

# TITLE 11 – ZONING

## SUBTITLE F RESIDENTIAL APARTMENT (RA) ZONES

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## **CHAPTER 1 INTRODUCTION TO RESIDENTIAL APARTMENT (RA) ZONES**

### **100 GENERAL PROVISIONS**

- 100.1 The Residential Apartment (RA) zones permit urban residential development and compatible institutional and semi-public buildings.
- 100.2 The RA zones are designed to be mapped in areas identified as moderate- or high-density residential areas suitable for multi-household development and supporting uses.
- 100.3 In addition to the purpose statements of individual chapters, the provisions of the RA zones are intended to:
- (a) Provide for the orderly development and use of land and structures in areas characterized by predominantly moderate- to high-density residential uses;
  - (b) Permit flexibility by allowing all types of residential development;
  - (c) Promote stable residential areas while permitting a variety of types of urban residential neighborhoods;
  - (d) Promote a walkable living environment;
  - (e) Allow limited non-residential uses that are compatible with adjoining residential uses;
  - (f) Encourage compatibility between the location of new buildings or construction and the existing neighborhood; and
  - (g) Ensure that buildings and developments around fixed rail stations, transit hubs, and streetcar lines are oriented to support active use of public transportation and safety of public spaces.

### **101 DEVELOPMENT STANDARDS**

- 101.1 The bulk of structures in the RA zones shall be controlled through the combined requirements of the general development standards of this subtitle, the zone-specific development standards of this subtitle, and the requirements and standards of Subtitle C.
- 101.2 The development standards are intended to:
- (a) Control the bulk or volume of structures, including height, floor area ratio (FAR), and lot occupancy;

- (b) Control the location of building bulk in relation to adjacent lots and streets, by regulating rear setbacks, side setbacks, and the relationship of buildings to street lot lines;
- (c) Regulate the mixture of uses; and
- (d) Promote the environmental performance of development.

101.3 Development standards may be varied or waived by the Board of Zoning Adjustment as a variance or, as indicated in this title, as a special exception. Additional zone specific special exception criterion, if applicable, shall be considered and are referenced in this subtitle.

## **102 USE PERMISSIONS**

102.1 Use permissions for the RA zones are as specified in Subtitle U.

## **103 PARKING**

103.1 Parking requirements for the RA zones are as specified in Subtitle C.

## **104 PUBLIC EDUCATION, RECREATION, OR LIBRARY BUILDINGS AND STRUCTURES**

104.1 Public education buildings and structures, public recreation and community center, or public library in the RA zones shall be permitted subject to the conditions of Subtitle C, Chapter 16.

104.2 Development standards not otherwise addressed by Subtitle C, Chapter 16 shall be those development standards for the zone in which the building or structure is proposed.

## **105 INCLUSIONARY ZONING**

105.1 Inclusionary zoning requirements for the RA zones are as specified in Subtitle C, Chapter 10.

## CHAPTER 2 GENERAL DEVELOPMENT STANDARDS FOR RA ZONES

### 200 GENERAL PROVISIONS

- 200.1 The provisions of this chapter apply to all zones except as may be modified or otherwise provided for in a specific zone.
- 200.2 When modified or otherwise provided for in the development standards for a specific zone, the modification or zone specific standard shall apply.

### 201 DENSITY

- 201.1 First floor or basement areas designed and used for parking space or for recreation space shall not be counted in the floor area ratio; provided, that not more than fifty percent (50%) of the perimeter of the space may be comprised of columns, piers, walls or windows, or may be similarly enclosed.
- 201.2 In the RA-1 zone, each row dwelling shall have at least one thousand eight hundred square feet (1,800 sq. ft.) of gross land area exclusive of any land area in the project used as a basis for determining the floor area ratio of multi-household buildings.
- 201.3 Each row dwelling need not have a site of one thousand eight hundred square feet (1,800 sq. ft.) and the difference between the site area and the gross land area may be accumulated into common spaces. Land area used to support this floor area ratio of multi household buildings may also be used for common spaces.
- 201.4 Lot area and lot width for residential uses permitted as a special exception shall be as prescribed by the Board of Zoning Adjustment.

### 202 COURTYARDS

- 202.1 A courtyard is not required, but if provided, it shall have the following minimum dimensions:

**TABLE F § 202.1: MINIMUM COURTYARD DIMENSIONS**

Type of Structure	Min. Width Open Courtyard	Min. Width Closed Courtyard	Min. Area Closed Courtyard
<b>Residential, more than three units:</b>	4 in./ft. of height of courtyard; 10 ft. minimum	4 in./ft. of height of courtyard; 15 ft. minimum	Twice the square of the required width of courtyard dimension; 350 sq. ft. minimum.
<b>Non-Residential and Lodging:</b>	2½ in./ft. of height of courtyard; 6 ft. minimum	2½ in./ft. of height of courtyard; 12 ft. minimum	Twice the square of the required width of courtyard dimension; 250 sq. ft. minimum

## **203 HEIGHT**

- 203.1 Except in the RA-6 and RA-7 zones, and except as provided in the Subtitle A § 402, the height of buildings or structures specified in each zone of this subtitle may be exceeded as provided in this section.
- 203.2 A place of worship may be erected to a height of sixty feet (60 ft.); provided, that it shall not exceed the number of stories permitted in the district in which it is located.
- 203.3 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each one foot (1 ft.) of height in excess of that authorized in the district in which it is located.
- 203.4 Except as provided in Subtitle F §§ 203.2 and 203.3, a building or other structure may be erected to a height not exceeding ninety feet (90 ft.), provided that the building or structure shall be removed from all lot lines of its lot for a distance equal to the height of the building or structure above the natural grade.

## **CHAPTER 3 RESIDENTIAL APARTMENT ZONES – RA-1, RA-2, RA-3, RA-4, AND RA-5**

### **300 PURPOSE AND INTENT**

- 300.1 The purposes of the RA-1, RA-2, RA-3, RA-4, and RA-5 zones are to:
- (a) Permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts; and
  - (b) Permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones.
- 300.2 The RA-1 zone provides for areas predominantly developed with low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments.
- 300.3 The RA-2 zone provides for areas developed with predominantly moderate-density residential.
- 300.4 The RA-3 zone provides for areas developed with predominantly medium-density residential.
- 300.5 The RA-4 zone provides for areas developed with predominantly medium- to high-density residential.
- 300.6 The RA-5 zone provides for areas developed with predominantly high-density residential.

### **301 DEVELOPMENT STANDARDS**

- 301.1 The development standards in Subtitle F §§ 302 through 307 modify the general development standards in Subtitle F, Chapter 2.

### **302 DENSITY**

- 302.1 Except as provided in other provisions of this subtitle and in Subtitle C, Chapter 15, the maximum permitted density in the RA-1 through RA-5 zone shall be as set forth in the following table:

**TABLE F § 302.1: MAXIMUM PERMITTED FLOOR AREA RATIO**

<b>Zone</b>	<b>Maximum FAR</b>
RA-1	0.9
RA-2	1.8
RA-3	3.0
RA-4	3.5
RA-5	5.0 6.0 for an apartment house or hotel

**303 HEIGHT**

303.1 Except as permitted in Subtitle F § 203, the height of buildings or structures in the RA-1 through RA-5 zones shall not exceed that given in the following table:

**TABLE F § 303.1: MAXIMUM PERMITTED HEIGHT/STORIES**

<b>Zone</b>	<b>Maximum Height (Feet)</b>	<b>Maximum Number of Stories</b>
RA-1	40	3
RA-2	50	No Limit
RA-3	60	No Limit
RA-4	90	No Limit
RA-5	90	No Limit

**304 LOT OCCUPANCY**

304.1 The maximum lot occupancy shall be established for lots in the RA-1, RA-2, RA-3, RA-4, and RA-5 zones as set forth in the following table:

**TABLE F § 304.1: MAXIMUM PERMITTED LOT OCCUPANCY**

<b>Zone</b>	<b>Maximum Percentage of Lot Occupancy</b>
RA-1	40
RA-2	60
RA-3	75
RA-4	75
RA-5	75

**305 REAR SETBACK**

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

**TABLE F § 304.1: MINIMUM REAR SETBACK**

<b>Zone</b>	<b>Minimum Rear Setback (Feet)</b>
RA-1	20
RA-2	15 feet; or A distance equal to 4 inches per 1 foot of principal building height
RA-3	15 feet; or A distance equal to 4 inches per 1 foot of principal building height
RA-4	15 feet; or A distance equal to 4 inches per 1 foot of principal building height
RA-5	12 feet; or A distance equal to 3 inches per 1 foot of principal building height

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

305.3 In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

**306 SIDE SETBACK**

306.1 A minimum side setback shall be established for lots in the RA-1, RA-2, RA-3, RA-4, and RA-5 zones as follows:

- (a) In the RA-1 zone, one (1) side setback shall be provided for all structures unless the structure contains three (3) or more dwelling units per floor, in which case two (2) side setbacks shall be provided, each with the minimum distance equal to three inches (3 in.) per foot of building height but not less than eight feet (8 ft.); and
- (b) In the RA-2, RA-3, RA-4, and RA-5 zones, no side setback shall be required; however, if a side setback is provided, it shall be no less than four feet (4 ft.).

306.2 An eight-foot (8 ft.) side setback shall be provided for a detached and semi-detached dwelling in the RA-1, RA-2, RA-3, RA-4, and RA-5 zones.

306.3 When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side setback on each resulting free-standing side.

306.4 A side setback shall not be required along a side street abutting a corner lot in an RA-1, RA-2, RA-3, RA-4, and RA-5 zone.

306.5 In the case of a building existing on or before the effective date of this title, with a non-conforming side setback, an extension or addition may be made to the building; provided, that the width of the existing side setback shall not be decreased; and provided further, that the width of the existing side setback shall be a minimum of two feet (2 ft.).

### **307 GREEN AREA RATIO**

307.1 The minimum green area ratio (GAR) shall be 0.4 in the RA-1 and RA-2 zones and 0.3 in the RA-3, RA-4, and RA-5 zones.

### **308 SPECIAL EXCEPTION**

308.1 The special exception criteria of Subtitle F, Chapter 11 shall apply to the RA-1, RA-2, RA-3, RA-4, and RA-5 zone.

## **CHAPTER 4 RESIDENTIAL APARTMENT ZONE – RA-6**

### **400 PURPOSE AND INTENT**

400.1 The RA-6 zone provides for areas predominantly developed with low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments in the vicinity of the U.S. Naval Observatory.

400.2 The RA-6 zone is intended to:

- (a) 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;
- (b) Ensure that public land within the zone shall be used in a manner consistent with the historic or ceremonial importance and special missions of the Naval Observatory;
- (c) Reflect the importance of the Naval Observatory to the District of Columbia and the Nation;
- (d) Provide additional controls on private land to protect Federal interest concerns, including the critical scientific mission performed at the Naval Observatory and the security needs of the Vice-President's residence; and
- (e) Provide development standards to reduce or eliminate any possible harm or restrictions on the mission of the Federal establishment within the zone.

### **401 DEVELOPMENT STANDARDS**

401.1 The development standards in Subtitle F §§ 402 through 408 modify the general development standards in Subtitle F Chapter 2.

401.2 The provisions of Subtitle X Chapter 3 of this title shall not operate to permit a planned unit development in the RA-6 zone to exceed either the limits of Subtitle F § 402.1, or the area, bulk, and setback standards that apply as a matter-of-right in the RA-6 zone.

### **402 DENSITY**

402.1 The maximum density in the RA-6 zone shall be 0.9 FAR.

## **403 HEIGHT**

403.1 In the RA-6 zone, the maximum height shall be forty feet (40 ft.) and three (3) stories.

403.2 For the purposes of the RA-6 zone, the height of a building shall be measured as follows:

- (a) The height of a building shall be 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; and
- (b) The curb elevation opposite the middle of the front of the building shall be determined as the average elevation of the lot from its front line to its rear lot line.

## **404 LOT OCCUPANCY**

404.1 The maximum lot occupancy in the RA-6 zone shall be forty percent (40%).

## **405 REAR SETBACK**

405.1 In the RA-6 zone a minimum rear setback of twenty feet (20 ft.) shall be provided.

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

405.3 In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

## **406 SIDE SETBACK**

406.1 In the RA-6 zone, one (1) side setback shall be provided for all structures unless the structure contains three (3) or more dwelling units per floor, in which case two (2) side setbacks shall be provided, each with the minimum distance equal to three inches (3 in.) per foot of building height but not less than eight feet (8 ft.).

406.2 An eight-foot (8 ft.) side setback shall be provided for a detached and semi-detached dwelling in the RA-6 zone.

406.3 When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side setback on each resulting free-standing side.

406.4 A side setback shall not be required along a side street abutting a corner lot in an RA-6 zone.

406.5 In the case of a building existing on or before the effective date of this title, with a non-conforming side setback, an extension or addition may be made to the building; provided, that the width of the existing side setback shall not be decreased; and provided further, that the width of the existing side setback shall be a minimum of two feet (2 ft.).

**407 GREEN AREA RATIO**

407.1 The minimum GAR in the RA-6 zone shall be 0.4.

**408 SPECIAL EXCEPTION**

408.1 The special exception criteria of Subtitle F, Chapter 11 shall apply to the RA-6 zone.

## **CHAPTER 5 RESIDENTIAL APARTMENT ZONE - RA-7**

### **500 PURPOSE AND INTENT**

500.1 The RA-7 zone provides for areas developed with predominantly moderate- and medium-density rowhouses and apartments, and is intended to:

- (a) 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 in Title V of the Legislative Branch Appropriation Act, 1976 (Master Plan for Future Development of the Capitol Grounds and Related Areas), approved July 25, 1975 (Pub. L. No. 94-59, 89 Stat. 288), and in accordance with the plan submitted to the Congress pursuant to the Act;
- (b) Reflect the importance of and provide sufficient controls for the area adjacent to the U.S. Capitol;
- (c) Provide particular controls for properties adjacent to the U.S. Capitol precinct and the area adjacent to this jurisdiction having a well recognized general public interest; and
- (d) Restrict some of the permitted uses to reduce the possibility of harming the U.S. Capitol precinct and the area adjacent to this jurisdiction.

### **501 DEVELOPMENT STANDARDS**

501.1 The development standards in Subtitle F §§ 502 through 507 modify the general development standards in Subtitle F, Chapter 2.

### **502 DENSITY**

502.1 The maximum density in the RA-7 zone shall be 1.8 FAR.

### **503 HEIGHT**

503.1 The maximum height in the RA-7 zone shall be forty feet (40 ft.) and three (3) stories.

503.2 In the RA-7 zone, a roof structure shall not exceed ten feet (10 ft.) in height above the roof upon which it is located.

### **504 LOT OCCUPANCY**

504.1 The maximum lot occupancy in the RA-7 zone shall be sixty percent (60%).

## **505 REAR SETBACK**

- 505.1 The minimum rear setback shall be fifteen feet (15 ft.) or a distance equal to four inches (4 in.) per one foot (1 ft.) of principal building height.
- 505.2 In the case of a through lot or a corner lot abutting three (3) or more streets, the depth of a rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.
- 505.3 In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

## **506 SIDE SETBACK**

- 506.1 In the RA-7 zones, no side setback shall be required; however, if a side setback is provided, it shall be no less than four feet (4 ft.).
- 506.2 An eight-foot (8 ft.) side setback shall be provided for a detached and semi-detached dwelling in the RA-7 zone.
- 506.3 When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side setback on each resulting free-standing side.
- 506.4 A side setback shall not be required along a side street abutting a corner lot in an RA-7 zone.
- 506.5 In the case of a building existing on or before the effective date of this title, with a non-conforming side setback, an extension or addition may be made to the building; provided, that the width of the existing side setback shall not be decreased; and provided further, that the width of the existing side setback shall be a minimum of two feet (2 ft.).

## **507 GREEN AREA RATIO**

- 507.1 The minimum required GAR shall be 0.4.

## **508 SPECIAL EXCEPTION**

- 508.1 The special exception criteria of Subtitle F, Chapter 11 shall apply to the RA-7 zone.

## **CHAPTER 6 RESIDENTIAL APARTMENT ZONE – RA-8, RA-9, AND RA-10**

### **600 PURPOSE AND INTENT**

600.1 The Dupont Circle RA zones (RA-8, RA-9, and RA-10) are intended to:

- (a) Recognize the Dupont Circle area is a unique resource in the District of Columbia that must be preserved and enhanced;
- (b) Provide strong protections to retain its low scale, predominantly residential character, independent small retail businesses, human scale streetscapes, and historic character;
- (c) Enhance the residential character of the area by maintaining existing residential uses and controlling the scale and density of residential development;
- (d) Protect the integrity of “contributing buildings”, as that term is defined by the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144, as amended; D.C. Official Code §§ 6-1101 to 6-1115 (formerly codified at D.C. Official Code §§ 5-1001 to 5-1015 (1994 Repl. & 1999 Supp.)));
- (e) Preserve areas planned as open gardens and backyards and protect the light, air, and privacy that they provide;
- (f) Enhance the streetscape by maintaining the public space in front of buildings as landscaped green spaces; and
- (g) Encourage greater use of public transportation and the free circulation of vehicles through public streets and alleys.

600.2 The RA-8 zone provides for areas developed with predominantly moderate-density apartments.

600.3 The RA-9 zone provides for areas developed with predominantly medium- to high-density apartments.

600.4 The RA-10 zone provides for areas developed with predominantly high-density apartments.

600.5 No garage or associated driveway providing access to required parking spaces or loading berths shall be permitted along Connecticut Avenue from N Street, N.W., to Florida Avenue, N.W.

**601 DEVELOPMENT STANDARDS**

601.1 The development standards in Subtitle F §§ 602 through 607 modify the general development standards in Subtitle F, Chapter 2.

**602 DENSITY**

602.1 Except as provided in other provisions of this subtitle and in Subtitle C, Chapter 15, the maximum permitted density in the RA-8, RA-9, and RA-10 zone shall be as set forth in the following table:

**TABLE F § 602.1: MAXIMUM PERMITTED FLOOR AREA RATIO**

Zone	Maximum FAR
RA-8	1.8
RA-9	3.5
RA-10	5.0 6.0 for an apartment house or hotel

**603 HEIGHT**

603.1 Except as permitted in Subtitle F § 203, the height of buildings or structures in the RA-8, RA-9 and RA-10 zones shall not exceed that given in the following table:

**TABLE F § 603.1: MAXIMUM PERMITTED HEIGHT/STORIES**

Zone	Maximum Height (Feet)	Maximum Number of Stories
RA-8	50	No Limit
RA-9	90	No Limit
RA-10	90	No Limit

**604 LOT OCCUPANCY**

604.1 The maximum lot occupancy shall be established for lots in the RA-8, RA-9, and RA-10 zones as set forth in the following table:

**TABLE F § 604.1: MAXIMUM PERCENTAGE OF LOT OCCUPANCY**

Zone	Maximum Percentage of Lot Occupancy
RA-8	60
RA-9	75
RA-10	75

**605 REAR SETBACK**

605.1 A minimum rear setback shall be established for lots in the RA-8, RA-9, and RA-10 zones as set forth in the following table:

**TABLE F § 605.1: MINIMUM REAR STEBACK**

<b>Zone</b>	<b>Minimum Rear Setback (Feet)</b>
RA-8	15 feet; or A distance equal to 4 inches per 1 foot of principal building height
RA-9	15 feet; or A distance equal to 4 inches per 1 foot of principal building height
RA-10	12 feet; or A distance equal to 3 inches per 1 foot of principal building height

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

605.3 In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear setback; provided, that the extension or addition shall be limited to that portion of the rear setback included in the building area on May 12, 1958.

**606 SIDE SETBACK**

606.1 No side setback shall be required in the RA-8, RA-9 and RA-10 zones; however, if a side setback is provided, it shall be no less than four feet (4 ft.).

606.2 An eight-foot (8 ft.) side setback shall be provided for a detached and semi-detached dwelling in the RA-8, RA-9, and RA-10 zones.

606.3 When a new dwelling, flat, or multiple dwelling is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side setback on each resulting free-standing side.

606.4 A side setback shall not be required along a side street abutting a corner lot in the RA-8, RA-9, and RA-10 zones.

606.5 In the case of a building existing on or before the effective date of this title, with a non-conforming side setback, an extension or addition may be made to the building; provided, that the width of the existing side setback shall not be decreased; and provided further, that the width of the existing side setback shall be a minimum of two feet (2 ft.).

**607****GREEN AREA RATIO**

607.1

The minimum green area ratio (GAR) shall be 0.4 in the RA-8 zone and 0.3 in the RA-9 and RA-10 zones.

**CHAPTER 7 [RESERVED]**

**CHAPTER 8 [RESERVED]**

**CHAPTER 9 ACCESSORY BUILDINGS REGULATIONS FOR RA ZONES**

**900 GENERAL PROVISIONS**

900.1 Accessory buildings shall be permitted within an RA zone subject to the following conditions:

- (a) The accessory building is subordinate to and located on the same lot as a the building to which it is accessory; provided, that required accessory parking space may be permitted on another lot where specifically permitted under other provisions of this title;
- (b) An accessory building shall be used for purposes which are incidental to the use of the principal building; and
- (c) An accessory building shall not be constructed prior to a principal building on the same lot.

900.2 The accessory buildings shall be secondary in size compared to the principal building; and shall be considered within the lot occupancy and shall comply with all required setbacks for accessory buildings based on the zone in which they are located.

**901 DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS**

901.1 The bulk of accessory buildings in the RA zones shall be controlled through the development standards in Subtitle F §§ 901 through 904.

**902 HEIGHT**

902.1 The maximum height for an accessory building shall be twenty feet (20 ft.) and two (2) stories.

**903 REAR SETBACK**

903.1 No rear setback shall be required for an accessory building except where abutting an alley a minimum rear setback of twelve feet (12 ft.) shall be provided measured from the center line of the alley.

**904 MISCELLANEOUS**

904.1 The lot upon which a private garage is located shall be exempt from the requirements for minimum lot dimensions, but shall be subject to the limitation on percentage of lot occupancy.

904.2 Accessory buildings on any lot shall be included in the maximum lot occupancy and GAR requirements and if applicable, the FAR, as listed and conditioned in this subtitle and the development standards of the roof structure regulations Subtitle C, Chapter 15.

904.3 A private garage that is an accessory building in an RA zone:

- (a) May be located either within a rear setback or beside the main building; provided, if the garage is located beside the main building, it shall be removed from the side lot line a distance equal to the required side setback and from all building lines a distance of not less than ten feet (10 ft.); and
- (b) Where abutting an alley, it shall be set back at least twelve feet (12 ft.) from the center line of the alley.

904.4 A private garage permitted in an RA zone as a principal use on a lot other than an alley lot shall open directly onto an alley, and shall not be located within fifty feet (50 ft.) of the front building line or within twelve feet (12 ft.) of the center line of an alley.

## **CHAPTER 10 ALLEY LOT REGULATIONS FOR RA ZONES**

### **1000 GENERAL PROVISIONS**

- 1000.1 All alley lots must be recorded in the records of the Office of the Surveyor, District of Columbia, as a record lot.
- 1000.2 A lot that only has frontage on an alley and no frontage on a public street, and that is only recorded on the records of the Office of Tax and Revenue as an assessment and taxation lot (tax lot) may be recorded by the Surveyor, District of Columbia, as a record lot if the tax lot was created on or before May 12, 1958.
- 1000.3 New alley lots may be created as provided in Subtitle C, Chapter 3.

### **1001 DEVELOPMENT STANDARDS**

- 1001.1 The development standards in Subtitle F §§ 1002 through 1007 shall apply to buildings on alley lots in RA zones.

### **1002 HEIGHT**

- 1002.1 The maximum height and stories of building on alley lots in RA zones shall be twenty feet (20 ft.) and two (2) stories.

### **1003 REAR SETBACK**

- 1003.1 A required rear setback shall be provided with a minimum depth of five feet (5 ft.) from any lot line of all abutting non-alley lots.

### **1004 SIDE SETBACK**

- 1004.1 A required side setback shall be provided with a minimum depth of five feet (5 ft.) from any lot line of all abutting non-alley lots.

### **1005 ALLEY CENTERLINE SETBACK**

- 1005.1 A required twelve foot (12 ft.) setback from the centerline of all alleys to which the alley lot abuts shall be provided.

### **1006 PERVIOUS SURFACE**

- 1006.1 The minimum required pervious surface shall be ten percent (10%).

**1007 SPECIAL EXCEPTION**

1007.1 The special exception criteria of Subtitle F, Chapter 11 shall apply to buildings on alley lots in RA zones.

## **CHAPTER 11 RELIEF FROM REQUIRED DEVELOPMENT STANDARDS**

### **1100 GENERAL PROVISIONS**

- 1100.1 The following provisions provide for relief to the development standards and regulations in the RA zones as a special exception subject to the provisions of this chapter and the general special exception criteria at Subtitle X.
- 1100.2 Requested relief that does not comply with specific conditions or limitations of a special exception shall be processed as a variance.

### **1101 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE**

- 1101.1 The Board of Zoning Adjustment may grant special exception relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X.
- (a) Lot occupancy;
  - (b) Setbacks; and
  - (c) Green area ratio.
- 1101.2 Special exception relief under this section is applicable only to the following:
- (a) An addition to an existing residential building; or
  - (b) A new or enlarged accessory structure that is accessory to such a building.
- 1101.3 An application for special exception under this section shall demonstrate that the addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
- (a) The light and air available to neighboring properties shall not be unduly compromised;
  - (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
  - (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage;
  - (d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways; and

- (e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).

1101.4 The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

1101.5 This section shall not be used to permit the introduction or expansion of a nonconforming use as a special exception.

1101.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

## **1102 SPECIAL EXCEPTION CRITERIA FOR NON-RESIDENTIAL PUBLIC BUILDING DEVELOPMENT REQUIREMENTS**

1102.1 A public recreation and community center may have a density up to 1.8 FAR in the RA-1 zone, if approved by the Board of Zoning Adjustment.

1102.2 Except in the RA-1 zone, a public recreation and community center in an RA zone may exceed a gross floor area of forty thousand square feet (40,000 sq. ft.) if approved by the Board of Zoning Adjustment as a special exception pursuant to the provisions of Subtitle X.

1102.3 A public recreation and community center may be permitted a lot occupancy not to exceed forty percent (40%), if approved by the Board of Zoning Adjustment as a special exception pursuant to the provisions of Subtitle X and provided that the agency shows that the increase is consistent with agency policy of preserving open space.

1102.4 A public library may be permitted a lot occupancy in excess of that allowed in the development standards of this chapter if approved by the Board of Zoning Adjustment as a special exception pursuant to the provisions of Subtitle X.

## **1103 SPECIAL EXCEPTION CRITERIA FOR RA-6 (NAVAL OBSERVATORY) ZONE**

1103.1 In the RA-6 zone, in addition to any conditions relative to the specific special exception, any special exception application shall be subject to consideration by the Board of Zoning Adjustment as to whether the proposed development is:

- (a) Compatible with the present and proposed development of the neighborhood;
- (b) Consistent with the goals and mandates of the United States Congress in Title V of the Legislative Branch Appropriation Act, 1976 (Master Plan

for Future Development of the Capitol Grounds and Related Areas), approved July 25, 1975 (Pub.L. No. 94-59, 89 Stat. 288); and

(c) In accordance with the plan promulgated under the Act.

1103.2 Upon receipt of the application, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment along with reviews in writing of all relevant District departments and agencies including the Departments of Transportation, Housing and Community Development, and, if a historic district or historic landmark is involved, the Historic Preservation Office.

1103.3 Upon receipt of the application, the Board of Zoning Adjustment shall submit the application to the National Capital Planning Commission for review and report.

1103.4 The Board of Zoning Adjustment may require special treatment and impose reasonable conditions as it deems necessary to mitigate any adverse impacts identified in the consideration of the application.

#### **1104 SPECIAL EXCEPTION CRITERIA FOR RA-7 (CAPITOL INTEREST) ZONE**

1104.1 In the RA-7 zone, any special exception application shall be subject to the following conditions in addition to any conditions relative to the specific special exception:

(a) Compatible with the present and proposed development of the neighborhood;

(b) Consistent with the goals and mandates of the United States Congress in Title V of the Legislative Branch Appropriation Act, 1976 (Master Plan for Future Development of the Capitol Grounds and Related Areas), approved July 25, 1975 (Pub. L. No. 94-59, 89 Stat. 288); and

(c) In accordance with the plan promulgated under the Act.

1104.2 Upon receipt of the application, the Board shall submit the application to the Office of Planning for coordination, review, report, and impact assessment along with reviews in writing of all relevant District departments and agencies including the Departments of Transportation, Housing and Community Development, and, if a historic district or historic landmark is involved, the Historic Preservation Office.

1104.3 Upon receipt of the application, the Board of Zoning Adjustment shall submit the application to the Architect of the Capitol for review and report.

1104.4 The Board of Zoning Adjustment may require special treatment and impose reasonable conditions as it deems necessary to mitigate any adverse impacts identified in the consideration of the application.