

TITLE 11 – ZONING

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CHAPTER 1 INTRODUCTION TO RESIDENTIAL HOUSE (R) ZONES

100 GENERAL PROVISIONS

- 100.1 The Residential House (R) zones are residential zones, designed to provide for stable, low- to moderate-density residential areas suitable for family life and supporting uses.
- 100.2 In addition to the purpose statements of individual chapters, the provisions of the R zones are intended to:
- (a) Provide for the orderly development and use of land and structures in areas predominantly characterized by low- to moderate-density residential development;
 - (b) Recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city;
 - (c) Allow for limited compatible accessory and non-residential uses;
 - (d) Allow for the matter-of-right development of existing lots of record;
 - (e) Establish minimum lot area and dimensions for the subdivision and creation of new lots of record; and
 - (f) Discourage multi-household development.

101 DEVELOPMENT STANDARDS

- 101.1 The bulk of structures in the R zones shall be controlled through the combined 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 as established in Subtitle X. Additional zone specific special exception criterion, if applicable, shall be considered and are found at Subtitle D, Chapter 16.

102 USE PERMISSIONS

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

103 PARKING

103.1 Parking requirements for the R 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 centers, or public libraries in the R 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 R zones, except R-1-A and R-1-B, are as specified in Subtitle C, Chapter 10.

CHAPTER 2 GENERAL DEVELOPMENT STANDARDS

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 In all R zones, one (1) principal dwelling unit per lot of record shall be permitted as a matter-of-right.
- 201.2 In all R zones, one (1) accessory apartment shall be permitted per lot of record subject to the use permissions specified in Subtitle U.
- 201.3 The minimum lot width and minimum lot area requirements for the creation of a new lot of record in the R zones are set forth in the following table:

TABLE D § 201.3: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

Zone	Min. Lot Width (ft.) for building type; applicable to all zones in left column	Min. Lot Area (sq. ft.)
R-1-A R-6 R-11 R-14	75	7,500
R-21 R-8	75	9,500 for lots created for dwellings after May 18, 2007; 7,500 for all other lots
R-1-B R-7 R-12 R-15 R-16 R-19	50	5,000
R-9 R-10	50	9,500 for lots created for dwellings after May 18, 2007; 5,000 for all other lots
R-2	40 (detached) 32 (IZ detached) 30 (semi-detached) 25 (IZ semi-detached) 40 (all other structures)	4,000 (detached) 3,200 (IZ detached) 3,000 (semi-detached) 2,500 (IZ semi-detached)

Zone	Min. Lot Width (ft.) for building type; applicable to all zones in left column	Min. Lot Area (sq. ft.)
R-3	40 (detached)	4,000 (detached)
R-17	30 (semi-detached)	3,000 (semi-detached)
R-13	20 (attached)	2,000 (attached)
R-20	16 (IZ attached)	1,600 (IZ attached)
	40 (all other structures)	4,000 (all other structures)

202 LOT OCCUPANCY

202.1 In the R zones, a detached or semi-detached building shall not be considered an attached unit for the purposes of lot occupancy through the use of building or structure additions that reduce an otherwise required or permitted side setback for a detached or semi-detached dwelling.

203 COURTYARD

203.1 Where a courtyard is provided, the court shall have the following minimum dimensions:

TABLE D § 203.1: MINIMUM COURTYARD DIMENSIONS

Type of Structure	Min. Width Open Courtyard	Min. Width Closed Courtyard	Min. Area Closed Courtyard
Single household dwelling	Not applicable	Not applicable	Not applicable
All other structures	2.5 inches per foot of height of court, but not less than 6 ft.	Width: 2.5 inches per foot of height of court, but not less than 12 ft.	Twice the square of the required width of court dimension based on the height of the court, but not less than 250 feet.

CHAPTER 3 RESIDENTIAL HOUSE ZONES – R-1-A AND R-1-B ZONES

300 PURPOSE AND INTENT

300.1 The purposes of the R-1-A and R-1-B zones are to:

- (a) Protect quiet residential areas now developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes; and
- (b) Stabilize the residential areas and to promote a suitable environment for family life.

300.2 The R-1-A zone is intended to provide for areas predominantly developed with detached houses on large lots.

300.3 The R-1-B zone is intended to provide for areas predominantly developed with detached houses on moderately sized lots.

300.4 The purpose of the R-2 zone is to:

(a) Provide for areas with semi-detached dwellings; and

(b) Protect these areas from invasion by denser types of residential development.

300.5 The R-2 zone is intended to provide for areas predominantly developed with semi-detached houses on moderately sized lots that also contain some detached dwellings.

300.6 The purpose of the R-3 zone is to allow for row dwellings, while including areas within which row dwellings are mingled with detached dwellings, semi-detached dwellings, and groups of three (3) or more row dwellings.

300.7 The R-3 zone is intended to permit attached rowhouses on small lots.

301 DEVELOPMENT STANDARDS

301.1 The development standards in Subtitle D §§ 302 through 308 modify the general development standards in Subtitle D, Chapter 2.

302 HEIGHT

302.1 The maximum height in the R-1-A, R-1-B, R-2, and R-3 zones shall be forty feet (40 ft.) and three (3) stories.

302.2 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 foot of height in excess of that authorized in the zone in which it is located.

303 LOT OCCUPANCY

303.1 The maximum lot occupancy in the R-1-A, R-1-B, and R-2 zones shall be forty percent (40%).

303.2 The maximum lot occupancy in the R-3 zone shall be sixty percent (60%) for attached dwellings and forty percent (40%) for other structures.

304 FRONT SETBACK

304.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-1 through R-3 zone on the same side of the street in the block where the building is proposed.

305 REAR SETBACK

- 305.1 In the R-1-A and R-1-B zones, a minimum rear setback of twenty-five feet (25 ft.) shall be provided.
- 305.2 In the R-2 and R-3 zones, a minimum rear setback of twenty feet (20 ft.) shall be provided.
- 305.3 In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.
- 305.4 In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear 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 In the R-1-A, R-1-B, and R-2 zone, a minimum side setback of eight feet (8 ft.) shall be provided.
- 306.2 In the R-3 zone, no side setback shall be required for attached dwellings. However, if a side setback is provided, it shall be no less than five feet (5 ft.).
- 306.3 In the R-2 and R-3 zones, when a single household 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 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

307 PERVIOUS SURFACE

- 307.1 In an R-1-A or R-1-B zone, the minimum percentage of pervious surface requirement of a lot shall be fifty percent (50%).
- 307.2 In an R-2 zone, the minimum required pervious surface shall be thirty percent (30%).
- 307.3 In an R-3 zone, the minimum required pervious surface shall be twenty percent (20%).

308 SPECIAL EXCEPTION

308.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 4 RESIDENTIAL HOUSE ZONE – R-21

400 PURPOSE AND INTENT

400.1 The purposes of the Chain Bridge Road Residential House zone (R-21) are to:

- (a) Provide for areas predominantly developed with detached houses on large lots;
- (b) Preserve and enhance the park-like setting of the area by regulating alteration or disturbance of terrain, destruction of trees, and ground coverage of permitted buildings and other impervious surfaces, and by providing for widely spaced residences;
- (c) Preserve the natural topography and mature trees to the maximum extent feasible in a residential neighborhood;
- (d) Prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas;
- (e) 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
- (f) Limit the minimum size of lots so as to prevent significant adverse impact on existing infrastructure, especially on traffic and pedestrian safety, and to achieve the other purposes listed in this subsection.

400.2 The R-21 zone applies to the area bounded on the south by MacArthur Boulevard, on the east by Battery Kemble Park/Chain Bridge Road, on the north by Loughboro Road/Nebraska Avenue, and on the west by University Terrace.

400.3 The R-21 zone is mapped on a residential neighborhood, located at the edge of stream beds and public open spaces that have steep slopes, substantial stands of mature trees, and undeveloped lots and parcels subject to potential terrain alteration and tree removal.

401 DEVELOPMENT STANDARDS

401.1 The development standards in Subtitle D §§ 402 through 410 modify the general development standards in Subtitle D, Chapter 2.

402 DENSITY

402.1 The minimum lot area for dwellings within the R-21 zone shall be nine thousand, five hundred square feet (9,500 sq. ft.) for lots subdivided after July 30, 1999.

403 HEIGHT

403.1 The maximum height in the R-21 zone shall be forty feet (40 ft.) and three (3) stories.

403.2 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 foot of height in excess of that authorized in the district in which it is located.

404 LOT OCCUPANCY

404.1 The maximum lot occupancy for lots less than six thousand five hundred square feet (6,500 sq. ft.) shall be forty percent (40%).

404.2 The maximum lot occupancy for lots between six thousand five hundred square feet (6,500 sq. ft.) and eight thousand nine hundred and ninety-nine square feet (8,999 sq. ft.) shall be thirty-five percent (35%), but not less than two thousand six hundred square feet (2,600 sq. ft.).

404.3 The maximum lot occupancy for lots over nine thousand square feet (9,000 sq. ft.) shall be thirty percent (30%), but not less than three thousand one hundred and fifty square feet (3,150 sq. ft.).

405 FRONT SETBACK

405.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-21 zone, on the same side of the street in the block where the building is proposed.

406 REAR SETBACK

406.1 A twenty-five foot (25 ft.) minimum rear setback shall be provided in the R-21 zone.

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

406.3 As provided in Subtitle C, Chapter 2, 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.

407 SIDE SETBACK

407.1 An eight foot (8 ft.) minimum side setback shall be provided in the R-21 zone.

407.2 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

408 PERVIOUS SURFACE

408.1 In the R-21 zone, the minimum percentage of pervious surface of a lot shall be fifty percent (50%), provided that this subsection shall not:

- (a) Preclude enlargement of a principal building in existence as of July 30, 1999; or
- (b) Create nonconformity of a structure as regulated by Subtitle C, Chapter 2.

409 TREE PROTECTION

409.1 The tree protection regulations of Subtitle C, Chapter 4 shall apply to the R-21 zone.

410 SPECIAL EXCEPTION

410.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 5 RESIDENTIAL HOUSE ZONES – R-6 AND R-7

500 PURPOSE AND INTENT

500.1 The purposes of the Tree and Slope Protection (R-6 and R-7) zones are to:

- (a) 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;
- (b) Preserve the natural topography and mature trees to the maximum extent feasible in a residential neighborhood;
- (c) Prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas;
- (d) 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 and the existing neighborhood; and
- (e) Shall be mapped in residential neighborhoods that are located at the edge of stream beds or public open spaces and that have a significant quantity of steep slopes, stands of mature trees, and undeveloped lots and parcels subject to potential terrain alteration and tree removal. It is not suitable for mapping in neighborhoods where nearly all lots are already developed on a rectangular grid system and the existing mature trees are either yard trees or street trees.

500.2 The R-6 zone is intended to permit detached houses on large lots, and to protect quiet residential areas developed with detached dwellings.

500.3 The R-7 zone is intended to permit detached houses on moderately sized lots.

501 DEVELOPMENT STANDARDS

501.1 The development standards in Subtitle D §§ 502 through 509 modify the general development standards in Subtitle D, Chapter 2.

502 HEIGHT

502.1 The maximum height in the R-6 and R-7 zones shall be forty feet (40 ft.) and three (3) stories.

502.2 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 foot of height in excess of that authorized in the district in which it is located.

503 LOT OCCUPANCY

503.1 The maximum lot occupancy in the R-6 and R-7 zones shall be thirty percent (30%).

504 FRONT SETBACK

504.1 A front setback shall be provided within the range of existing front setbacks of all structures within the R-6 and R-7 zones, on the same side of the street in the block where the building is proposed.

505 REAR SETBACK

505.1 A twenty-five foot (25 ft.) minimum rear setback shall be provided in the R-6 and R-7 zones.

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

505.3 As provided in Subtitle C, Chapter 2, 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 An eight foot (8 ft.) minimum side setback shall be provided in the R-6 and R-7 zones.

506.2 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

507 PERVIOUS SURFACE

507.1 In an R-6 or R-7 zones, the minimum percentage of pervious surface of a lot shall be fifty percent (50%).

508 TREE PROTECTION

508.1 The tree protection regulations of Subtitle C, Chapter 4 shall apply to the R-6 and R-7 zones.

509 SPECIAL EXCEPTION

509.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 6 RESIDENTIAL HOUSE ZONES – R-8, R-9, AND R-10

600 PURPOSE AND INTENT

- 600.1 The purposes of the Forest Hills Tree and Slope Protection zones (R-8, R-9, and R-10) are to:
- (a) Preserve and enhance the park-like setting of designated neighborhoods bounded by Connecticut Avenue and Thirty-Second Street on the west, Rock Creek Park on the east, Fort Circle National Park and Nevada Avenue, N.W. on the north, and Melvin C. Hazen Park and adjacent to streams and parks on the south, by regulating alteration or disturbance of terrain, destruction of trees, and the ground coverage of permitted buildings and other impervious surfaces. It includes Soapstone Valley Park as well as Melvin C. Hazen Park;
 - (b) Preserve the natural topography and mature trees to the maximum extent feasible in the Forest Hills neighborhoods;
 - (c) Prevent significant adverse impact on adjacent open space, parkland, stream beds, or other environmentally sensitive natural areas; and
 - (d) 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.
- 600.2 The Forest Hills Tree and Slope Protection zones have a significant quantity of steep slopes, stands of mature trees, are located at the edge of stream beds and public open spaces, and have undeveloped lots and parcels subject to potential terrain alteration and tree removal. Few lots are developed on a rectangular grid system.
- 600.3 The R-8 zone is intended to permit detached houses on large lots.
- 600.4 The R-9 zone is intended to permit detached houses on moderately-sized lots.
- 600.5 The R-10 zone is intended to:
- (a) Permit semi-detached houses on moderately sized lots, and allow for areas of detached dwellings;
 - (b) Retain the single household nature of these areas; and
 - (c) Prohibit denser types of residential development.

601 DEVELOPMENT STANDARDS

601.1 The development standards in Subtitle D §§ 602 through 609 modify the general development standards in Subtitle D, Chapter 2.

602 HEIGHT

602.1 The maximum height in the R-8, R-9, and R-10 zones shall be forty feet (40%) and three (3) stories.

602.2 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 foot of height in excess of that authorized in the district in which it is located.

603 LOT OCCUPANCY

603.1 The maximum lot occupancy in the R-8, R-9, and R-10 zones shall be thirty percent (30%).

604 FRONT SETBACK

604.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-8 through R-10 zone, on the same side of the street in the block where the building is proposed.

605 REAR SETBACK

605.1 Rear setbacks in the R-8, R-9, and R-10 zones shall be as follows:

- (a) In the R-8 and R-9 zones, a minimum rear setback of twenty-five feet (25 ft.) shall be provided; and
- (b) In the R-10 zone, a minimum rear setback of twenty feet (20 ft.) shall be provided.

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

605.3 As provided in Subtitle C, Chapter 2, 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 The minimum side setback requirement for all buildings, accessory buildings, or additions to buildings in the R-8, R-9, and R-10 zones shall be twenty-four feet (24 ft.) in the aggregate, with no single side yard having a width of less than eight feet (8 ft.).
- 606.2 In the R-10 zone when a single household 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.
- 606.3 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

607 PERVIOUS SURFACE

- 607.1 In an R-8, R-9, or R-10 zone, the minimum percentage of pervious surface of a lot shall be fifty percent (50%); provided this subsection shall not:
- (a) Preclude enlargement of a principal building in existence as of May 18, 2007; or
 - (b) Create nonconformity of a structure as regulated by this title.

608 TREE PROTECTION

- 608.1 The tree protection regulations of Subtitle C, Chapter 4 shall only apply to those lots in the R-8 zone in Squares 2042, 2043, 2046, 2049, 2231, 2232, 2238, 2239, 2244 through 2248, 2250, 2258, 2272, and 2282.
- 608.2 To the extent that any person seeks permission for building or terrain alteration on a lot with a slope steeper than twenty-five percent (25%) or with "highly erodible land" as defined at 7 C.F.R. § 12.2 (2005), a professional certification that the plans for alteration and/or construction will follow best geo-technical, structural engineering, and arboreal practices shall be supplied with the building permit application.

609 SPECIAL EXCEPTION

- 609.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 7 RESIDENTIAL HOUSE ZONES – R-11

700 PURPOSE AND INTENT

- 700.1 In addition to the provisions of Subtitle D § 600.1, the purposes of the Naval Observatory/Tree and Slope Protection Residential House zone (R-11) are 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 to 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.

700.2 The R-11 zone is intended to permit detached houses on large lots.

701 DEVELOPMENT STANDARDS

701.1 The development standards in Subtitle D §§ 702 through 710 modify the general development standards in Subtitle D, Chapter 2.

702 DENSITY

702.1 The provisions of Subtitle X, Chapter 3 of this title shall not operate to permit a planned unit development in the R-11 zone to exceed either the limits of Subtitle D §§ 702 through 709, or the area, bulk, and setback standards that apply as a matter of right in any underlying district within the R-11 zone.

703 HEIGHT

703.1 The maximum height in the R-11 zone shall be forty feet (40 ft.) and three (3) stories.

703.2 For the purposes of the R-11 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.

703.3 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 foot of height in excess of that authorized in the district in which it is located.

704 LOT OCCUPANCY

704.1 The maximum lot occupancy in the R-11 zone shall be thirty percent (30%).

705 FRONT SETBACK

705.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-11 zone, on the same side of the street in the block where the building is proposed.

706 REAR SETBACK

706.1 A twenty-five foot (25 ft.) minimum rear setback shall be provided in the R-11 zone.

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

706.3 As provided in Subtitle C, Chapter 2, 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.

707 SIDE SETBACK

707.1 An eight foot (8 ft.) minimum side setback shall be provided in the R-11 zone.

707.2 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

708 PERVIOUS SURFACE

708.1 In an R-11 zone, the minimum percentage of pervious surface requirement of a lot shall be fifty percent (50%).

709 TREE PROTECTION

709.1 The tree protection regulations of Subtitle C, Chapter 4 shall apply to the R-11 zone.

710 SPECIAL EXCEPTION

710.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 8 RESIDENTIAL HOUSE ZONES – R-12 AND R-13

800 PURPOSE AND INTENT

- 800.1 The purposes of the Naval Observatory Residential House zones (R-12 and R-13) are 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.
- 800.2 The R-12 zone is intended to permit detached houses on moderately-sized lots.
- 800.3 The R-13 zone is intended to permit single household attached rowhouses on small lots, include areas where attached houses are mingled with detached houses and semi-detached houses, and retain the single household nature of these areas.

801 DEVELOPMENT STANDARDS

- 801.1 The development standards in Subtitle D §§ 802 through 809 modify the general development standards in Subtitle D, Chapter 2.

802 DENSITY

- 802.1 The provisions of Subtitle X, Chapter 3 of this title shall not operate to permit a planned unit development in the R-12 or R-13 zone to exceed either the limits of Subtitle D § 802 through 808, or the area, bulk, and setback standards that apply as a matter of right in any underlying district within the R-12 or R-13 zones.

803 HEIGHT

- 803.1 The maximum height in the R-12 and R-13 zones shall be forty feet (40 ft.) and three (3) stories.
- 803.2 The height of a building in the R-12 and R-13 zones 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.
- 803.3 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 foot of height in excess of that authorized in the district in which it is located.

804 LOT OCCUPANCY

- 804.1 The maximum lot occupancy in the R-12 zone shall be forty percent (40%).
- 804.2 The maximum lot occupancy in the R-13 zone shall be sixty percent (60%) for attached dwellings and forty percent (40%) for all other structures.

805 FRONT SETBACK

- 805.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-12 or R-13 zone, on the same side of the street in the block where the building is proposed.

806 REAR SETBACK

- 806.1 In the R-12 zone, a minimum rear setback of twenty-five feet (25 ft.) shall be provided.
- 806.2 In the R-13 zone, a minimum rear setback of twenty feet (20 ft.) shall be provided.
- 806.3 In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.
- 806.4 As provided in Subtitle C, Chapter 2, 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.

807 SIDE SETBACK

807.1 In the R-12 zone, a minimum side setback of eight feet (8 ft.) shall be provided.

807.2 In the R-13 zone, no side setback shall be required. However, if a side setback is provided, it shall be no less than five feet (5 ft.).

807.3 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

808 PERVIOUS SURFACE

808.1 In an R-12 zone, the minimum percentage of pervious surface of a lot shall be fifty percent (50%).

808.2 In the R-13 zone, the minimum percentage of pervious surface of a lot shall be twenty percent (20%).

809 SPECIAL EXCEPTION

809.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 9 RESIDENTIAL HOUSE ZONES – R-14 AND R-15

900 PURPOSE AND INTENT

900.1 The purposes of the Wesley Heights Residential House zones (R-14 and R-15) are to:

- (a) Preserve and enhance the low-density character of Wesley Heights by regulating construction and alteration of residential and other buildings in the area;
- (b) Preserve in general the current density of neighborhood;
- (c) Allow reasonable opportunities for owners to expand their dwellings; and
- (d) Preserve existing trees, access to air and light, and the harmonious design and attractive appearance of the neighborhood.

900.2 The R-14 zone is intended to permit detached houses on large lots.

900.3 The R-15 zone is intended to permit detached houses on moderately sized lots.

901 DEVELOPMENT STANDARDS

901.1 The development standards in Subtitle D §§ 902 through 909 modify the general development standards in Subtitle D, Chapter 2.

902 DENSITY

902.1 The gross floor area (GFA) of all buildings and structures on the lot shall not exceed the sum of two thousand square feet (2,000 sq. ft.) plus forty percent (40%) of the area of the lot; provided, that the following modifications of GFA shall apply in the R-14 and R-15 zones:

- (a) The first two hundred square feet (200 sq. ft.) of an open porch, or total open porch space if there is more than one open porch, and the first six hundred square feet (600 sq. ft.) of a garage shall not count in GFA; and
- (b) Basement or cellar floor area shall count in GFA if a finished floor is provided, if the floor to ceiling height is in excess of six feet, six inches (6 ft., 6 in.), and shall count only up to a floor area equal to five (5) times the total fenestration area for the cellar or basement floor.

903 HEIGHT

903.1 The maximum height in the R-14 and R-15 zones shall be forty feet (40 ft.) and three (3) stories.

903.2 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 foot of height in excess of that authorized in the zone in which it is located.

904 LOT OCCUPANCY

904.1 The maximum lot occupancy for lots less than five thousand square feet (5,000 sq. ft.) shall be forty percent (40%).

904.2 The maximum lots occupancy for lots between five thousand square feet (5,000 sq. ft.) and six thousand six hundred and sixty-seven square feet (6,667 sq. ft.) shall be not less than two thousand square feet (2,000 sq. ft.).

904.3 The maximum lot occupancy for lots over six thousand six hundred and sixty-seven square feet (6,667 sq. ft.) shall be thirty percent (30%).

905 FRONT SETBACK

905.1 All residential buildings shall have a front 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. The required setbacks are depicted in the map entitled, "Required Front Yard Setbacks," which is a part of this zone and located in the Office of Zoning and in the Office of the Zoning Administrator at the Department of Consumer and Regulatory Affairs.

906 REAR SETBACK

906.1 A twenty-five foot (25 ft.) minimum rear setback shall be provided in the R-14 and R-15 zones.

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

906.3 As provided in Subtitle C, Chapter 2, 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.

907 SIDE SETBACK

907.1 An eight-foot (8 ft.) minimum side setback shall be provided in the R-14 and R-15 zones.

907.2 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

908 PERVIOUS SURFACE

908.1 In an R-14 and R-15 zone, the minimum percentage of pervious surface of a lot shall be fifty percent (50%).

909 SPECIAL EXCEPTION

909.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 10 RESIDENTIAL HOUSE ZONES – R-16

1000 PURPOSE AND INTENT

1000.1 The purposes of the Sixteenth Street Heights Residential House zone (R-16) are to:

- (a) Promote the conservation, enhancement, and stability of the low-density, single household neighborhood for housing and neighborhood-related uses;
- (b) Control the expansion of nonresidential uses, and/or further conversion of residential housing to nonresidential uses in order to maintain the housing supply and minimize the external negative impacts of new nonresidential uses that are permitted in the R-16 zone in order to preserve neighborhood quality; and
- (c) Allow neighborhoods to continue to provide a range of health and social service facilities as well as private institutions that provide cultural and religious enrichment and economic vitality, but within the framework of improved public review and control over the external effects of nonresidential uses. The objective is to make more compatible the Comprehensive Plan's goals and policies for maintaining the quality and stability of residential neighborhoods with other policies related to the reasonable provision of human services throughout the District of Columbia.

1000.2 The R-16 zone is intended to:

- (a) Respond to concerns that over a period of years approximately one (1) in every ten (10) houses in the R-16 zone north of Colorado Avenue, N.W. has been converted to a nonresidential use, a much higher ratio than has been identified for any other similarly zoned neighborhood in the District of Columbia; and south of Colorado Avenue N.W., address concerns that more than twenty percent (20%) of the residentially zoned land is used for nonresidential purposes;
- (b) Recognize that the neighborhood accommodates a significant number and range of human service facilities and private institutions to an extent that new and significantly expanded nonresidential use facilities should be governed by improved public review to ameliorate adverse impacts on immediate and nearby neighbors and to preserve a predominantly single household residential character;
- (c) Respond to the District of Columbia Comprehensive Plan's identification of the number of nonresidential uses in the neighborhood as a problem; and

- (d) Address the impacts of the number of nonresidential uses and the conversion of houses to these uses in the neighborhood as reflected in the Comprehensive Plan.

1001 DEVELOPMENT STANDARDS

- 1001.1 The development standards in Subtitle D §§ 1102 through 1108 modify the general development standards in Subtitle D, Chapter 2.

1002 HEIGHT

- 1002.1 The maximum height in the R-16 zones shall be forty feet (40 ft.) and three (3) stories.
- 1002.2 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 foot of height in excess of that authorized in the district in which it is located.

1003 LOT OCCUPANCY

- 1003.1 The maximum lot occupancy in the R-16 zones shall be forty percent (40%).

1004 FRONT SETBACK

- 1004.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-16 zone, on the same side of the street in the block where the building is proposed.

1005 REAR SETBACK

- 1005.1 A twenty-five foot (25 ft.) minimum rear setback shall be provided in the R-16 zone.
- 1005.2 In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.
- 1005.3 As provided in Subtitle C, Chapter 2, 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.

1006 SIDE SETBACK

- 1006.1 An eight-foot (8 ft.) minimum side setback shall be provided in the R-16 zone.

1006.2 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

1007 PERVIOUS SURFACE

1007.1 In an R-16 zone, the minimum percentage of pervious surface requirement of a lot shall be fifty percent (50%).

1008 SPECIAL EXCEPTION

1008.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 11 RESIDENTIAL HOUSE ZONES – R-17

1100 PURPOSE AND INTENT

1100.1 The purposes of the Foggy Bottom Residential House zone (R-17) are to:

- (a) Enhance the residential character of the area by maintaining existing low-scale residential uses, human scale streetscape, and historic character;
- (b) Enhance the human-scale streetscape by maintaining the public space in front of the buildings as landscaped green spaces and limiting future curb cuts;
- (c) Require a scale of development consistent with the Comprehensive Plan; and the characteristics of the low scale residential townhouse neighborhood that formed the basis on which the area was designated a historic district;
- (d) Protect the integrity of the historic district, its small scale, and open spaces; require compatibility of any development with the purposes of 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 (2012 Repl.), formerly codified at D.C. Official Code §§ 5-1001 to 5-1015 (1994 Repl. & 1999 Supp.)), and preclude demolitions or partial demolitions that would lead to an increase in height and floor area ratio inappropriate to the area;
- (e) Preserve areas planned as open backyards and alleyways that provide the only access to historic alley dwellings, and to protect the light, air, and privacy that they provide; and
- (f) Encourage greater use of public transportation through use of the nearby Metrorail Station, so as to protect the narrow residential streets and alleys from the deleterious effects of disruptive excessive traffic.

1100.2 The R-17 is intended to permit single household attached rowhouses on small lots.

1101 DEVELOPMENT STANDARDS

1101.1 The development standards in Subtitle D §§ 1002 through 1009 modify the general development standards in Subtitle D, Chapter 2.

1102 HEIGHT

- 1102.1 The maximum height in the R-17 zone shall be forty feet (40 ft.) and three (3) stories.
- 1102.2 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 foot of height in excess of that authorized in the district in which it is located.

1103 LOT OCCUPANCY

- 1103.1 The maximum lot occupancy for attached dwellings in the R-17 zone shall be sixty percent (60%). The maximum lot occupancy for all other structures in the R-17 zone shall be forty percent (40%).

1104 FRONT SETBACK

- 1104.1 A front setback shall be provided within the range of existing front setbacks of all structures within an R-17 zone, on the same side of the street in the block where the building is proposed.

1105 REAR SETBACK

- 1105.1 A twenty-foot (20 ft.) minimum rear setback shall be provided in the R-17 zone.
- 1105.2 In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.
- 1105.3 As provided in Subtitle C, Chapter 2, 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.

1106 SIDE SETBACK

- 1106.1 A side setback in the R-17 zone shall not be required. However, if a side setback is provided, it shall be no less than five feet (5 ft.).
- 1106.2 In the R-17 zone, when a single household 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.
- 1106.3 For a building with a side setback less than eight feet (8 ft.) wide, 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 five feet (5 ft.).

1107 PERVIOUS SURFACE

1107.1 In an R-17 zone, the minimum percentage of pervious surface requirement of a lot shall be twenty percent (20%).

1108 MISCELLANEOUS

1108.1 Buildings constructed on or before April 17, 1992, and existing legitimate uses within the buildings shall be deemed conforming, except that no addition, replacement, or expansion of the building, or change in use (except to a more conforming residential use other than a dormitory) shall be permitted unless in conformance with the requirements of the R-17 zone.

1108.2 If any building is destroyed by fire, collapse, explosion, or act of God, it may be reconstructed or restored to its previous condition or to a more conforming residential condition other than a dormitory. Excluded from this provision are uses that are nonconforming prior to April 17, 1992, and operating without a special exception issued by the Board of Zoning Adjustment.

1109 SPECIAL EXCEPTION

1109.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 12 RESIDENTIAL HOUSE ZONES – R-19 AND R-20.

1200 PURPOSE AND INTENT

1200.1 The purposes of the Georgetown Residential House zones (R-19 and R-20) are to:

- (a) Protect the Georgetown National Historic Landmark District and its historic character, buildings and open space in a manner consistent with the goals and mandates of the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144; D.C. Official Code §§ 6-1101 to 6-1115), and the Old Georgetown Act, approved September 22, 1950 (64 Stat. 903; D.C. Official Code §§ 6-1201-1206);
- (b) Protect the integrity of “contributing buildings,” as that term is defined by the Historic Landmark and Historic District Protection Act of 1978 (D.C. Official Code Title 6, Chapter 11);
- (c) Recognize the compatibility of any development with the purposes of the Old Georgetown Act and the Historic Landmark and Historic District Protection Act of 1978;
- (d) Limit permitted ground coverage of new and expanded buildings and other construction to encourage a general compatibility between the siting of new or expanded buildings and the existing neighborhood; and
- (e) Retain the quiet residential character of these areas and control compatible nonresidential uses.

1200.2 The R-19 zone is intended to protect quiet residential areas developed with detached dwellings and to permit detached houses on moderately-sized lots.

1200.3 The R-20 zone is intended to retain and reinforce the unique mix of housing types including detached, semi-detached and attached dwellings and permit attached row houses on small lots, and includes areas where attached houses are mingled with detached houses and semi-detached houses.

1201 DEVELOPMENT STANDARDS

1201.1 The development standards in Subtitle D §§ 1202 through 1209 modify the general development standards in Subtitle D, Chapter 2.

1202 HEIGHT

1202.1 The maximum height in the R-19 and R-20 zones shall be thirty-five feet (35 ft.) and three (3) stories.

- 1202.2 In R-19 and R-20 zones, a building may have a maximum height no more than forty feet (40 ft.) only if a property adjacent on either side has a building height of forty feet (40 ft.) or greater.
- 1202.3 The maximum height of a building in the R-19 and R-20 zones shall be measured to the highest point of the roof or a parapet which is not a required firewall.
- 1202.4 In R-19 and R-20 zones, a two (2) or more story addition to a principal building which has an existing second story side setback shall not exceed the vertical plane of that setback for the length of the second story addition.
- 1202.5 In R-19 and R-20 zones, any parapet, pergola, railing, or similar roof structure, or penthouse shall not exceed the permitted building height by more than four feet (4 ft.).
- 1202.6 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 foot of height in excess of that authorized in the district in which it is located.

1203 LOT OCCUPANCY

- 1203.1 The maximum lot occupancy in the R-19 zone shall be forty percent (40%).
- 1203.2 The maximum lot occupancy in the R-20 zone shall be as follows:
- (a) Sixty percent (60%) for attached dwellings;
 - (b) Forty percent (40%) for semi-detached dwellings; and
 - (c) Forty percent (40%) for detached structures.

1204 FRONT SETBACK

- 1204.1 In the R-19 zone, a front setback shall be provided that is within the range of existing front setbacks of all structures on the same side of the street in the block where the building is proposed.
- 1204.2 In the R-20 zone, a front setback consistent with at least one (1) of the immediately adjacent properties on either side shall be provided.

1205 REAR SETBACK

- 1205.1 In the R-19 zone, a minimum rear setback of twenty-five feet (25 ft.) shall be provided.
- 1205.2 In the R-20 zone, a minimum rear setback of twenty feet (20 ft.) shall be provided.

1205.3 In the case of a lot abutting three (3) or more streets, the depth of rear setback may be measured from the center line of the street abutting the lot at the rear of the structure.

1205.4 As provided in Subtitle C, Chapter 2, 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.

1206 SIDE SETBACK

1206.1 In the R-19 zone, a minimum side setback of eight feet (8 ft.) shall be provided.

1206.2 In the R-20 zone, no side setback shall be required for an attached building; however, if a side setback is provided, it shall be at least five feet (5 ft.).

1206.3 In the R-20 zone, a side setback no less than five feet (5 ft.) shall be provided for all buildings other than attached buildings.

1206.4 In the R-19 and R-20 zones, a building with a side setback less than required may be extended or an 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 five feet (5 ft.) in the R-19 zone and a minimum of three feet (3 ft.) in the R-20 zone.

1207 PERVIOUS SURFACE

1207.1 In an R-19 zone, the minimum percentage of pervious surface requirement of a lot shall be fifty percent (50%).

1207.2 The minimum pervious surface requirement for the R-20 zone shall be twenty percent (20%).

1208 ACCESSORY BUILDINGS

1208.1 Accessory buildings in the R-19 and R-20 zones shall be subject to the development regulations of this section.

1208.2 The accessory building shall be located facing an alley, or private alley to which the owner has access by an easement recorded with the Recorder of Deeds, and shall be set back a maximum of five feet (5 ft.) from the rear property line or a line perpendicular to the façade of the principal building.

1208.3 In the R-19 zone, an accessory building within five feet (5 ft.) of a public or private vehicular alley may have a maximum height of twenty feet (20 ft.), a maximum building area of four hundred and fifty square feet (450 sq. ft.) and a maximum number of two (2) stories.

1208.4 In the R-20 zone, an accessory building within five feet (5 ft.) of a public or private vehicular alley may have a maximum height of fifteen feet (15 ft.), a maximum building area of four hundred and fifty square feet (450 sq. ft.) and a maximum number of one (1) story.

1208.5 In the R-19 and R-20 zones, an accessory building on a property that is not adjacent to a public or private vehicular alley or that is more than five feet (5 ft.) from a public or private vehicular alley may have a maximum height of ten feet (10 ft.) and a maximum building area of one hundred square feet (100 sq. ft.).

1208.6 Roof decks are not permitted.

1209 SPECIAL EXCEPTION

1209.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1601.

CHAPTER 13 [RESERVED]

CHAPTER 14 ACCESSORY BUILDING REGULATIONS FOR R ZONES

1400 GENERAL PROVISIONS

- 1400.1 Accessory buildings may be permitted within an R zone subject to the conditions of this section.
- 1400.2 An accessory building shall be subordinate to and located on the same lot as the principal building, and shall be used for purposes which are incidental to the use of the principal building.
- 1400.3 An accessory building shall be secondary in size compared to the principal building, and shall comply with all required setbacks for accessory buildings based on the zone in which they are located.

1401 DEVELOPMENT STANDARDS

- 1401.1 The bulk of accessory buildings in the R zones shall be controlled through the development standards in Subtitle D §§ 1402 through 1406.

1402 HEIGHT

- 1402.1 The maximum height of an accessory building in an R zone shall be two (2) stories and twenty feet (20 ft.). The height of an accessory building permitted by this section shall be measured from the finished grade at the middle of the side of the accessory building that faces the main building to the highest point of the roof of the building

1403 LOT OCCUPANCY

- 1403.1 An accessory building in an R zone as a principal use on a lot other than an alley lot shall be exempt from the requirements for minimum lot dimensions, but shall be subject to the limitation on percentage of lot occupancy of the zone in which the lot is located.

1404 REAR SETBACK

- 1404.1 An accessory building in an R zone may be located within a rear setback provided, where abutting an alley, it shall be set back at least twelve feet (12 ft.) from the center line of the alley.
- 1404.2 A private garage that is an accessory building in an R 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 the alley upon which it opens.

1405 SIDE SETBACK

1405.1 An accessory building in an R zone may be located within a side setback or beside the main building; provided, if the accessory building 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.).

1406 MAXIMUM BUILDING AREA

1406.1 The maximum building area for an accessory building in an R zone shall be the greater of thirty (30%) of the required rear setback area or four hundred and fifty square feet (450 sq. ft.).

1407 SPECIAL EXCEPTION

1407.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X.

CHAPTER 15 ALLEY LOT REGULATIONS FOR R ZONES

1500 GENERAL PROVISIONS

- 1500.1 All alley lots must be recorded in the records of the Surveyor, District of Columbia as a record lot.
- 1500.2 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.
- 1500.3 New alley lots may be created as provided in the subdivision regulations in Subtitle C, Chapter 3.

1501 DEVELOPMENT STANDARDS

- 1501.1 The development standards in Subtitle D §§ 1502 through 1507 shall apply to buildings on alley lots in R zones.

1502 HEIGHT

- 1502.1 The maximum height and stories of building on alley lots in R zones shall be twenty feet (20 ft.) and two (2) stories.

1503 LOT OCCUPANCY

- 1503.1 A building or structure shall not occupy an alley lot in excess of the maximum lot occupancy as set forth in the following table:

TABLE D §§ 1503.1: MAXIMUM LOT OCCUPANCY FOR AN ALLEY LOT

Alley Lot Size	Maximum Lot Occupancy
Less than 1,800 sq. ft.	100%
Between 1,800 sq. ft. and 2,000 sq. ft.	90%
Larger than 2,000 sq. ft.	80%

1504 REAR SETBACK

- 1504.1 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.

1505 SIDE SETBACK

- 1505.1 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.

1506 ALLEY CENTERLINE SETBACK

1506.1 A required twelve foot (12 ft.) setback from the centerline of all alleys to which the alley lot abuts shall be provided.

1507 PERVIOUS SURFACE

1507.1 In an R zone, the minimum percentage of pervious surface requirement of an alley lot shall be ten percent (10%).

1507.2 In the R zone, the minimum percentage of pervious surface requirements of an alley lot shall be based on lot size as set forth in the following table:

TABLE D § 1507.2: MINIMUM PERCENTAGE OF PERVIOUS SURFACE FOR AN ALLEY LOT

Minimum Lot Size	Minimum Percentage Of Pervious Surface
Less than 1,800 square feet	0%
1,800 square feet or larger	10%

1508 SPECIAL EXCEPTION

1508.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X and subject to the provisions and limitations of Subtitle D § 1604.

CHAPTER 16 RELIEF FROM REQUIRED DEVELOPMENT STANDARDS

1600 GENERAL PROVISIONS

- 1600.1 The following provisions provide for special exception relief to the development standards and regulations in the R zones subject to the provisions of this chapter and the general special exception criteria at Subtitle X.
- 1600.2 Requested relief that does not comply with specific conditions or limitations of a special exception shall be processed as a variance.

1601 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

- 1601.1 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) Pervious surface.

- 1601.2 Special exception relief under this section is applicable only to the following:

- (a) An addition to a building with only one (1) principal dwelling unit; or
- (b) A new or enlarged accessory structure that is accessory to such a building.

- 1601.3 An applicant for special exception under this section shall demonstrate that the proposed 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 affected;
- (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 as 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 as specified in the following table:

TABLE D § 1601.3: MAXIMUM LOT OCCUPANY ALLOWED

Zone	Max. Lot Occupancy
R-3 R-13 R-16 R-20 – attached dwellings only	70%
R-20 – detached and semi-detached dwellings All Other R zones	50%

1601.4 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.

1601.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

1601.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

1602 SPECIAL EXCEPTION CRITERIA FOR TREE PROTECTION

1602.1 Any exception from the requirements of this chapter shall be permitted only as a special exception, if approved by the Board of Zoning Adjustment pursuant to Subtitle X and subject to the following requirements:

- (a) Tree removal, grading, and topographical change shall be limited to the maximum extent possible, consistent with construction of a building permitted by the standards of this section;
- (b) The applicant shall demonstrate that there are specific physical characteristics of the lot that justify the exception;
- (c) The excepted building and overall site plan of the lot shall be generally consistent with the purposes of the R-21 and R-6 through R-11 zones and not adversely affect neighboring property; and
- (d) The Board of Zoning Adjustment may impose requirements as to design, appearance, tree protection practices during construction, buffering, and other requirements as it deems necessary to achieve the purposes of this section and may vary side and rear setback requirements in order to achieve the purposes of this section.

- 1602.2 Before taking action on an application, the Board of Zoning Adjustment shall submit the application to the following agencies for review and written reports:
- (a) Office of Planning;
 - (b) Department of Transportation, Tree Management Administration;
 - (c) Department of Parks and Recreation;
 - (d) Department of the Environment, Watershed Protection Division, Technical Services Branch; and
 - (e) National Park Service, U.S. Department of the Interior.

1602.3 An applicant for a special exception shall submit at least the following materials:

- (a) A site plan for development, including computation and illustration of total lot occupancy and impervious surface ratio, and regulated trees proposed to be removed; and
- (b) A plan and statement indicating how trees to be preserved on the lot will be protected during the construction period, including reference to proposed procedures to guard against long-term damage by such factors as soil compaction.

1603 SPECIAL EXCEPTION CRITERIA FOR R-11, R-12 and R-13 (NAVAL OBSERVATORY) ZONES

1603.1 In consideration of a special exception in the R-11, R-12 or R-13 zones, in addition to any other criteria of this title, the following conditions shall apply:

- (a) The Board of Zoning Adjustment shall consider whether the proposed development is compatible with the:
 - (1) Present and proposed development within and adjacent to the subject zone;
 - (2) Goals, objectives, and policies pertaining to federal facilities, as found in the Comprehensive Plan and the Master Plans for the federal facilities within the subject zone; and
 - (3) Role, mission, and functions of the federal facilities within the subject zone, considering the effect that the proposed development would have on such facilities;
- (b) Before taking action on an application, the Board of Zoning Adjustment shall submit the application to the following agencies for review and written reports:

- (1) Office of Planning;
 - (2) District Department of Transportation;
 - (3) Department of Housing and Community Development;
 - (4) The Historic Preservation Office if a historic district or historic landmark is involved; and
 - (5) The National Capital Planning Commission; and
- (c) The Board of Zoning Adjustment may require special treatment and impose reasonable conditions as it deems necessary to mitigate any adverse impact identified in the consideration of the application.

1604 SPECIAL EXCEPTION CRITERIA ALLEY LOTS

1604.1 A reduction in the minimum setback requirements of an alley lot in an R zone may be approved as a special exception pursuant to Subtitle X.