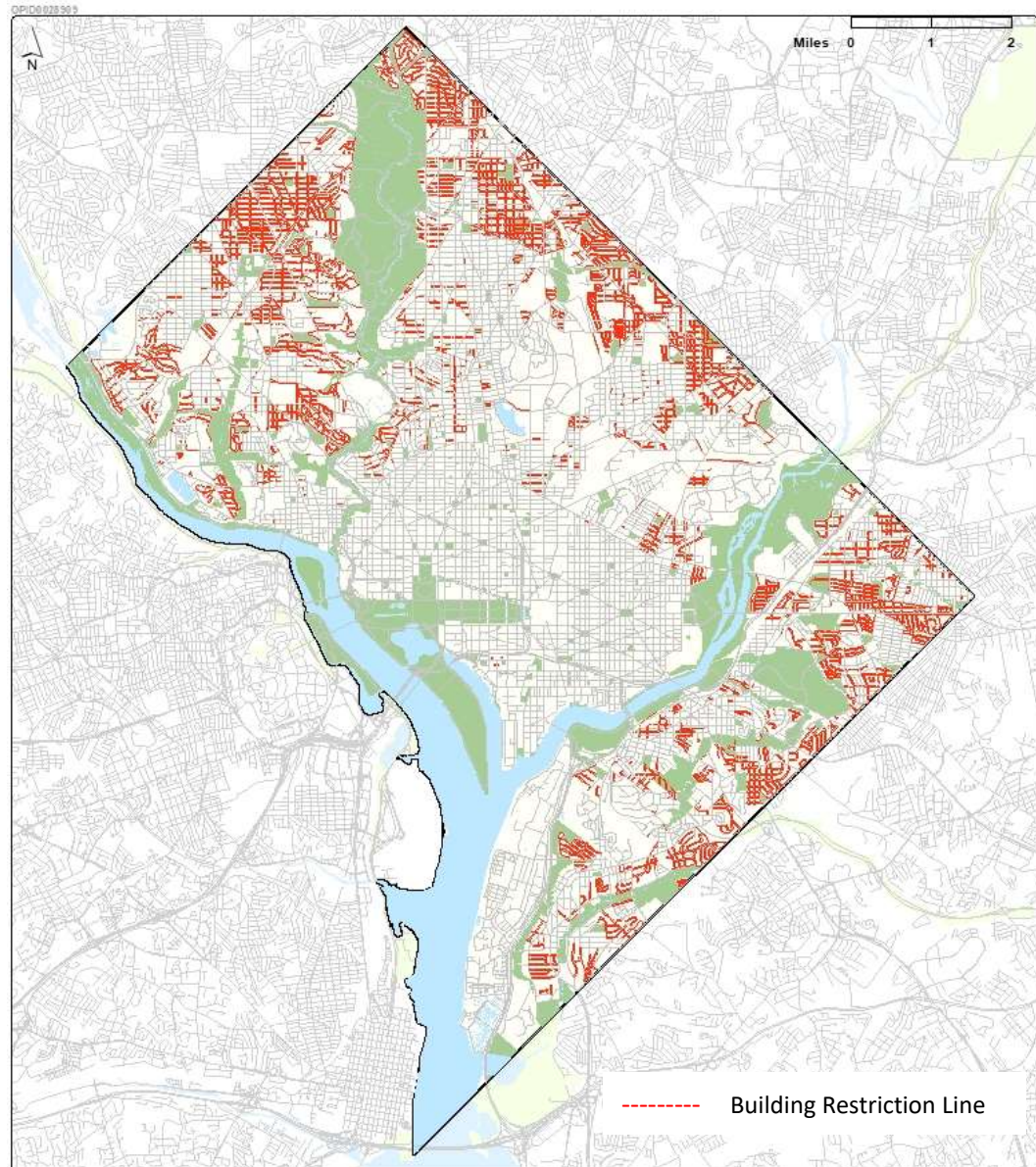
BRL's used to maintain minimum street widths required to implement the Highway Plan.

Building restriction areas on private property are regulated as public space.

Zoning and public space regulations apply to this area.

The area is counted toward when calculating FAR and toward the width of the street for regulating building height and building projections.

The District is authorized to use this area for sewer lines, water lines, and sidewalks.



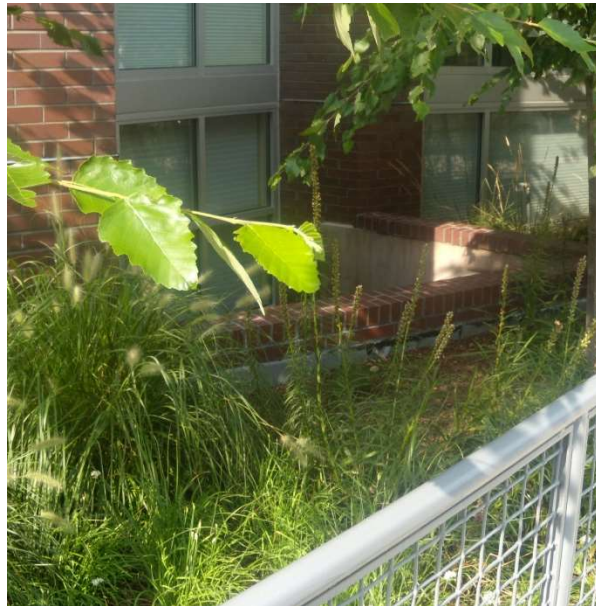


## What is an Areaway Projection?



An areaway is any below grade projection open to the sky.

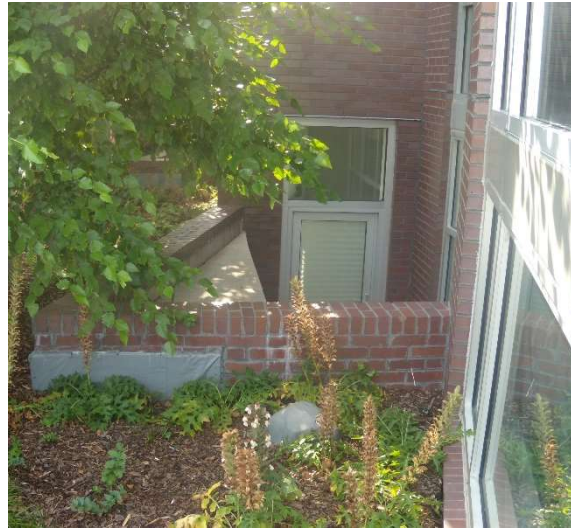
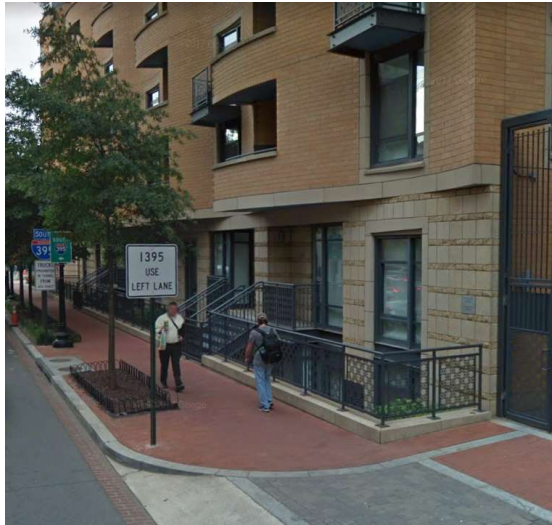
Areaways are secondary access points to buildings provide natural light and access to basements and cellars.



*DCMR 12A Construction Code, Chapter 32: Encroachments* regulates window wells and steps/ramps leading below grade as areaways.



## What is an Areaway Projection?



Limits on areaways are intended to protect the park-like character of residential streets and maintain wide sidewalks in commercial areas.

Areaways can project between 4' and 7' depending on zoning, street width, and amount of public parking.



**Exceeds 6'6" Limit in Construction Code**

Areaway regulations are more restrictive than limits on than above grade steps and ramps that can project up to 10'.

# What are the limits on areaway projections?

The amount areaways can project into public space varies depending on zoning, street width, and amount of public parking\*

Height	Width	Projection									
		Commercial and Industrial Zones	Residential, Waterfront, Mixed Use, and Special Purpose Zones				Residential, Waterfront, Mixed Use, and Special Purpose Zones				
		All Streets	Parked Streets				Unparked Streets				
			Street Width (includes BRL)				Street Width (includes BRL)				
Parking is 20'+	More than 70'		70' and less to 60'	60' and less	More than 80'	80' and less to 70'	70' and less to 60'	60' and less to 45'	45' and less to 40'		
Limited to surface of adjacent grade	Unlimited	4'	7'	6'6"	6'	.....	4'	4'	4'	.....	.....

\*Public parking is area of public space devoted to open space, greenery, parks, or parking between the sidewalk and property line or building restriction line.

DCMR 24 - 102.8



Parked Street  
(street with green space)



Unparked Street  
(street without green space)



## Other limits on Areaway Projections

Minimum clearances to curb applies to all projections and is based on street width:

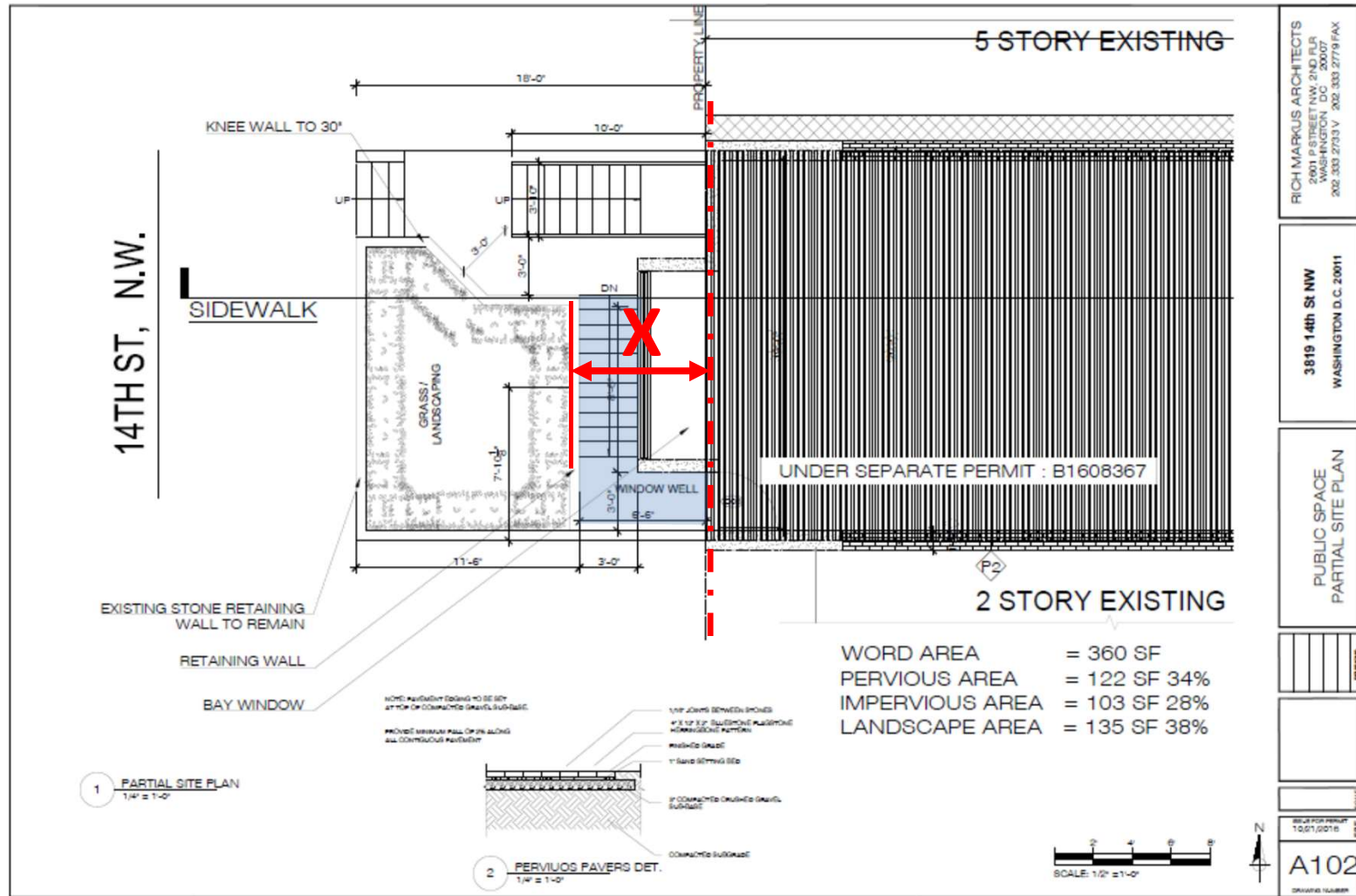
<i>40' to less than 50'</i>	<i>6'</i>
<i>50' to less than 60'</i>	<i>8'</i>
<i>60 to and including 80'</i>	<i>10'</i>
<i>80' to and including 90'</i>	<i>12'</i>
<i>More than 90'</i>	<i>15'</i>

All projections prohibited on certain streets  
(ie. Florida Avenue NW from 7<sup>th</sup> to 9<sup>th</sup> streets)

No areaways allowed on street less than 60' in  
width unless otherwise specified.



# How are areaways measured?

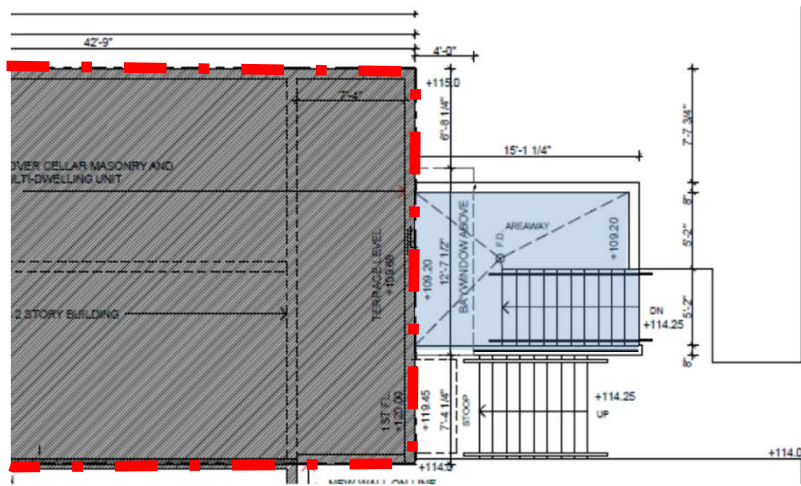


Inside Face of the Areaway Wall to Property Line or Building Restriction Line



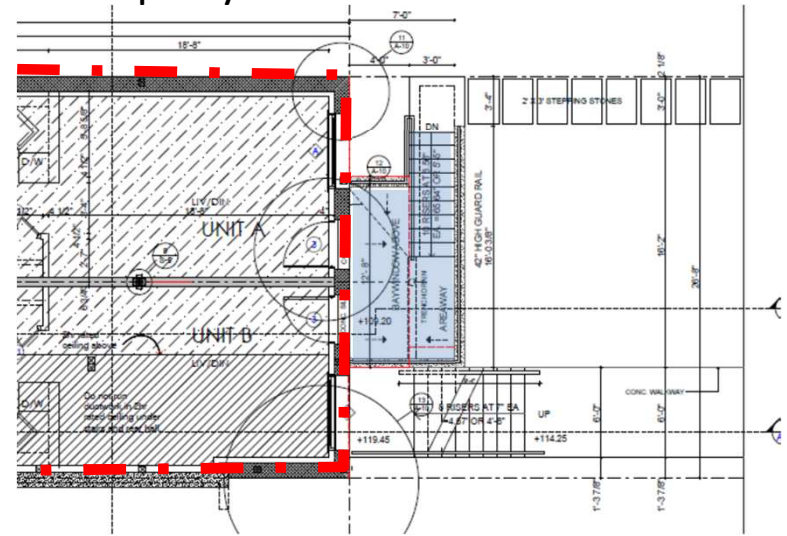
# Example

## Property Line



## Proposed

## Property Line

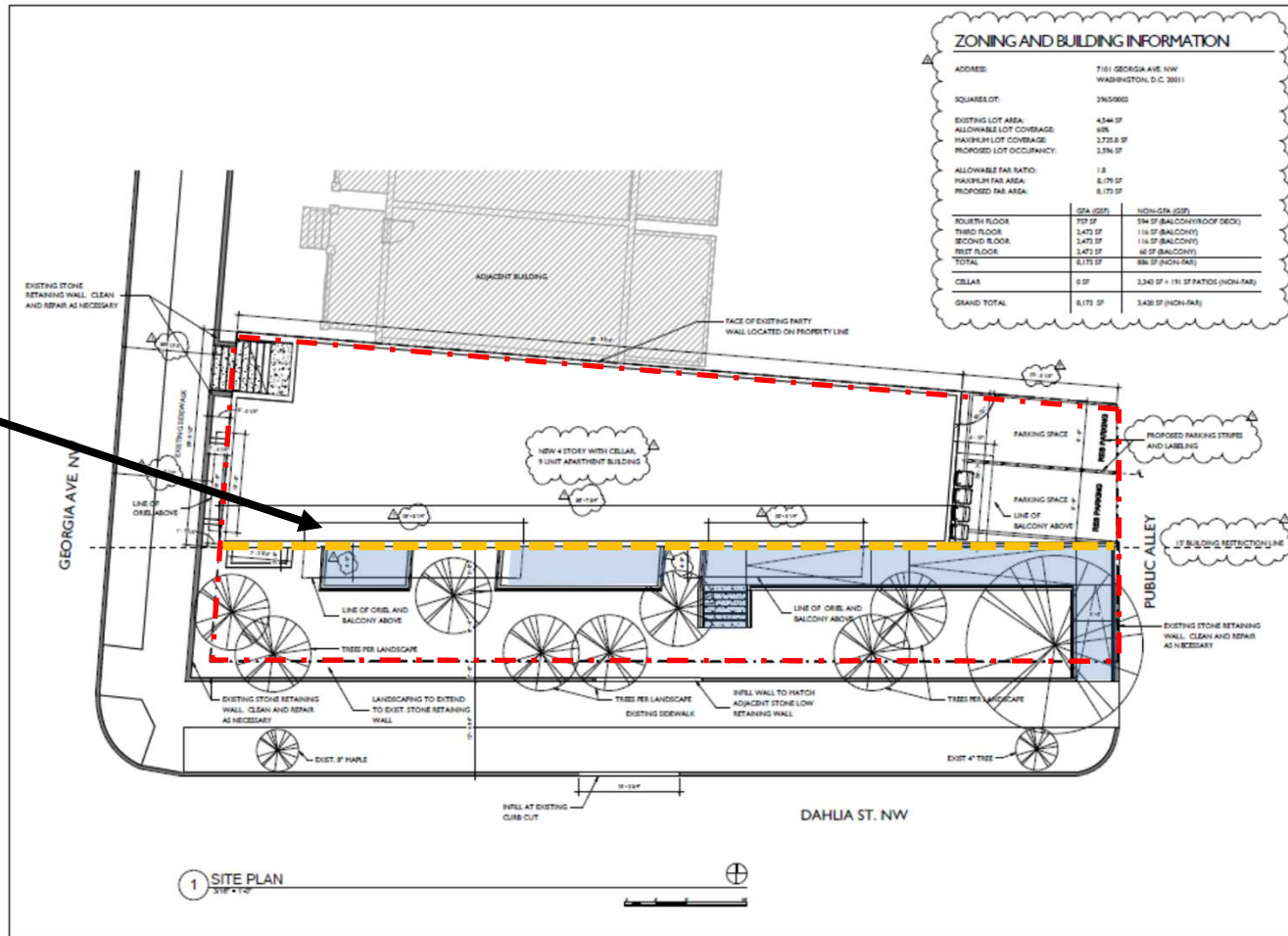


## Redesigned

Example

Building  
Restriction  
Line

Property  
Line



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23 NOVEMBER 2016

PERMIT DOCUMENTS

ARCHITECTURAL  
SITE PLAN

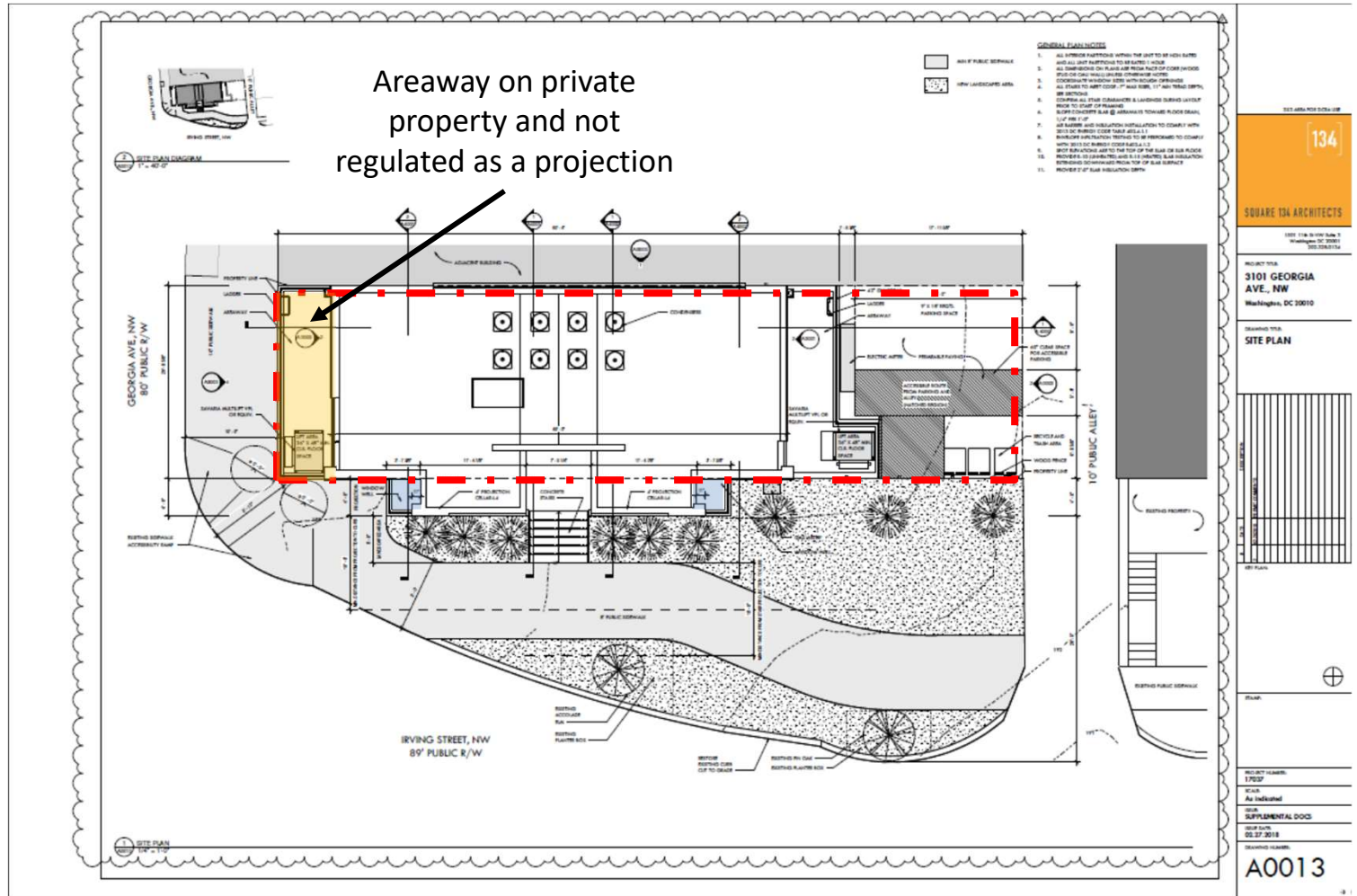
As Indicated

A100



# Example

Property Line



# Example

## Property Line

