

Zoning in the District of Columbia



Office of Zoning
Government of the District of Columbia



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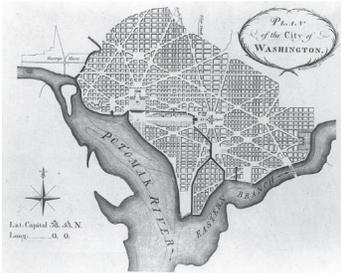
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DC Zoning History

Early History/1920 Zoning Ordinance



Washington, D.C. was one of the first cities in the United States after New York (in 1916) to develop a comprehensive zoning ordinance. The Zoning Act of March 1, 1920 was adopted by the U.S. Congress, establishing zoning and the Zoning Commission in the District.

The Zoning Commission consisted of the three members of the Board of Commissioners, who were appointed executives who governed the District, each in charge of specific departments. In addition, two other statutory members of the federal government were appointed to the Zoning Commission, the officer in charge of the buildings and grounds of the District of Columbia (which in 1934 became the head of the National Park Service) and the Superintendent of the U.S. Capitol Building and Grounds (later known as the Architect of the Capitol).

The original 1920 zoning ordinance had three types of controls with a map (or maps) depicting each one. The first map dealt with height districts and regulations pertaining to the heights within those districts. The second set of maps divided the city into four use districts -- residential, commercial one, commercial two, and industrial --with additional regulations added over time. The last set of maps depicted lot occupancy requirements by area districts.

Zoning Act of 1938

Zoning Commission

The Zoning Act of 1938 was the next major legislative step regarding zoning in the District. The Zoning Act established the police powers of the Zoning Commission to regulate the height and bulk, location, uses, lot occupancy of buildings, and to divide these districts into zoned districts. Under the Act, Commissioners could also promulgate regulations in accordance with a Comprehensive Plan designed to lessen congestion in the street; secure safety from fire, panic, etc.; promote health and general welfare; provide adequate light and air; prevent undue concentration of population and overcrowding of land; advance health, safety, transportation, prosperity, civic activity, etc.; provide protection of property; and further economy and efficiency in the provision of public services.

Further, the Zoning Act provided that:

- Zone districts should be suitable to the character of the respective precincts and should encourage stability in districts and in land values;
- The Zoning Commission is required to hold a public hearing with at least 30 days notice before adopting any amendments;



- A favorable vote of a full majority of the Zoning Commission is required;
- The building height limits of the Height Act of 1910 cannot be superseded in zoning;
- A building permit is required in all cases to construct a building in the District;
- The Department of Consumer and Regulatory Affairs, an arm of the executive branch, has enforcement responsibility pertaining to zoning matters; and
- Federal public buildings are exempt from District zoning controls, except that the National Capital Planning Commission (NCPC) shall review and regulate such buildings.

Board of Zoning Adjustment

The Board of Zoning Adjustment (BZA) was created in 1938 to handle unusual situations regarding property and regulation. The five-member Board was established by law and consisted of three members residing in the District for at least three years (including at least one homeowner), one member of the National Capital Planning Commission (or a staff designee), and one member of the Zoning Commission (or a staff designee). Under the law, the Zoning Commission was empowered to provide general rules for the BZA. Further, the Act authorized the BZA to process three basic types of cases that it continues to hear today: variances, special exceptions, and appeals from administrative decisions.

1950 Comprehensive Plan

The 1950 Comprehensive Plan was the next major change in zoning procedure. The Plan suggested that the zoning regulations and map be completely overhauled and that new modern comprehensive districts be created for all parts of the city. It also noted that large areas of the District were poorly zoned as to existing use and planning objectives for the future, creating the danger of incompatible building types and excessive population density. The Plan recommended changing the zoning for the majority of commercial strips and replacing them with business centers with greater depths of lots for major modern buildings. It also recommended establishing approval standards for off-street parking and loading and recommended special treatment for large-scale residential developments of more than 10 acres.

Lewis Plan of 1956

The 1950 Comprehensive Plan was the impetus for the Lewis Plan of 1956, in which Harold Lewis, a planning and zoning consultant from New York, recommended a major zoning overhaul.

Among other things, Mr. Lewis was concerned that the BZA had been acting in a legislative capac-



ity, adopting so many variances and special exceptions as to be virtually functioning as the Zoning Commission. In addition to expressing these concerns, he called for a unified set of zoned districts based on the 1950 Comprehensive Plan. He further proposed a floor area ratio (FAR) system, a density device that would provide better control over specific density than the previous system, as well as design flexibility for architects and developers. In addition, Mr. Lewis proposed stricter parking requirements.

With the exception of the parking requirements, which were approved in 1956, the Zoning Ordinance of 1958 adopted most of Mr. Lewis's recommendations. The ordinance also created the Special Purpose (SP) Zone District, which established transition zones around the edge of central districts. It also adopted new regulations addressing light and air in building standards. Most importantly, it established the present system of basic zone districts.

Today, the Zoning Commission and BZA still operate pursuant to the basic tenets of the Zoning Ordinance of 1958 (with a number of amendments).

Reorganization Plan No. 3 of 1967

In 1967, the Board of Commissioners was abolished and a single appointed "Commissioner" and nine-member District of Columbia Council were established in its stead. The Commissioner, the Chairman of the Council, and the Vice-Chairman of the Council replaced the Board of Commissioners on the Zoning Commission. The officer in charge of the National Park Service (or staff member) and the Architect of the Capitol (or staff member) remained on the Zoning Commission.

Home Rule Act of 1973

Under the Home Rule Act, an elected Mayor and 13-member District of Columbia Council were established in lieu of the appointed Commissioner and nine-member Council. Further, the Zoning Commission was recognized as a Charter agency. The Home Rule Act established the Zoning Commission as a five-member body comprised of three local members appointed by the Mayor, the officer in charge of the National Park Service (or a staff member), and the Architect of the Capitol (or a staff member).

Office of Zoning Independence Act of 1990

In September of 1990, the D.C. Council passed the Office of Zoning Independence Act, which established the Office of Zoning, an independent agency responsible for providing professional, technical, and administrative support to the Zoning Commission and the Board of Zoning Adjustment. This Act became effective on October 1, 1991.



DC Zoning Today

The Zoning Regulations and Zoning Map

The Zoning Regulations (codified in DCMR Title 11) of the District of Columbia control land use, density, height, and bulk characteristics of property in the city. The District of Columbia Zoning Map identifies the designated zoning for all parcels of land in the city. All construction or rehabilitation on private land must conform to the requirements imposed by the Zoning Regulations and Zoning Map adopted by the Zoning Commission. Those pursuing projects that do not conform, however, may seek relief before either the Zoning Commission or the BZA.

The zoning controls of a particular zone district applicable to a property govern many aspects of use and development, including:

- Use of a property (e.g., home, store, office, industry, etc.);
- Maximum permitted building height;
- Maximum permitted building bulk or gross FAR, which is a general measure of building scale and intensity of use;
- Minimum lot area and width;
- Lot occupancy (i.e., the percentage of a lot that a building may cover);
- Size of the required side yards, rear yards, and courts; and
- Number of off-street parking spaces that are required to service the use, given its size and operating characteristics.

The Zoning Process

Any person or organization seeking to undertake new construction in the District of Columbia or to make repairs, alterations, or additions to existing buildings should consult with the Department of Consumer and Regulatory Affairs (DCRA) to determine whether the proposed project conforms to the applicable zoning requirements. If the proposed project conflicts with the Zoning Regulations or the Zoning Map, the Zoning Administrator (ZA), who is part of DCRA and has the authority to interpret and administer the Zoning Regulations as adopted by the Zoning Commission (ZC), will determine the required zoning relief. The person or organization may at that time: (1) modify the proposed project to conform to the Zoning Regulations and the Zoning Map; (2) appeal the ZA's decision (with cause) to the BZA; or (3) apply for relief from the ZC or the BZA.

Appropriate relief involving an amendment to the Zoning Regulations or the Zoning Map, an air rights development, or a Planned Unit Development (PUD) requires approval by the ZC, while variances, special exceptions, and appeals from administrative decisions regarding zoning are primarily handled by the BZA. The BZA also undertakes special reviews of proposed chancery development for facilities proposed to be located in certain mixed-use areas of the city, and ZC undertakes design review of projects in certain mixed-use areas of the city.



Players in the Zoning Process

The Applicant seeking zoning relief is the key player in the zoning process. The applicant may be an individual, a business or corporation, or a community organization. Public agencies and the ZC itself may also initiate a zoning change.

Attorneys, architects, private planners, and other consultants (such as urban planners, landscape architects, traffic engineers, and real estate economists) often play important roles in the zoning process. Some zoning cases are relatively straightforward, and applicants may prepare and present their own case. Because zoning is often complex, however, Applicants typically hire professionals, such as architects or law firms who specializes in zoning and land development, to represent them.



The Zoning Commission (ZC) is a five-member quasi-judicial body created by the Zoning Act of 1920, as amended, and charged with preparing, adopting, and subsequently amending the Zoning Regulations and Zoning Map. The ZC also hears Planned Unit Development (PUD) cases -- a planning tool which allows a project greater development flexibility and other incentives, provided that the project offers a commendable number or quality of public benefits and that it protects and advances public health, safety, welfare, and convenience. In addition, the ZC hears air rights and campus plan cases. Three members of the ZC are residents of the District of Columbia appointed by the Mayor and confirmed by the Council. The fourth member of the ZC is the Architect of the Capitol (or his/her designee). The fifth member is the Director of the National Park Service (or his/her designee).



The Board of Zoning Adjustment (BZA) is a five-member quasi-judicial board created by the Zoning Enabling Act of 1938, as amended, and charged with hearing cases related to variances, special exceptions, and appeals of administrative decisions related to zoning. The BZA also hears Foreign Mission cases and civil infractions. Three members of the BZA are residents of the District of Columbia appointed by the Mayor and confirmed by the Council. The fourth member of the BZA is a designee of the National Capital Planning Commission (NCPC). The fifth member is a rotating member of the ZC.



The Office of Zoning (OZ) is an independent District agency created by the Office of Zoning Independence Act of 1990 to provide professional, technical, and administrative assistance to the ZC and the BZA in support of their oversight and adjudication of zoning matters in the District. OZ receives and processes zoning related applications, whether for a zoning change handled by the ZC or for relief from a zoning regulation provision handled by the BZA. OZ schedules ZC and BZA public meetings and hearings and provides follow-up information on their actions and decisions. OZ coordinates the zoning process with the Office of Planning and other District and Federal agencies. OZ maintains and updates the Zoning Regulations and the Zoning Map. The agency prepares records of appealed ZC and BZA cases for the courts and handles all administrative matters associated with the daily functioning of the office.



OZ provides information to members of the public, Advisory Neighborhood Commissions, and community groups about District zoning procedures, the Zoning Regulations, the Zoning Map, the zoning of specific properties, and the status of cases pending before the ZC and the BZA. OZ also consults with the Office of the Attorney General (OAG) regarding legal issues and monitors the District's legislative process to keep the ZC and the BZA apprised of matters affecting zoning.



The Office of Planning (OP) is the central planning agency for the District of Columbia. The Comprehensive Plan Implementation Section prepares zoning text and zoning map amendments for submission to the ZC in order to implement the Comprehensive Plan through the Zoning Consistency Program. This ongoing program, which began in 1992, is intended to make the zoning text and map not inconsistent with the Comprehensive Plan. The Zoning Services section reviews applications for amendments to the Zoning Regulations or Zoning Map (which come before the ZC) or for variances or special exceptions (which come before the BZA). OP submits written recommendations to the ZC and BZA on these matters, which are given “great weight” by the ZC and BZA.

As part of the zoning process, OP may coordinate comments from other District agencies, including: the Department of Transportation (DDOT), Department of Public Works (DPW), Department of Health (DOH), Department of Human Services (DHS), Department of Housing and Community Development (DHCD), and the Office of the State Superintendent of Education (OSSE).

ANC **Advisory Neighborhood Commissions (ANCs)** are comprised of officials elected by their neighbors to provide formal citizen participation and review at the neighborhood level. All zoning applications to the ZC and the BZA are referred to the appropriate ANC and Single Member District Commissioners. In accordance with the Advisory Neighborhood Commission Act, the recommendations of the ANCs are given “great weight” in the zoning process provided certain criteria are met.



The Office of the Zoning Administrator (ZA) (within the Department of Consumer and Regulatory Affairs (DCRA)) is responsible for administering and enforcing the Zoning Regulations as well as ZC and BZA orders. The ZA is responsible for zoning code compliance and ensuring the correct permit(s) and certificate(s) of occupancy have been obtained. The ZA also handles illegal construction, certificates of occupancy, and code enforcement.



The National Capital Planning Commission (NCPC), the central planning agency for the federal government, reviews amendments to the Zoning Regulations and the Zoning Map, as well as PUDs, approved by the ZC to determine if they have an adverse effect on the “federal interest” or are inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital.

The Architect of the Capitol (AOC), the federal government official in charge of the Capitol



grounds, reviews special exception applications in the Capitol Interest Overlay District.

The Office of the Surveyor (within DCRA) maintains the legal records of all plats and subdivisions of private and District-owned property.

The Office of Tax and Revenue (OTR) maintains information on real property values, tax assessments, and other real property information.

The Office of Foreign Missions of the United States Department of State determines the federal interest in its participation in proceedings related to chanceries before the ZC and BZA.

Zoning Commission Actions

Map Amendments - Upon review of a proposed project, the ZA may determine that the project conflicts with the land use(s), height, density, bulk, etc. permitted by the zone district covering the site. In that event, the affected property owner may seek permission from the ZC to develop the proposed project by filing a Map Amendment application with the ZC. Because a Map Amendment often pertains to larger areas beyond one property, it may be initiated by petition from the public, including public agencies such as OP.

Text Amendments - Applications to change the text of the Zoning Regulations may be filed with the ZC. A text amendment may change the development standards in one or more zone districts, as well as any procedural items contained in the Zoning Regulations. A text amendment may be filed by an individual, a business or corporation, or a community organization. Public agencies may also petition for a text amendment.

Air Rights Development in Public Space - Requests for renting or otherwise using the space above or below streets and alleys in the District of Columbia, under specified conditions, are referred to the ZC by the Building and Land Regulation Administration within DCRA. The ZC follows the identical process used for consideration of a proposed Map Amendment when reviewing applications for air rights development.

Planned Unit Development (PUD) - A PUD is a planning tool that allows a developer greater flexibility in site planning and building design, provided the project offers a commendable number or quality of public benefits and that it protects and advances public health, safety, welfare, and convenience. This flexibility permits the developer to incorporate amenities in the project that exceed those that could have been achieved under the general provisions of the Zoning Regulations. When a project is designated a PUD, the ZC usually mandates the development of standards specifically tailored to the project.

Campus Plans - Large institutions, such as colleges and universities, are required to prepare and submit a plan to the ZC for approval. After a “campus plan” is approved, future development of the



“campus” must be in accordance with the plan. A campus plan is treated in the same manner as a Special Exception (detailed below).

Board of Zoning Adjustment Actions

Variances - The BZA is authorized to waive strict application of any part of the Zoning Regulations where, due to an exceptional situation, adherence to the language of the Zoning Regulations results in “exceptional practical difficulties or exceptional and undue hardship” upon a property owner. In most cases, difficulty or hardship results from physical characteristics that make the property unique or difficult to use. The BZA must determine that granting the request would not cause substantial detriment to the public good and would not be inconsistent with the general intent and purpose of the Zoning Regulations.

Special Exceptions - A Special Exception may be granted for a particular use of land or for a particular building. In general, a Special Exception is a conditioned permitted use in a particular zone district. The use is permitted provided certain specific criteria are met. The Zoning Regulations contain standards for the BZA to consider when deciding whether or not a particular Special Exception should be granted.

Non-Conforming Uses - A Non-Conforming Use is an existing use of land or structure that was once permitted under the Zoning Regulations, or that pre-existed the Zoning Regulations, but is no longer permitted under current Zoning Regulations. Such a use may be continued but is controlled to a greater degree than a use affirmatively permitted by the Zoning Regulations. The Zoning Regulations give the BZA the authority to allow the expansion of such a use under certain circumstances and to allow certain changes in the use itself. The substitution of a use may also be permitted.

Zoning Appeals - The BZA is authorized to hear an Appeal when it is alleged that the decision of any administrative officer or body related to the enforcement or administration of the Zoning Regulations erred or was otherwise incorrect. In most cases, it is the decision of the ZA that is appealed to the Board.

Foreign Missions - Under the Foreign Missions Act of 1982, chanceries are permitted as a matter-of-right use in Commercial, Industrial, Mixed Use, and Waterfront Districts. In all other areas, including the Mixed-Use Diplomatic Overlay District, the BZA has the authority to “disapprove” or veto a proposed chancery location or expansion.

Civil Infraction Appeals - Under the Civil Infractions Act of 1985, the BZA is authorized to hear administrative appeals from the decision of an administrative law judge involving the Zoning Act of 1938 or the Zoning Regulations.



Chart of Height, Density and Bulk Requirements for Zone Districts

To determine the zoning designation for each property in the District, please view the Zoning Map at www.dcoz.dc.gov/info/map.shtm. The chart below provides attributes for all zone districts. As the Zoning Administrator (ZA) at the Department of Consumer and Regulatory Affairs (DCRA) is responsible for administering, interpreting and enforcing the Zoning Regulations, please confirm all information with the ZA. For contact information see page 46.

RESIDENTIAL DISTRICTS												
Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
R-1-A	Permits matter-of-right development of single-family residential uses for detached dwellings, churches and public schools	Structures (except churches, public recreation and community centers, and public schools)	75	7,500	40	n/a	n/a	n/a	3	40	8	25
R-1-B	Permits matter-of-right development of single-family residential uses for detached dwellings	Structures (except churches, public recreation and community centers, and public schools)	50	5,000	40	n/a	n/a	n/a	3	40	8	25
R-2	Permits matter-of-right development of single-family residential uses for detached and semi-detached dwelling units	All Other Structures (except churches, public recreation and community centers, and public schools)	40	4,000	40	n/a	n/a	n/a	3	40	8	20
		One-Family Semi-Detached Dwelling	30	3,000	40	n/a	n/a	n/a	3	40	8	20
R-3	Permits matter-of-right development of single-family residential uses (including detached, semi-detached and row dwellings), churches and public schools	All Other Structures (except churches, public recreation and community centers, and public schools)	40	4,000	40	n/a	n/a	n/a	3	40	n/p	20
		One-Family Detached Dwelling	40	4,000	40	n/a	n/a	n/a	3	40	8	20
		One-Family Semi-Detached Dwelling	30	3,000	40	n/a	n/a	n/a	3	40	8	20
		Row Dwelling and Flat	20	2,000	60	n/a	n/a	n/a	3	40	n/p	20
R-4	Permits matter-of-right development of single-family residential uses (including detached, semi-detached and row dwellings and flats), churches and public schools	All Other Structures (except churches, public recreation and community centers, and public schools)	40	4,000	40	n/a	n/a	n/a	3	40	n/p	20

n/a = not applicable

n/p = none prescribed



RESIDENTIAL DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
R-4	Permits matter-of-right development of single-family residential uses (including detached, semi-detached and row dwellings and flats), churches and public schools	Conversion of a Building/Structure to an Apartment House	n/p	900/apartment	Greater of 60% or the lot occupancy as of the date of conversion	n/a	n/a	n/a	3	40	n/p	40
		One-Family Detached Dwelling	40	4,000	40	n/a	n/a	n/a	3	40	8	20
		One-Family Semi-Detached Dwelling	30	3,000	40	n/a	n/a	n/a	3	40	8	20
		Row Dwelling and Flat	18	1,800	60	n/a	n/a	n/a	3	40	n/p	20
R-5-A	Permits matter-of-right development of single-family residential uses for detached and semi-detached dwellings, and with the approval of the BZA, new residential development of low density residential uses including row houses, flats, and apartments	All Other Structures (except churches, public recreation and community centers, public libraries and public schools)	As prescribed by the BZA pursuant to § 3104	As prescribed by the BZA pursuant to § 3104	40	0.9	0.9	0.9	3	40	3" per foot of height of the building, but not less than 8'	20
		Apartment House Containing 3 or More Dwelling Units Per Floor	As prescribed by the BZA pursuant to § 3104	As prescribed by the BZA pursuant to § 3104	40	0.9	n/a	0.9	3	40	3" per foot of height of the building, but not less than 8'	20
		One-Family Detached Dwelling	40	4,000	40	0.9	n/a	0.9	3	40	8	20
		Public Recreation and Community Center	n/p	n/p	20	n/a	0.9	0.9	3	45	3" per foot of height of the building, but not less than 8'	20
R-5-B	Permits matter-of-right medium/high density development of general residential uses, including single-family dwellings, flats, and apartment buildings	All Other Structures (except churches, public recreation and community centers, public libraries, campus plans, and public schools)	n/p	n/p	60	1.8	1.8	1.8	No Limit	50	n/p	4" per 1' of height of the building, but not less than 15'

n/a = not applicable

n/p = none prescribed



RESIDENTIAL DISTRICTS												
Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
R-5-B	Permits matter-of-right moderate density development of general residential uses, including single-family dwellings, flats, and apartment buildings	One-Family Detached Dwelling	n/p	n/p	60	1.8	n/a	1.8	No Limit	50	8	4" per 1' of height of the building, but not less than 15'
		One-Family Semi-Detached Dwelling	n/p	n/p	60	1.8	n/a	1.8	No Limit	50	8	4" per 1' of height of the building, but not less than 15'
R-5-C	Permits matter-of-right medium density development of general residential uses, including single-family dwellings, flats, and apartment buildings	All Other Structures (except churches, public recreation and community centers, public libraries, campus plans, and public schools)	n/p	n/p	75	3	3	3	No Limit	60	n/p	4" per 1' of height of the building, but not less than 15'
		One-Family Detached Dwelling	n/p	n/p	75	3	n/a	3	No Limit	60	8	4" per 1' of height of the building, but not less than 15'
		One-Family Semi-Detached Dwelling	n/p	n/p	75	3	n/a	3	No Limit	60	8	4" per 1' of height of the building, but not less than 15'
R-5-D	Permits matter-of-right medium/high density development of general residential uses, including single-family dwellings, flats, and apartment buildings	All Other Structures (except churches, public recreation and community centers, public libraries, campus plans, and public schools)	n/p	n/p	75	3.5	3.5	3.5	No Limit	90	n/p	4" per 1' of height of the building, but not less than 15'
		One-Family Detached Dwelling	n/p	n/p	75	3.5	n/a	3.5	No Limit	90	8	4" per 1' of height of the building, but not less than 15'
		One-Family Semi-Detached Dwelling	n/p	n/p	75	3.5	n/a	3.5	No Limit	90	8	4" per 1' of height of the building, but not less than 15'

n/a = not applicable

n/p = none prescribed



RESIDENTIAL DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
R-5-E	Permits matter-of-right high density development of general residential uses, including single-family dwellings, flats, and apartment buildings	All Other Structures (except churches, public recreation and community centers, public libraries, campus plans, and public schools)	n/p	n/p	75	5	n/a	5	No Limit	90	n/p	3" per foot of height of the building, but not less than 12'
		Apartment and Hotel	n/p	n/p	75	6	n/a	6	No Limit	90	n/p	3" per foot of height of the building, but not less than 12'
		One-Family Detached Dwelling	n/p	n/p	75	n/a	5	5	No Limit	90	8	3" per foot of height of the building, but not less than 12'
		One-Family Semi-Detached Dwelling	n/p	n/p	75	n/a	5	5	No Limit	90	8	3" per foot of height of the building, but not less than 12'

n/a = not applicable n/p = none prescribed

SPECIAL PURPOSE DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
SP-1	Permits matter-of-right medium density development including all kinds of residential uses, with limited offices for non-profit organizations, trade associations and professionals permitted as a special exception requiring approval of the BZA	All Other Structures (except public recreation and community centers)	n/a	n/a	80	4	2.5	4	No Limit	65	n/p	2.5" per foot of height of the building, but not less than 12'

n/a = not applicable n/p = none prescribed



SPECIAL PURPOSE DISTRICTS												
Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
SP-1	Permits matter-of-right medium density development including all kinds of residential uses, with limited offices for non-profit organizations, trade associations and professionals permitted as a special exception requiring approval of the BZA	One-Family Detached Dwelling	n/a	n/a	80	4	2.5	4	No Limit	65	8	2.5" per foot of height of the building, but not less than 12'
		One-Family Semi-Detached Dwelling	n/a	n/a	80	4	2.5	4	No Limit	65	8	2.5" per foot of height of the building, but not less than 12'
SP-2	Permits matter-of-right medium/high density development including all kinds of residential uses, with limited offices for non-profit organizations, trade associations and professionals permitted as a special exception requiring approval of the BZA	All Other Structures (except public recreation and community centers)	n/a	n/a	80	6	3.5	6	No Limit	90	n/p	2.5" per foot of height of the building, but not less than 12'
		One-Family Detached Dwelling	n/a	n/a	80	6	3.5	6	No Limit	90	8	2.5" per foot of height of the building, but not less than 12'
		One-Family Semi-Detached Dwelling	n/a	n/a	80	6	3.5	6	No Limit	90	8	2.5" per foot of height of the building, but not less than 12'

n/a = not applicable

n/p = none prescribed



COMMERCIAL DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
C-1	Permits matter-of-right neighborhood retail and personal service establishments and certain youth residential care homes and community residence facilities	All Other Structures (except hotels)	n/a	n/a	100	1	1	1	3	40	n/p	20
		One-Family Detached Dwelling	n/a	n/a	60	1	1	1	3	40	8	20
		One-Family Semi-Detached Dwelling	n/a	n/a	60	1	1	1	3	40	8	20
C-2-A	Permits matter-of-right low density development, including office employment centers, shopping centers, medium-bulk mixed use centers, and housing	All Other Structures (except hotels)	n/a	n/a	100	2.5	1.5	2.5	No Limit	50	n/p	15
		One-Family Detached Dwelling	n/a	n/a	60	2.5	1.5	2.5	No Limit	50	8	15
		One-Family Semi-Detached Dwelling	n/a	n/a	60	2.5	1.5	2.5	No Limit	50	8	15
C-2-B	Permits matter-of-right medium density development, including office, retail, housing, and mixed uses	All Other Structures (except hotels)	n/a	n/a	100	3.5	1.5	3.5	No Limit	65	n/p	15
		One-Family Detached Dwelling	n/a	n/a	80	3.5	1.5	3.5	No Limit	65	8	15
		One-Family Semi-Detached Dwelling	n/a	n/a	80	3.5	1.5	3.5	No Limit	65	8	15
C-2-C	Permits matter-of-right high density development, including office, retail, housing, and mixed uses	All Other Structures (except hotels)	n/a	n/a	100	6	2	6	No Limit	90	n/p	15
		One-Family Detached Dwelling	n/a	n/a	80	6	2	6	No Limit	90	8	15
		One-Family Semi-Detached Dwelling	n/a	n/a	80	6	2	6	No Limit	90	8	15
C-3-A	Permits matter-of-right development for major retail and office uses	All Other Structures (except hotels)	n/a	n/a	100	4	2.5	4	No Limit	65	n/p	2.5" per foot of height of the building, but not less than 12'
		One-Family Detached Dwelling	n/a	n/a	75	4	2.5	4	No Limit	65	8	2.5" per foot of height of the building, but not less than 12'

n/a = not applicable

n/p = none prescribed



COMMERCIAL DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
C-3-A	Permits matter-of-right development for major retail and office uses	One-Family Semi-Detached Dwelling	n/a	n/a	75	4	2.5	4	No Limit	65	8	2.5" per foot of height of the building, but not less than 12'
		All Other Structures (except hotels)	n/a	n/a	100	5	4	5	6	70	n/p	2.5" per foot of height of the building, but not less than 12'
C-3-B	Permits matter-of-right medium density development, including office-retail, housing, and mixed uses. It is intended for uptown locations, where the largest component of development will be office-retail and other nonresidential uses	One-Family Detached Dwelling	n/a	n/a	100	5	4	5	6	70	8	2.5" per foot of height of the building, but not less than 12'
		One-Family Semi-Detached Dwelling	n/a	n/a	100	5	4	5	6	70	8	2.5" per foot of height of the building, but not less than 12'
C-3-C	Permits matter-of-right development for major business and employment centers of medium/high density development, including office, retail, housing, and mixed uses	All Other Structures (except hotels)	n/a	n/a	100	6.5	6.5	6.5	No Limit	90	n/p	2.5" per foot of height of the building, but not less than 12'
		One-Family Detached Dwelling	n/a	n/a	100	6.5	6.5	6.5	No Limit	90	8	2.5" per foot of height of the building, but not less than 12'
		One-Family Semi-Detached Dwelling	n/a	n/a	100	6.5	6.5	6.5	No Limit	90	8	2.5" per foot of height of the building, but not less than 12'

n/a = not applicable

n/p = none prescribed



COMMERCIAL DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
C-4	Permits matter-of-right development for major business and employment centers of high density development, including office, retail, housing, and mixed uses	All Other Structures (except hotels)	n/a	n/a	100	8.5	8.5	8.5	No Limit	110	n/p	2.5" per foot of height of the building, but not less than 12'
		One-Family Detached Dwelling	n/a	n/a	100	8.5	8.5	8.5	No Limit	110	8	2.5" per foot of height of the building, but not less than 12'
		One-Family Semi-Detached Dwelling	n/a	n/a	100	8.5	8.5	8.5	No Limit	110	8	2.5" per foot of height of the building, but not less than 12'
C-5	Pennsylvania Avenue Development (PAD) permits retail and office, housing and mixed use development in the area on the north side of Pennsylvania Avenue, NW between 10th Street and 15th Street, NW	All Other Structures (except hotels)	n/a	n/a	100	10	10	10	No Limit	130	n/p	2.5" per foot of height of the building, but not less than 12'
		One-Family Detached Dwelling	n/a	n/a	100	10	10	10	No Limit	130	8	2.5" per foot of height of the building, but not less than 12'
		One-Family Semi-Detached Dwelling	n/a	n/a	100	10	10	10	No Limit	130	8	2.5" per foot of height of the building, but not less than 12'

n/a = not applicable

n/p = none prescribed



INDUSTRIAL DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
C-M-1	Permits development of low bulk commercial and light manufacturing uses	All Buildings & Structures	n/a	n/a	n/a	n/a	3	3	3	40	n/p, except where side lot line abuts a Residence District	2.5" per foot of height of the building, but not less than 12'
C-M-2	Permits development of medium bulk commercial and light manufacturing uses	All Buildings & Structures	n/a	n/a	n/a	n/a	4	4	No Limit	60	n/p, except where side lot line abuts a Residence District	2.5" per foot of height of the building, but not less than 12'
		All Buildings & Structures	n/a	n/a	n/a	n/a	6	6	No Limit	90	n/p, except where side lot line abuts a Residence District	2.5" per foot of height of the building, but not less than 12'
CR	Permits matter-of-right residential, commercial, and certain light industrial development	Residential	n/a	n/a	75	6	3	6	No Limit	90	n/p	3" per foot of height of the building, but not less than 12'
		All Other Structures (except public recreation and community centers)	n/a	n/a	100	6	3	6	No Limit	90	n/p	3" per foot of height of the building, but not less than 12'
M	Permits general industrial uses	All Buildings & Structures	n/a	n/a	n/a	n/a	6	6	No Limit	90	n/p, except where side lot line abuts a Residence District	2.5" per foot of height of the building, but not less than 12'

n/a = not applicable

n/p = none prescribed



WATERFRONT DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
W-0	Permits open space, park and low-density and low-height waterfront-oriented retail and arts uses	All Other Structures	n/a	n/a	25	n/a	0.5	0.5	No Limit	40	12	n/p
		Lot Used Exclusively for Recreational Use, Marina, Yacht Club, or Boathouse Building or Structure	n/a	n/a	50	n/a	0.75	0.75	No Limit	40	12	n/p
		Residential Building or Structure Other Than a Floating Home	n/a	n/a	25	n/a	0.5	0.5	No Limit	40	12	2.5" per foot of height of the building, but not less than 12'
		Structure Located On, In, or Over the Water, Including a Floating Home	n/a	n/a	n/a	n/a	n/a	n/a	No Limit	25	n/a	n/p
W-1	Permits matter-of-right low density residential, commercial, and certain light industrial development in waterfront areas	All Other Structures (except public recreation and community centers)	n/a	n/a	80	2.5	1	2.5	No Limit	45	n/p	n/p
		Residential Building or Structure Other Than a Floating Home	n/a	n/a	80	2.5	1	2.5	No Limit	45	n/p	3" per foot of height of the building, but not less than 12'
W-2	Permits matter-of-right medium density residential, commercial, and certain light industrial development in waterfront areas	All Other Structures (except public recreation and community centers)	n/a	n/a	100	4	2	4	No Limit	60	n/p	n/p
		Residential Building or Structure Other Than a Floating Home	n/a	n/a	75	4	2	4	No Limit	60	n/p	3" per foot of height of the building, but not less than 12'
W-3	Permits matter-of-right high density residential, commercial, and certain light industrial development in waterfront areas	All Other Structures (except public recreation and community centers)	n/a	n/a	100	6	5	6	No Limit	90	n/p	n/p
		Residential Building or Structure Other Than a Floating Home	n/a	n/a	75	6	5	6	No Limit	90	n/p	3" per foot of height of the building, but not less than 12'

n/a = not applicable

n/p = none prescribed



HILL EAST DISTRICTS												
Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
HE-1	The Hill East (HE) District is applied to Federal Reservation 13, which is designated for mixed-use development and is the subject of the Hill East Waterfront Design Guidelines. The District is intended to create a reasonable, integrated zoning scheme for the area based on the concept of "form-based" zoning. Please refer Chapter 26 of the Zoning Regulations for additional requirements.	Square F - Entirely Non-Residential	n/a	n/a	80	n/a	0.8	0.8	4	50	n/p	n/p, except as provided for in § 2810.3
		Square F - Residential	n/a	n/a	80	3	0.8	3	4	50	n/p	3" per foot of height of the building, but not less than 12'
		Square F - Row-Dwelling	18	1,800	80	n/a	n/a	n/a	4	50	n/p	3" per foot of height of the building, but not less than 12'
		Square F - All Other Buildings and Structures	n/a	n/a	80	3	0.8	3	4	50	n/p	3" per foot of height of the building, but not less than 12'
		Square G - Entirely Non-Residential	n/a	n/a	80	n/a	1	1	4	50	n/p	n/p, except as provided for in § 2810.3
		Square G - Residential	n/a	n/a	80	3	1	3	4	50	n/p	3" per foot of height of the building, but not less than 12'
		Square G - Row-Dwelling	18	1,800	80	n/a	n/a	n/a	4	50	n/p	3" per foot of height of the building, but not less than 12'
		Square G - All Other Buildings and Structures	n/a	n/a	80	3	1	3	4	50	n/p	3" per foot of height of the building, but not less than 12'
n/a = not applicable			n/p = none prescribed									



HILL EAST DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
HE-1	The Hill East (HE) District is applied to Federal Reservation 13, which is designated for mixed-use development and is the subject of the Hill East Waterfront Design Guidelines. The District is intended to create a reasonable, integrated zoning scheme for the area based on the concept of "form-based" zoning. Please refer Chapter 26 of the Zoning Regulations for additional requirements.	Square H - Entirely Non-Residential	n/a	n/a	80	n/a	0.5	0.5	4	50	n/p	n/p, except as provided for in § 2810.3
		Square H - Residential	n/a	n/a	80	3	0.5	3	4	50	n/p	3" per foot of height of the building, but not less than 12'
		Square H - Row-Dwelling	18	1,800	80	n/a	n/a	n/a	4	50	n/p	3" per foot of height of the building, but not less than 12'
		Square H - All Other Buildings and Structures	n/a	n/a	80	3	0.5	3	4	50	n/p	3" per foot of height of the building, but not less than 12'
HE-2	The Hill East (HE) District is applied to Federal Reservation 13, which is designated for mixed-use development and is the subject of the Hill East Waterfront Design Guidelines. The District is intended to create a reasonable, integrated zoning scheme for the area based on the concept of "form-based" zoning. Please refer Chapter 26 of the Zoning Regulations for additional requirements.	Square E - Park	n/a	n/a	20	n/a	0.2	0.2	No Limit	26	n/p	n/a
		Square F - Entirely Non-Residential	n/a	n/a	75	n/a	0.8	0.8	7	80	n/p	n/p, except as provided for in § 2810.3
		Square F - Residential	n/a	n/a	75	4.8	0.8	4.8	7	80	n/p	3" per foot of height of the building, but not less than 12'
		Square F - Row-Dwelling	18	1,800	75	n/a	n/a	n/a	7	80	n/p	3" per foot of height of the building, but not less than 12'
		Square F - All Other Buildings and Structures	n/a	n/a	75	4.8	0.8	4.8	7	80	n/p	3" per foot of height of the building, but not less than 12'

n/a = not applicable

n/p = none prescribed



HILL EAST DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
HE-2	The Hill East (HE) District is applied to Federal Reservation 13, which is designated for mixed-use development and is the subject of the Hill East Waterfront Design Guidelines. The District is intended to create a reasonable, integrated zoning scheme for the area based on the concept of "form-based" zoning. Please refer Chapter 26 of the Zoning Regulations for additional requirements.	Square G - Entirely Non-Residential	n/a	n/a	75	n/a	1	1	7	80	n/p	n/p, except as provided for in § 2810.3
		Square G - Residential	n/a	n/a	75	4.8	1	4.8	7	80	n/p	3" per foot of height of the building, but not less than 12'
		Square G - Row-Dwelling	18	1,800	75	n/a	n/a	n/a	7	80	n/p	3" per foot of height of the building, but not less than 12'
		Square G - All Other Buildings and Structures	n/a	n/a	75	4.8	1	4.8	7	80	n/p	3" per foot of height of the building, but not less than 12'
		Square I - Entirely Non-Residential	n/a	n/a	75	n/a	3	3	7	80	n/p	n/p, except as provided for in § 2810.3
		Square I - Residential	n/a	n/a	75	4.8	3	4.8	7	80	n/p	3" per foot of height of the building, but not less than 12'
		Square I - Row-Dwelling	18	1,800	75	n/a	n/a	n/a	n/a	n/a	n/p	3" per foot of height of the building, but not less than 12'
		Square I - All Other Buildings and Structures	n/a	n/a	75	4.8	3	4.8	7	80	n/p	3" per foot of height of the building, but not less than 12'
		All Other Squares - All Buildings and Structures	n/a	n/a	75	4.8	4.8	4.8	7	80	n/p	3" per foot of height of the building, but not less than 12'
n/a = not applicable		n/p = none prescribed										



HILL EAST DISTRICTS

Zone	Description	Use	Minimum Lot Dimension		% of Lot Occupancy	Maximum Floor Area Ratio (FAR)			Maximum Height		Setbacks	
			Width (feet)	Area (sq. ft.)		Residential	Other Uses	Max. Permitted	Stories	Feet	Side	Rear
HE-3	The Hill East (HE) District is applied to Federal Reservation 13, which is designated for mixed-use development and is the subject of the Hill East Waterfront Design Guidelines. The Overlay is intended to create a reasonable, integrated zoning scheme for the area based on the concept of "form-based" zoning. Please refer Chapter 26 of the Zoning Regulations for additional requirements.	Square I - Entirely Non-Residential	n/a	n/a	80	n/a	3	3	10	110	n/p	none prescribed except as provided for in § 2810.3
		Square I - Residential	n/a	n/a	80	7.2	3	7.2	10	110	n/p	3" per foot of height of the building, but not less than 12'
		Square I - Row-Dwelling	18	1,800	80	n/a	n/a	n/a	n/a	n/a	n/p	3" per foot of height of the building, but not less than 12 feet
		Square I - All Other Buildings and Structures	n/a	n/a	80	7.2	3	7.2	10	110	n/p	3" per foot of height of the building, but not less than 12 feet
		All Other Squares - All Buildings and Structures	n/a	n/a	80	7.2	7.2	7.2	10	110	n/p	3" per foot of height of the building, but not less than 12 feet
HE-4	The Hill East (HE) District is applied to Federal Reservation 13, which is designated for mixed-use development and is the subject of the Hill East Waterfront Design Guidelines. The Overlay is intended to create a reasonable, integrated zoning scheme for the area based on the concept of "form-based" zoning. Please refer Chapter 26 of the Zoning Regulations for additional requirements.	All Squares - Corrections	n/a	n/a	75	n/a	6	6	8	90	n/p	3" per foot of height of the building, but not less than 12 feet

n/a = not applicable

n/p = none prescribed



Summary of Overlay Districts

To determine if a property in the District is in an overlay district, please view the Zoning Map at www.dcoz.dc.gov/info/map.shtm. The chart below provides attributes for all overlay districts. As the Zoning Administrator (ZA) at the Department of Consumer and Regulatory Affairs (DCRA) is responsible for administering, interpreting and enforcing the D.C. Zoning Regulations, please confirm all information with the ZA. For contact information see page 46.

Overlay District		Summary
Uptown Arts-Mixed Use Overlay District	ARTS	The Uptown Arts-Mixed Use (ARTS) Overlay District was established to encourage retail, entertainment and residential uses that require pedestrian activity; an increased presence and integration of the arts and related cultural and arts-related support uses; a design character and identity of the area by establishing physical design standards and adaptive reuse of older buildings in combination with new buildings; and increased public safety. The ARTS Overlay provides for flexibility in use, height, bulk, bonus density, and combined lot development; and is subject to the Inclusionary Zoning Requirements of Chapter 26 of the Zoning Regulations. No portion of an eating/drinking establishment located on the ground floor of squares fronting 14th Street or U Street, N.W. is permitted to occupy more than fifty percent (50%) of the linear frontage of that square. Where there are conflicts between the ARTS Overlay and the underlying zoning, the more restrictive provisions of the Zoning Regulations govern. For more information, including preferred uses, combined lot development, bonus density provisions, and street frontage design requirements, see Chapter 19 of the Zoning Regulations.
Capitol Interest Overlay District	CAP	The Capitol Interest (CAP) Overlay District was established to promote and protect the public health, safety, and general welfare of the U.S. Capitol precinct and the area adjacent to this jurisdiction, in a manner consistent with the goals and mandates of the United States Congress. The overlay controls land use, as well as the height and bulk of buildings, for the areas south of the U.S. Capitol and the historic residential district to the east of the U.S. Capitol. The overlay restricts some of the permitted uses allowed in the existing zone districts and provides for more control of the height and bulk allowed in existing underlying zone districts. The height of buildings or structures in the CAP Overlay District shall not exceed forty feet (40 ft.) or three (3) stories in height. Roof structures shall not exceed ten feet (10 ft.) in height above the roof upon which they are located. The maximum permitted density of a building or structure within the overlay district shall not exceed one and eight-tenths (1.8) floor area ratio (FAR). All special exception applications within the overlay are referred to the Architect of the Capitol for review and comment. For more information, including information on specific use regulations and allowable Inclusionary Zoning modifications, see Chapter 12 of the Zoning Regulations.



Overlay District		Summary
Chain Bridge Road/University Terrace Overlay District	CB/UT	The Chain Bridge Road/University Terrace (CB/UT) Overlay District was established to preserve and enhance the park-like setting of the Chain Bridge Road/University Terrace area by providing for widely-spaced residences and by regulating alteration or disturbance of terrain, destruction of trees, and ground coverage of permitted buildings and impervious surfaces. The intent of the overlay is to preserve the natural topography and mature trees to the maximum extent feasible in a residential neighborhood; prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas; limit permitted ground coverage of new and expanded buildings and other construction, so as to encourage a general compatibility between the siting of new buildings or construction and the existing neighborhood; and limit the minimum size of lots so as to prevent significant adverse impact on existing infrastructure. The CB/UT Overlay provides for lot occupancy and ground coverage restrictions and tree removal limitations. The overlay does not affect the matter-of-right building height, yard, and lot occupancy requirements of the underlying zone districts. Where there is a conflict between the CB/UT Overlay District and the underlying zoning, the more restrictive provisions of the Zoning Regulations govern. For more information, see Sections 1565 through 1569 of the Zoning Regulations.
Capitol Gateway Overlay District	CG	The Capitol Gateway (CG) Overlay District was established to provide use, height, density (including incentives for bonus density and height), combined lot development, and design requirements to ensure an appropriate mixture of residential and commercial uses and suitable height, bulk, and design of buildings. The overlay is applied to the Buzzard Point and Capitol Gateway areas, which are in the southwest and near southeast quadrants of the city, north or west of the Anacostia River. Specific development objectives of the overlay are: to encourage support and visitor-related uses and continued existing industrial uses; to reduce the height and bulk of buildings along the Anacostia riverfront; to require suitable ground-floor retail and service uses along M Street, near the Navy Yard metro; to provide for a ballpark for major league sport and entertainment and associated uses at Squares 702-706 and Reservation 247; to establish South Capitol Street as a monumental boulevard; and to provide for the development of Half Street, S.E. and First Street, S.E. as active pedestrian-oriented streets. The overlay is mapped on top of the existing underlying zone districts and where there are conflicts, the CG Overlay governs. Bonus density, and sometimes additional height, is available and density transfers are permitted under certain circumstances. For more information, including design requirements for individual streets and allowable Inclusionary Zoning modifications, see Chapter 16 of the Zoning Regulations.
Capitol Hill Commercial Overlay District	CHC	The Capitol Hill Commercial (CHC) Overlay District was established to implement the goals and policies of the Comprehensive Plan, particularly those land use objectives and policies related to improving the physical condition of Capitol Hill through the provision of functional, efficient, and attractive commercial areas; minimizing conflicts between various land uses; locating more intensive and active land uses in areas of Capitol Hill that can accommodate and support such uses; stabilizing and improving commercial areas in portions of Capitol Hill; ensuring the integrity of the Capitol Hill Historic District; and developing and establishing special land use categories to meet the unique characteristics of the commercial areas of Capitol Hill. The overlay also seeks to encourage adaptive reuse of buildings and to provide appropriate incentives for new infill that is compatible with the Capitol Hill Historic District. The maximum building height permitted in the CHC Overlay District shall be that of the underlying zone; however, if the property is located within both the CHC Overlay District and the CAP Overlay District, the maximum height shall be that permitted in the CAP Overlay District. The maximum density permitted for a building or structure in the CHC Overlay District shall be 3.0 floor area ratio (FAR). The maximum density for a building or structure located in both the CHC Overlay District and the CAP Overlay District shall be 2.5 FAR. The maximum density for a planned unit development within the CHC is 3.0 FAR; the maximum density for a planned unit development within both the CAP and CHC overlays is 2.5 FAR. For more information, see Sections 1570 through 1573 of the Zoning Regulations.



Overlay District		Summary
Cleveland Park Neighborhood Commercial Overlay District	CP	The Cleveland Park Neighborhood Commercial (CP) Overlay District was established to provide for safe and efficient pedestrian movement, so as to improve access to retail services, as well as to the Metrorail station; to encourage compatibility of development with the Historic Landmark and Historic District Protection Act of 1978; and to provide for retention of existing housing to help meet the need for affordable housing and to enhance pedestrian activity, safety, and support for businesses. The maximum permitted height for any building or structure in the CP Overlay District shall be forty feet (40 ft.). The matter-of-right density in the CP Overlay District shall be 2.0 floor area ratio (FAR), not more than 1.0 of which may be occupied by nonresidential uses. For more information, including information on allowable Inclusionary Zoning modifications, see Section 1306 of the Zoning Regulations.
Diplomatic Overlay District	D	The Diplomatic (D) Overlay District was established to implement the Foreign Missions Act and is mapped at suitable locations in the District pursuant to the Act and the Foreign Missions and International Organizations element of the Comprehensive Plan. The overlay allows for the location of a chancery, if not disapproved by the Board of Zoning Adjustment (BZA). In rendering a decision, the BZA considers the international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's Capital; historic preservation and its compliance with District of Columbia and federal regulations governing historic preservation; and the adequacy of parking, security, the municipal interest (as determined by the Mayor) and federal interest (as determined by the Secretary of State). For more information, see Chapter 10 of the Zoning Regulations.
Dupont Circle Overlay District	DC	The Dupont Circle (DC) Overlay District was established to preserve and enhance the unique low scale, predominately residential and historic character, and independent small retail businesses of Dupont Circle, given the high-density development pressures caused by its proximity to the Central Employment Area and the Dupont Circle Metrorail Station. In the DC Overlay, the matter-of-right height and density limits serve as the maximum permitted height and floor area ratio for a planned unit development (PUD). Where other provisions of the regulations provide for additional requirements for PUDs, those additional requirements continue to apply. Where there is a conflict between the DC Overlay and the underlying zoning, the more restrictive provisions of the Zoning Regulations govern. For more information, see Sections 1500 through 1505 of the Zoning Regulations.
Downtown Development Overlay District	DD	The Downtown Development (DD) Overlay District is applied to the core of the Downtown area in northwest Washington, D.C., including sub-areas identified in the Comprehensive Plan as the Downtown Shopping District (Retail Core), the Downtown Arts District, Gallery Place, Chinatown, Pennsylvania Quarter, Convention Center, and Mount Vernon Square. The general purposes are to create a balanced mix of uses; to guide office development, which is favored by market forces, so as to further the land use objectives for retail, hotel, residential, entertainment, arts and cultural uses; to protect historic buildings and places while permitting sensitive and compatible new developments; to achieve desired land use and development policies; to guide building design to be generally consistent with the Downtown Element of the Comprehensive Plan; to foster growth opportunities for and retention of small and minority businesses; and to provide adequate and visually acceptable short-term parking and consolidated loading from streets other than F, G, and 7th Streets. The overlay contains requirements that govern the use, design, height, and bulk of development. It contains both area-wide design standards and use provisions, as well as requirements that are tailored specifically to the Downtown Shopping District, the Downtown Arts District, Chinatown, and the Mount Vernon Triangle District. The overlay provides a wide range of overlapping incentives and requirements to meet its development goals. For more information, including preferred uses, design requirements, transferable development rights, combined lot development, historic preservation restrictions, and affordable housing requirements, see Chapter 17 of the Zoning Regulations.



Overlay District		Summary
Eighth Street Southeast Neighborhood Commercial Overlay District	ES	The Eighth Street Southeast Neighborhood Commercial (ES) Overlay District was established to encourage and allow new business and office development in close proximity to the Navy Yard, with emphasis on firms that will conduct business with the Navy, as well as neighborhood-serving retail and service businesses; allow and encourage medium density commercial development, in the interest of securing economic development, while restricting building heights to a low level so as to respect the historic scale of buildings and the entrance to the adjacent Navy Yard; and provide for safe and efficient pedestrian movement, so as to improve access to retail and other businesses in the area. Restaurants, fast food establishments, and prepared food shops shall be subject to the following limitations: these uses shall occupy no more than fifty percent (50%) of the linear street frontage within the ES Overlay District, as measured along the lots that face designated roadways in the ES Overlay District of which only up to one-half (1/2) of the fifty percent (50%) of the linear street frontage shall be occupied by fast food establishments. The maximum permitted height for any building or structure in the ES Overlay District shall be forty-five feet (45 ft.). The maximum density permitted for commercial and residential uses in the ES Overlay District shall be 3.0 floor area ratio (FAR). For more information, see Section 1309 of the Zoning Regulations.
Foggy Bottom Overlay District	FB	The Foggy Bottom (FB) Overlay District was established to require the scale of development to be consistent with the Comprehensive Plan and the characteristics of the low-scale residential neighborhood. The intent of the overlay is to: protect of the integrity of the historic district; enhance the residential character by maintaining existing residential uses; improve human scale streetscape by maintaining public space as landscaped green spaces and limiting curb cuts; preserve areas planned as open backyards and alleyways; and promote the use of public transportation. The matter-of-right height and density limits shall serve as the maximum permitted height and floor area ratio for planned unit developments. Where there is a conflict between the FB Overlay and the underlying zoning, the more restrictive provisions of the Zoning Regulations govern. For more information, see Sections 1521 through 1524 of the Zoning Regulations.
Forest Hills Tree and Slope Protection Overlay District	FH	The Forest Hills Tree and Slope Protection (FH/TSP) Overlay District was established to preserve and enhance the park-like setting of certain designated neighborhoods including Soapstone Valley and Melvin C. Hazen Park. The overlay is meant to preserve the natural topography and mature trees to the maximum extent feasible in the Forest Hills neighborhood. The overlay limits permitted ground coverage of new and expanded buildings and other construction so as to encourage a general compatibility between the location of new buildings or construction and the existing neighborhood. The FH Overlay is mapped over R-1-A, R-1-B, and R-2 zoned properties. The maximum permitted building height is governed by the underlying zone districts. The maximum lot occupancy allowed is 30 percent (30%). The minimum lot size allowed is 9,500 square feet. There is a minimum side yard requirement of 8 to 24 feet. For more information, see Sections 1516 through 1520 of the Zoning Regulations.
Fort Totten Overlay District	FT	The Fort Totten (FT) Overlay District was established to allow existing industrial businesses to remain and expand and to propose land use control policies to further implement the Comprehensive Plan. The purpose of the FT Overlay is to: encourage a scale of development and a mixture of building and land uses as generally required by the Comprehensive Plan; encourage future residential and commercial development by means of the provisions of the underlying CR and C-3-A Districts while enabling existing industries that provide jobs, tax revenues, and critical support functions to remain in the District; and protect surrounding residential areas from the adverse impacts of existing industrial support uses by means of the buffering standards provided in this overlay district. Where there is a conflict between the FT Overlay and the underlying zoning, the more restrictive provisions of the Zoning Regulations govern. For more information, see Sections 1561 through 1564 of the Zoning Regulations.



Overlay District		Summary
Georgia Avenue Neighborhood Commercial Overlay District	GA	The Georgia Avenue (GA) Overlay District was established to implement the objectives of the Petworth Metro Station Area and Corridor Plan and the Great Streets Framework Plan for 7th Street; to encourage additional residential uses and improved commercial uses; to provide uniform building design standards and set guidelines for development review for planned unit development and special exception proceedings; and to encourage vertically-mixed uses (ground-floor commercial and residential above) within a quarter mile of the Georgia Avenue – Petworth Metrorail Station. The ground floor level of each building or building addition shall have a uniform minimum clear floor-to-ceiling height of 14 ft. To accommodate this, those building shall be permitted an additional five feet of building height over that permitted as a matter-of-right in the underlying zone. In the GA/C-2-A Zone District, 70% lot occupancy shall be permitted for those buildings that include residential use. For more information, including prohibited uses, design requirements, and allowable Inclusionary Zoning modifications, see Sections 1327 through 1331 of the Zoning Regulations.
H Street Northeast Neighborhood Commercial Overlay District	HS	The H Street (HS) Northeast Neighborhood Commercial Overlay District was established to provide use (commercial and residential), density, design, and planned unit development requirements for lots fronting on H Street, N.E. from 2nd Street to 15th Street, N.E., zoned C-2-A, C-2-B, C-2-C, C-3-A and C-3-B. The overlay is broken up into geographical sub-districts. The purposes of the HS Overlay are to implement the Comprehensive Plan and the H Street, N.E. Strategic Development Plan; encourage residential use, particularly affordable housing and for reuse of upper floors; encourage the clustering of uses into unique destination districts, specifically a housing district from 2nd Street to 7th Street (HS-H), a neighborhood-serving retail shopping district from 7th Street to 12th Street (HS-R), and an arts and entertainment district from 12th Street to 15th Street (HS-A); to establish design guidelines consistent with the historic character and scale of the Overlay District; and to encourage the uses of existing buildings along the corridor. The ground floor level of each building or building addition shall have a uniform minimum clear floor-to-ceiling height of 14 ft. To accommodate this, those building shall be permitted an additional five feet of building height over that permitted as a matter-of-right in the underlying zone. For the HS-H and HS-A Sub-Districts, the overlay reduces the amount of non-residential use allowed in new construction. The overlay also provides bonus density for new construction that preserves an existing facade constructed before 1958 in all sub-districts. For more information, including design requirements, allowable Inclusionary Zoning modifications, and restrictions on planned unit developments, see Sections 1320 through 1326 of the Zoning Regulations.
Hotel/Residential Incentive Overly District	HR	The Hotel/Residential (HR) Incentive Overlay District was established to encourage construction of hotels and apartment houses to further elements of the District of Columbia's development plans, including goals in employment, population, transportation, housing, public facilities, and environmental quality. The HR Overlay authorizes hotels and apartment houses to be constructed at greater building heights and densities than other buildings and uses permitted in the underlying zone districts. The maximum height of a building containing a hotel apartment house may exceed that permitted in the underlying zone, provided that the height does not exceed that permitted by the Building Height Act of 1910; that the building contains a minimum of 2.0 floor area ratio (FAR) devoted to hotel or apartment house use; and that the building complies with the projection requirements of the overlay. For more information, see Chapter 11 of the Zoning Regulations.

Overlay District		Summary
Langdon Overlay District	LO	The Langdon Overlay (LO) District was established to implement the Comprehensive Plan by protecting residences and residents from the adverse environmental, safety, and aesthetic impacts of abutting industrially zoned properties and uses; to encourage retention of existing commercial and light manufacturing uses; and to allow new businesses under special controls designed to protect the quality of life and neighborhood character of the adjacent residential neighborhood. Any use prohibited in the Mixed Use (CR) District by § 602; outdoor materials storage or outdoor processing, fabricating, or repair, whether a principal or accessory use; and incinerators are prohibited in the LO if it is located in whole or in part within one hundred feet (100 ft.) of a Residence District. Yard and screening standards apply to development of a lot in the LO District that abuts a Residence District. For more information, see Section 806 of the Zoning Regulations.
Macomb-Wisconsin Neighborhood Commercial Overlay District	MW	The Macomb-Wisconsin Neighborhood Commercial (MW) Overlay District was established to provide public review of large developments in respect to their proposed uses, vehicular access, and the scale and massing of proposed buildings so as to ensure compatibility with and enhancement of the primary neighborhood retail function of the commercial area and to advance the other purposes of this overlay district. Within the overlay, on a lot that has 10,000 square feet or more in land area, construction of a new building or enlargement of the gross floor area of an existing building by 50% or more shall be permitted, subject to review and approval as a special exception by the Board of Zoning Adjustment. For more information, including allowable Inclusionary Zoning modifications, see Section 1308 of the Zoning Regulations.
Naval Observatory Precinct Overlay District	NO	The Naval Observatory Precinct (NO) Overlay District was established to promote the public health, safety, and general welfare on land adjacent to or in close proximity to the highly sensitive and historically important Naval Observatory, in keeping with the goals and policies of the Federal and District elements of the Comprehensive Plan and the adopted Master Plan for that facility. The maximum permitted building height in the NO Overlay shall not exceed forty feet, including planned unit developments. Special exceptions are subject to additional approval criteria. For more information, see Sections 1531 through 1534 of the Zoning Regulations.
Reed-Cooke Overlay District	RC	The Reed-Cooke (RC) Overlay District was established to protect existing housing and provide for the development of new housing; maintain heights and densities at appropriate levels, encourage small-scale business development that will not adversely affect the residential community; ensure that new nonresidential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, service, and employment needs in the Reed-Cooke and Adams-Morgan community, and protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetic impacts. The maximum height permitted in the RC Overlay District shall not exceed forty feet (40 ft.) plus roof structure as defined in this title; provided, that in the RC/C-2-B Overlay District, a maximum height of fifty feet (50 ft.), plus roof structures, shall be permitted to provide for the on-site construction of low and moderate income household units for a total gross floor area equal to fifty percent (50%) of the additional gross floor area made possible by the height bonus. No planned unit development shall exceed the matter-of-right height, bulk, and area requirements of the underlying district. Where there are conflicts between this chapter and the underlying zone district, the more restrictive regulations shall govern. For more information, including prohibited uses and allowable Inclusionary Zoning modifications, see Chapter 14 of the Zoning Regulations.



Overlay District		Summary
Southeast Federal Center Overlay District	SEFC	The Southeast Federal Center (SEFC) Overlay District was established to provide for the development of a vibrant, urban, mixed-use waterfront neighborhood, offering a combination of uses that will attract residents, office workers, and visitors from across the District and beyond. The objectives of the SEFC overlay are to: ensure a mix of residential and commercial uses with suitable height, bulk, and building design; encourage high-density residential development with a pedestrian-oriented streetscape; encourage support and visitor-related uses; reduce height and bulk of buildings along the Anacostia riverfront; require ground-floor retail and service uses near the Navy Yard Metrorail station; encourage development that is sensitive to historically significant buildings and the adjacent Navy Yard; and establish zoning incentives and restrictions to provide a publicly-accessible park for W-0 Zone District uses along the Anacostia River. The maximum height allowed under the SEFC Overlay varies from 90 to 130 feet, depending on the underlying zone and location within the overlay. The maximum density also varies depending on the underlying zone and location within the overlay. For more information, including design requirements, preferred ground-floor uses and prohibited uses, see Chapter 18 of the Zoning Regulations.
Sixteenth Street Heights Overlay District	SSH	The Sixteenth Street Heights (SSH) Overlay District was established to preserve and enhance the residential character of the Sixteenth Street Heights neighborhood by regulating the expansion of non-residential uses of residential property, regulating the expansion of existing non-residential uses, and preserving residential housing units; and continuing to provide a range of facilities and institutions, with improved public review and control over external effects. The same protections are afforded under SSH-1 as SSH-2, although the factors that justified their inclusion in the overlay differ. A nonresidential use with a valid Certificate of Occupancy as of July 29, 1994 is considered a conforming use and may expand by up to ten percent (10%) of its gross floor area as a matter-of-right, provided certain criteria are met. A proposed new nonresidential use or an expansion of an existing nonresidential use in excess of ten percent (10%) of gross floor area is permitted as a special exception, if approved by the Board of Zoning Adjustment (BZA), provided certain criteria are met. Where there is a conflict between this chapter and the underlying zoning, the more restrictive provision shall govern. For more information, see Sections 1551 through 1553 of the Zoning Regulations.
Takoma Overlay District	TK	The Takoma (TK) Neighborhood Commercial Overlay District was established to reserve sufficient open space to provide adequate light and air to encourage retail and service uses and for pedestrian circulation around the Takoma Metro station; to require a minimum clear floor-to-ceiling height on the ground floor sufficient for neighborhood-serving retail, service and office uses; and to allow and encourage residential development to help meet the need for housing, enhance safety, and provide sufficient demand for neighborhood-serving retail, service, and office uses. The overlay provides for front yard setbacks for new construction, including additions, as well as a minimum ground floor ceiling height of 14 feet for most commercial development (see Section 1310.9 for exception). Those buildings with a minimum clear floor-to-ceiling height of fourteen feet (14 ft.) on the ground floor level are permitted a total building height of fifty-five feet (55 ft). For more information, including allowable Inclusionary Zoning modifications, see Section 1310 of the Zoning Regulations.



Overlay District		Summary
Tree and Slope Protection Overlay District	TSP	The Tree and Slope Protection (TSP) Overlay District was established to preserve and enhance the park-like setting of designated neighborhoods adjacent to streams or parks, by regulating alteration or disturbance of terrain, destruction of trees, and ground coverage of permitted buildings and other impervious surfaces. The TSP Overlay District is designed for residential neighborhoods that have a significant quantity of steep slopes, have stands of mature trees, are located at the edge of stream beds or public open spaces, and have undeveloped lots and parcels subject to potential terrain alteration and tree removal. Principal buildings and accessory buildings on a lot shall not exceed a total lot occupancy of thirty percent (30%). The maximum impervious surface coverage on a lot shall be fifty percent (50%) with some exceptions. The construction of a building, accessory building, or an addition to a building or the creation of any impervious surface area is permitted as a matter-of-right subject to tree removal limitations. Where there is a conflict between this chapter and the underlying zoning, the more restrictive provisions of this title shall govern. For more information, see Sections 1511 through 1515 of the Zoning Regulations.
Wesley Heights Overlay District	WH	The Wesley Heights (WH) Overlay District was established to preserve and enhance the low density character of Wesley Heights by regulating construction and alteration of residential and other buildings in the area. The purposes of the WH Overlay are to preserve in general of the neighborhood, allow reasonable opportunities for owners to expand their dwellings, and preserve existing trees, access to air and light, and the harmonious design and attractive appearance of the neighborhood. No structure, including accessory buildings, shall occupy an area in excess of thirty percent (30%) of the lot with some exceptions. The gross floor area of all buildings and structures on the lot shall not exceed the sum of two-thousand (2,000) square feet plus forty percent (40%) of the area of the lot, with a few provisions. All residential buildings shall have a front yard setback equal to or greater than the average setback of all structures on the same side of the street in the block where the building in question is located. Where there is a conflict between this chapter and the underlying zoning, the more restrictive provisions of this title shall govern. For more information, see Sections 1541 through 1543 of the Zoning Regulations.
Woodley Park Neighborhood Commercial Overlay District	WP	The Woodley Park Neighborhood Commercial (WP) Overlay District was established to provide for safe and efficient pedestrian movement, so as to improve access to retail services, the Metrorail station, and other uses in the area. No hotel, inn, or fast food establishment shall be permitted in the overlay. The maximum permitted height of any building or structure in the overlay shall be forty feet (40 ft.) in the WP/C-2-A Overlay District and fifty (50 ft.) in the WP/C-2-B Overlay District. The matter-of-right density in the WP/C-2-A Overlay District shall be 2.5 floor area ratio (FAR), not more than 1.0 FAR of which may be occupied by nonresidential uses; and the matter-of-right FAR in the WP/C-2-B Overlay District shall be 3.0 FAR, not more than 1.0 FAR of which shall be occupied by nonresidential uses. For more information, including allowable Inclusionary Zoning modifications, see Section 1307 of the Zoning Regulations.



BZA Case Process

	Submission of Application to the Office of Zoning (OZ)
	Notice of Filing - Notices are sent to the Advisory Neighborhood Commission (ANC), Single-Member District (SMD), City Council Member, and other government agencies, as required.
	Public Hearing Notice - Official hearing notices stating the hearing date are sent to the D.C. Register, the Applicant, ANC and property owners within 200 ft. of the subject property 45 to 55 days prior to the hearing.
	Posting of Property - Applicant must post a notice regarding the hearing on the property in question at least 15 days prior to the hearing. Applicant must then file an affidavit of posting at least 5 days prior to the hearing.
	Supplemental Documents - Applicant must file any supplemental documents at least 14 days prior to the hearing.
	Party Status Requests - Persons who wish to participate as a party must clearly demonstrate that their interest would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than others in the general public. Persons seeking party status must file the party status request at least 14 days prior to the hearing.
ANC	<p>ANC Report - The ANC must file a report at least 7 days prior to the hearing.* The ANC Report is given “great weight” by the Board if it includes the following:</p> <ul style="list-style-type: none"> (a) An identification of the case number; (b) Date when ANC held a public meeting to consider the case; (c) Proof that proper notice of the meeting was given by the ANC; (d) The number of ANC members that constitute a quorum and the number of members present; (e) The issues and concerns of the ANC about the case as related to the Zoning Regulations; (f) Recommendations, if any; (g) The vote on the motion to adopt the report; (h) The name of the person authorized to present the ANC report; and (i) Signature of the Chair and/or the Vice-Chair. <p>* The ANC in which the property is located, automatically receives party status. However, for the ANC Report to be given “great weight”, it must comply with the requirements above.</p>
	Hearing - BZA hearings are generally held on Tuesdays, between the hours of 9:30 a.m. and 6:00 p.m.

During the hearing...	
	Opening Statement by the Chairperson
	Preliminary Matters - Discussion of whether the hearing will proceed that day, including verification of affidavits of posting, and waivers of late filings.
	Call of the Case - OZ staff calls the case by stating the case description and swears in the witnesses, and the Board makes a determination of parties.
	Applicant's Presentation
	Questions by the Board of the Applicant
	Cross-Examination of the Applicant by Other Parties
OP	Office of Planning (OP) and/or Other Public Agency Reports
	Questions by the Board of OP and Other Public Agencies
	Cross-Examination of OP and Other Public Agencies by Other Parties
ANC	ANC Presents Report & Testimony

	Questions by the Board of the ANC
	Cross-Examination of the ANC by Other Parties
	Testimony by Parties and/or Persons in Support
	Questions by the Board of Parties or Persons in Support
	Cross-Examination of Parties and/or Persons in Support by Other Parties
	Testimony by Parties and/or Persons in Opposition
	Questions by the Board of Parties or Persons in Opposition
	Cross-Examination of Parties and/or Persons in Opposition by Other Parties
	Rebuttal and Closing Remarks by Applicant Pertaining to Any Issues Raised by Other Parties
	Record Open - If the record is left open, additional information is allowed into the record until it is closed.

	<p>Record Closed - Once the record is closed, no additional documents may be filed.</p>
	<p>Bench Decision - The Board may render a decision at the conclusion of the hearing, if it so chooses.</p>
<p>After the hearing...</p>	
	<p>Public Decision Meeting - If the Board does not issue a bench decision, the decision will be scheduled for a public decision meeting.</p>
	<p>Final Order - A written decision is issued.</p>

Burden of Proof Before the Board of Zoning Adjustment (BZA)

3103.2 Variances

Generally, there are two types of variances: area variances and use variances. An area variance is needed when the owner wishes to make some change to the physical structure or lot itself, and the property does not or will not comply with the Zoning Regulations in some respect. A use variance is needed when the owner wishes to use the property in a way that is not permitted in that zone district under the Zoning Regulations. The granting of a variance relates only to the specific piece of property which is the subject of the application. It will not change the zoning classification of your lot or square. In granting a variance, the BZA simply allows the owner to do something with the property without requiring strict compliance with the Zoning Regulations. This provision has three main tests that must be addressed by the applicant:

1. Are there peculiar and exceptional, practical difficulties, such as the property is exceptionally narrow, shallow, oddly shaped, and/or has unusual topography, soil conditions, or other special conditions:
 - a. What makes it difficult for the owner to build on the property in compliance with the Zoning Regulations? (area variance)
 - b. How will there be financial hardship for the owner in using the property consistent with the Zoning Regulations? (use variance)
2. Granting the application will not be of substantial detriment to the public good; and
3. Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations.

3104.1 Special Exceptions

A special exception is applied for where the owner wishes to institute a use that is pre-deemed compatible with the Zoning Regulations for that particular district, but which needs to be reviewed by the BZA to ensure that certain negative impacts will not occur. In addressing this provision, the Applicant must address the following:

1. How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations; and
2. Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations.

In addition, as all special exceptions are of a specific type, each type is represented in a certain section of the Zoning Regulations. Section 3104.1 sets forth the general standards that must be met for all types of special exception relief, while the other provisions cited in the Zoning Administrator's memorandum detail the remaining standards that must be met.

Variances and special exceptions are not automatically granted upon application and hearing before the BZA. The Applicant is responsible for meeting the burden of proof associated with the particular relief requested.



ZC Contested Case Process

	<p>Submission of Application to the Office of Zoning (OZ)</p>
	<p>Notice of Filing - Notices are sent to the Advisory Neighborhood Commission (ANC), Single-Member District (SMD), City Councilmember, and other government agencies, as required.</p>
<p>OP</p>	<p>Office of Planning (OP) Report Due - Report due 10 days prior to the public meeting at which setdown action will be taken.</p>
	<p>Set Down at Public Meeting</p>
	<p>Applicant Files Pre-Hearing Statement</p>
	<p>Public Hearing Notice - Official hearing notices stating the hearing date are sent to the D.C. Register, ANC(s), SMD(s), City Councilmember, and property owners within 200 ft. of the subject property at least 40 days prior to the hearing.</p>
	<p>Posting of Property - If applicable, Applicant must post a notice regarding the hearing on the property in question at least 40 days prior to the hearing. Applicant must then file an affidavit of posting at least 30 days prior to the hearing.</p>
<p>ANC</p>	<p>ANC Report - The ANC must file a report at least 14 days prior to the hearing.* The ANC Report is given “great weight” by the Commission if it includes the following:</p> <ul style="list-style-type: none"> (a) An identification of the case number; (b) Date when ANC held a public meeting to consider the case; (c) Proof that proper notice of the meeting was given by the ANC; (d) The number of ANC members that constitute a quorum and the number of members present; (e) The issues and concerns of the ANC about the case as related to the Zoning Regulations; (f) Recommendations, if any; (g) The vote on the motion to adopt the report; (h) The name of the person authorized to present the ANC report; and (i) Signature of the Chair and/or the Vice-Chair. <p>* The ANC in which the property is located, automatically receives party status. However, for the ANC Report to be given “great weight”, it must comply with the requirements above.</p>

	<p>Party Status Requests - Persons who wish to participate as a party must clearly demonstrate that their interest would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than others in the general public. Persons seeking party status must file their party status request at least 14 days prior to the hearing.</p>
<p>OP</p>	<p>OP Final Report - OP must submit its final report at least 10 days prior to the hearing.</p>
	<p>Hearing - ZC hearings are generally held Monday and Thursday evenings, starting at 6:30 p.m.</p>
<p>During the hearing...</p>	
	<p>Opening Statement by the Chairperson</p>
	<p>Swearing in of Witnesses</p>
	<p>Preliminary Matters - Discussion of whether the hearing will proceed, including verification of affidavits of posting, waivers of late filings, and determination of parties.</p>
	<p>Applicant's Presentation</p>
	<p>Questions by the Commission of the Applicant</p>
	<p>Cross-Examination of the Applicant by Other Parties</p>
<p>OP</p>	<p>OP and/or Other Public Agency Reports</p>

	Questions by the Commission of OP and/or Other Public Agencies
	Cross-Examination of OP and/or Other Public Agencies by Other Parties
ANC	ANC Presents Report & Testimony
	Questions by the Commission of the ANC
	Cross-Examination of the ANC by Other Parties
	Testimony by Parties and/or Persons in Support
	Questions by the Commission of the Parties and/or Persons in Support
	Cross-Examination of Parties and/or Persons in Support by Other Parties
	Testimony by Parties and/or Persons in Opposition
	Questions by the Commission of the Parties and/or Persons in Opposition

	Cross-Examination of Parties and/or Persons in Opposition by Other Parties
	Rebuttal and Closing Remarks by Applicant Pertaining to Any Issues Raised by Other Parties
	Record Open - If the record is left open, additional information is allowed into the record until it is closed.
	Record Closed - Once the record is closed, no additional documents may be filed.
	Proposed Action - Initial decision taken either at the conclusion of the hearing or at a regularly scheduled public meeting.
After the hearing...	
NCPC	Referral to National Capital Planning Commission (NCPC) for 30-Day Comment Period
	Final Action - Final decision taken at a regularly scheduled public meeting.
	Final Order - A written decision is issued.

ZC Rulemaking* Case Process

	<p>Submission of Petition to the Office of Zoning (OZ)</p>
	<p>Notice of Filing - Notices are sent to the Advisory Neighborhood Commission (ANC), Single-Member District (SMD), City Council Member, and other government agencies, as required.</p>
<p>OP</p>	<p>Office of Planning (OP) Report Due - Report due 10 days prior to the public meeting at which setdown action will be taken.</p>
	<p>Set Down at Public Meeting</p>
	<p>Public Hearing Notice - Official hearing notices stating the hearing date are sent to the D.C. Register, ANC(s), City Councilmember(s), and others, as required, at least 40 days prior to the hearing.</p>
	<p>Posting of Property - If applicable, Petitioner must post a notice regarding the hearing on the property in question at least 40 days prior to the hearing. Petitioner must then file an affidavit of posting at least 30 days prior to the hearing.</p>
<p>ANC</p>	<p>ANC Report - The ANC must file a report at least 14 days prior to the hearing. The ANC Report is given “great weight” by the Commission if it includes the following:</p> <ul style="list-style-type: none"> (a) An identification of the case number; (b) Date when ANC held a public meeting to consider the case; (c) Proof that proper notice of the meeting was given by the ANC; (d) The number of ANC members that constitute a quorum and the number of members present; (e) The issues and concerns of the ANC about the case as related to the Zoning Regulations; (f) Recommendations, if any; (g) The vote on the motion to adopt the report; (h) The name of the person authorized to present the ANC report; and (i) Signature of the Chair and/or the Vice-Chair.
<p>OP</p>	<p>OP Final Report - OP must submit its final report at least 10 days prior to the hearing.</p>

* Please Note: Rulemaking cases are uncontested. Thus, there are no parties in such proceedings.

	Hearing - ZC hearings are generally held Monday and Thursday evenings, starting at 6:30 p.m.
During the hearing...	
	Opening Statement by the Chairperson
	Preliminary Matters - If applicable, discussion of whether the hearing will proceed, including verification of affidavits of posting, and waivers of late filings.
	Petitioner's Presentation
	Questions by the Commission of the Petitioner
OP	OP and/or Other Public Agency Reports
	Questions by the Commission of OP and/or Other Public Agencies
ANC	ANC Presents Report & Testimony
	Questions by the Commission of the ANC
	Testimony by Persons and/or Organizations in Support

	Questions by the Commission of Persons and/or Organizations in Support
	Testimony by Persons and/or Organizations in Opposition
	Questions by the Commission of Persons and/or Organizations in Opposition
	Record Open - If the record is left open, additional information is allowed into the record until it is closed.
	Record Closed - Once the record is closed, no additional documents may be filed.
	Proposed Action - Initial decision taken either at the conclusion of the hearing or at a regularly scheduled public meeting.
After the hearing...	
DC Register	Proposed Rulemaking Published in the DC Register for 30-Day Comment Period
NCPC	Referral to National Capital Planning Commission (NCPC) for 30-Day Comment Period
	Final Action - Final decision taken at a regularly scheduled public meeting.
	Final Order - A written decision is issued.

Definitions

Building Height - The vertical distance measured from the level of the curb opposite the middle of the front of the building to the highest point of the roof or parapet. The term curb shall refer to a curb at grade. In the case of a property fronting a bridge or a viaduct, the height of the building shall be measured from the lower of the natural grade or the finished grade at the middle of the front of the building to the highest point of the roof or parapet.

Building Line - A line beyond which property owners have no legal or vested right to extend a building or any part of the building without special permission and approval of the proper authorities; ordinarily a line of demarcation between public and private property, but also applied to building restriction lines, when recorded on the records of the Surveyor of the District of Columbia.

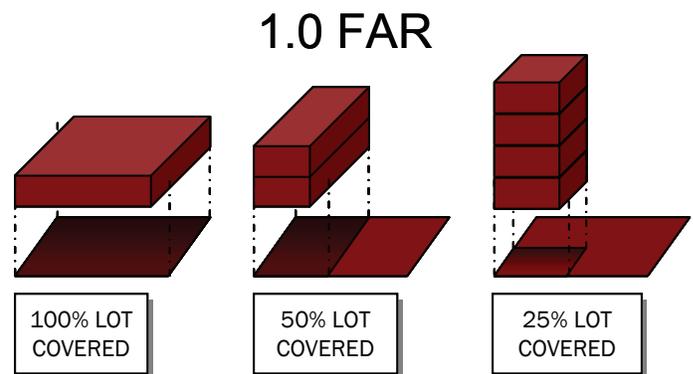
Floor Area Ratio (FAR) - A measure of density, intended to give some flexibility of design; can be expressed in one of the following ways:

a.
$$\text{FAR} = \frac{\text{Gross Floor Area}}{\text{Lot Area}}$$

b.
$$\text{Gross Floor Area} = \text{FAR} \times \text{Lot Area}$$

It is most commonly used in form “b” since the FAR and Lot Area of a parcel is predetermined and the gross floor area is what is unknown in most cases.

For example a building with an FAR of 1.0 can take many different forms; e.g., a 1-story building over the entire lot; a two-story building over 1/2 of the lot; a four-story building over 1/4 of the lot; or any combination thereof.



Gross Floor Area - The sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls and from the center line of walls separating two (2) buildings.

Lot - The land bounded by definite lines that, when occupied or to be occupied by a building or structure and accessory buildings, includes the open spaces required under this title. A lot may or may not be the land so recorded on the records of the Surveyor of the District of Columbia.

Lot Occupancy (lot coverage) - That portion of a lot which is covered with buildings or structures; usually expressed as a maximum percentage; e.g., a maximum lot coverage of 40 percent means that no more than 40 percent of the lot area may be built over with buildings or structures.

Nonconforming structure - A structure, lawfully existing at the time this title or any amendment to this title became effective, that does not conform to all provisions of this title or the amendment, other than use, parking, loading, and roof structure requirements. Regulatory standards that create nonconformity of structures include, but are not limited to, height of building, lot area, width of lot, floor area ratio, lot occupancy, yard, court, and residential recreation space requirements.

Nonconforming use - Any use of land or of a structure, or of a structure and land in combination, lawfully in existence at the time this title or any amendment to this title became effective, that does not conform to the use provisions for the district in which the use is located. A use lawfully in existence at the time of adoption or amendment of this title that would thereafter require special exception approval from the Board of Zoning Adjustment shall not be deemed a nonconforming use. That nonconforming use shall be considered a conforming use, subject to the further provisions of §§ 3104.2 and 3104.3.

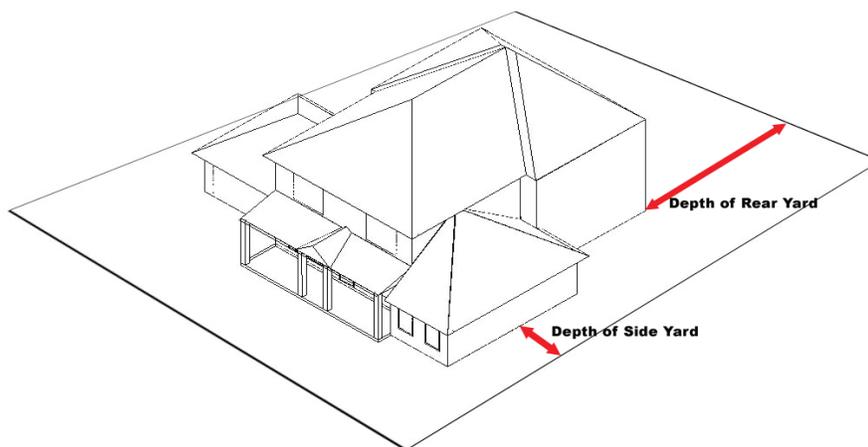
Story - The space between the surface of two (2) successive floors in a building or between the top floor and the ceiling or underside of the roof framing. The number of stories shall be counted at the point from which the height of the building is measured.

Structure - Anything constructed, including a building, the use of which requires permanent location on the ground, or anything attached to something having a permanent location on the ground and including, among other things, radio or television towers, reviewing stands, platforms, flag poles, tanks, bins, gas holders, chimneys, bridges, and retaining walls. The term structure shall not include mechanical equipment, but shall include the supports for mechanical equipment.

Yard - An exterior space, other than a court, on the same lot with a building or other structure. A yard required by the provisions of this title shall be open to the sky from the ground up, and shall not be occupied by any building or structure, except as specifically provided in this title. No building or structure shall occupy in excess of fifty percent (50%) of a yard required by this title.

Yard, rear - A yard between the rear line of a building or other structure and the rear lot line, except as provided elsewhere in this title. The rear yard shall be for the full width of the lot and shall be unoccupied, except as specifically authorized in this title.

Yard, rear, depth of - The mean horizontal distance between the rear line of a building and the rear lot line, except as provided elsewhere in this title.



Yard, side - A yard between any portion of a building or other structure and the adjacent side lot line, extending for the full depth of the building or structure.



Office of Zoning www.dcoz.dc.gov

The Office of Zoning website offers additional zoning information including:

- The Zoning Regulations and Zoning Map
- Zoning Commission (ZC) & Board of Zoning Adjustment (BZA) Calendar of Hearings and Meetings
- Live and Video-on-Demand Webcasts of ZC and BZA Hearings and Meetings
- Application/Petitions Forms
- ZC & BZA Orders and Transcripts
- News and Announcements



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