TITLE 11 – ZONING

SUBTITLE F RESIDENTIAL APARTMENT (RA) ZONES

TITLE 11 – ZONING F-1
SUBTITLE F RESIDENTIAL APARTMENT (RA) ZONES F-1

CHAPTER 1 INTRODUCTION TO RESIDENTIAL APARTMENT (RA) ZONES F-3
100 GENERAL PROVISIONS F-3
101 DEVELOPMENT STANDARDS F-3
102 USE PERMISSIONS F-4
103 PARKING F-4
104 PUBLIC EDUCATION, RECREATION, OR LIBRARY BUILDINGS AND STRUCTURES F-4
105 INCLUSIONARY ZONING F-5

CHAPTER 2 GENERAL DEVELOPMENT STANDARDS (RA) F-6
200 GENERAL PROVISIONS F-6
201 DENSITY – FLOOR AREA RATIO AND LOT DIMENSIONS F-6
202 COURTS F-6
203 HEIGHT F-7
204 PENTHOUSES F-7

CHAPTER 3 RESIDENTIAL APARTMENT ZONES – RA-1, RA-2, RA-3, RA-4, AND RA-5 ..... F-8
300 PURPOSE AND INTENT F-8
301 DEVELOPMENT STANDARDS F-8
302 DENSITY – FLOOR AREA RATIO (FAR) F-8
303 HEIGHT F-9
304 LOT OCCUPANCY F-10
305 REAR YARD F-10
306 SIDE YARD F-11
307 GREEN AREA RATIO F-11
308 [REPEALED] F-11

CHAPTER 4 NAVAL OBSERVATORY RESIDENTIAL APARTMENT ZONE – RA-6 F-12
400 PURPOSE AND INTENT F-12
401 DEVELOPMENT STANDARDS F-12
402 DENSITY – FLOOR AREA RATIO (FAR) F-13
403 HEIGHT F-13
404 LOT OCCUPANCY F-13
405 REAR YARD F-13
406 SIDE YARD F-14
407 GREEN AREA RATIO F-14
408 [REPEALED] F-14

CHAPTER 5 CAPITOL PRECINCT RESIDENTIAL APARTMENT ZONE - RA-7 ..... F-15
500 PURPOSE AND INTENT F-15
501 DEVELOPMENT STANDARDS F-15

502 DENSITY– FLOOR AREA RATIO (far) F-15
503 HEIGHT F-15
504 LOT OCCUPANCY F-16
505 REAR YARD F-16
506 SIDE YARD F-16
507 GREEN AREA RATIO F-17
508 [repealed] F-17

CHAPTER 6 DUPONT CIRCLE RESIDENTIAL APARTMENT ZONES – RA-8, RA-9, AND RA-10 ..... F-18
600 PURPOSE AND INTENT F-18
601 DEVELOPMENT STANDARDS F-19
602 DENSITY– FLOOR AREA RATIO (FAR) F-19
603 HEIGHT F-19
604 LOT OCCUPANCY F-20
605 REAR YARD F-20
606 SIDE YARD F-21
607 GREEN AREA RATIO F-21
608 [REPEALED] F-21

CHAPTER 7 THROUGH CHAPTER 49 [RESERVED] F-22

CHAPTER 50 ACCESSORY BUILDINGS REGULATIONS (RA) F-23
5000 GENERAL PROVISIONS F-23
5001 DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS F-23
5002 HEIGHT F-23
5003 REAR YARD F-23
5004 MISCELLANEOUS F-24
5005 SPECIAL EXCEPTION F-24

CHAPTER 51 ALLEY LOT REGULATIONS (RA) F-25
5100 GENERAL PROVISIONS F-25
5101 DEVELOPMENT STANDARDS F-25
5102 HEIGHT F-25
5103 REAR YARD F-25
5104 SIDE YARD F-25
5105 ALLEY CENTERLINE SETBACK F-25
5106 PERVIOUS SURFACE F-26
5107 SPECIAL EXCEPTION F-26

CHAPTER 52 RELIEF FROM REQUIRED DEVELOPMENT STANDARDS (RA) F-27
5200 GENERAL PROVISIONS F-27
5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE F-27
5202 SPECIAL EXCEPTION CRITERIA FOR RA-7 (CAPITOL INTEREST) ZONE F-28
5203 SPECIAL EXCEPTION CRITERIA FOR RA-6 (NAVAL OBSERVATORY) ZONE F-29
5204 SPECIAL EXCEPTION CRITERIA ALLEY LOTS F-29
5205 SPECIAL EXCEPTION FROM PENTHOUSE PROVISIONS F-30

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 multiple dwelling unit 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

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 yards, side yards, 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, when permitted in this title, as a special exception. Additional zone specific special exception criterion, if applicable, shall be considered by the Board and are referenced in this subtitle.

101.4 For those zones with geographic identification, the boundaries are cited in Subtitle W and identified on the official Zoning Map. When there is a conflict between the official Zoning Map and the boundaries described in Subtitle W, the Office of Zoning shall determine the correct boundaries through a zoning certification.

101.5 In addition to the development standards set forth in this subtitle, additional general regulations relevant to this subtitle can be found in Subtitle C.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06E published at 63 DCR 10932 (August 26, 2016).

102 USE PERMISSIONS

102.1 Use permissions for the RA zones are as specified in Subtitle U, Chapter 4.

102.2 Use permissions within a penthouse are as specified in Subtitle C § 1500.3.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

103 PARKING

103.1 Parking requirements for the RA zones are as specified in Subtitle C, Chapter 7.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

105 INCLUSIONARY ZONING

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

CHAPTER 2 GENERAL DEVELOPMENT STANDARDS (RA)

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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

201 DENSITY – FLOOR AREA RATIO AND LOT DIMENSIONS

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 multiple dwelling unit 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 multiple dwelling unit 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

202 COURTS

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

TABLE F § 202.1: MINIMUM COURT DIMENSIONS

Type of Structure	Minimum Width Open Court	Minimum Width Closed Court	Minimum Area Closed Court
Residential, more than 3 units:	4 in./ft. of height of court but not less than 10 ft. minimum	4 in./ft. of height of court but not less than 15 ft. minimum	Twice the square of the required width of court dimension but not less than 350 sq. ft. minimum

Type of Structure	Minimum Width Open Court	Minimum Width Closed Court	Minimum Area Closed Court
Non-Residential and Lodging:	2.5 in./ft. of height of court but not less than 6 ft. minimum	2.5 in./ft. of height of court but not less than 12 ft. minimum	Twice the square of the required width of court dimension but not less than 250 sq. ft. minimum

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06D published at 63 DCR 10920 (August 19, 2016).

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 not exceeding sixty feet (60 ft.) and three (3) stories, not including the penthouse.

203.3 An institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.), not including the penthouse, 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.), not including the penthouse, 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

204 PENTHOUSES

204.1 Penthouses shall be subject to the regulations of Subtitle C, Chapter 15 and the height and story limitations specified in each zone of this subtitle.

204.2 A non-residential building constructed pursuant to Subtitle F §§ 203.2 through 203.4 shall be permitted a mechanical penthouse of eighteen feet six inches (18 ft. -6 in.) in height maximum.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

301 DEVELOPMENT STANDARDS

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

302 DENSITY – FLOOR AREA RATIO (FAR)

302.1 Except as provided in other provisions of this subtitle and in Subtitle C, Chapter 15, the maximum permitted FAR 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

Zone	Maximum FAR
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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

303 HEIGHT

303.1 Except as permitted in Subtitle F § 203, the maximum permitted building height, not including the penthouse, in the RA-1 through RA-5 zones shall be as set forth in the following table:

TABLE F § 303.1: MAXIMUM PERMITTED BUILDING HEIGHT/STORIES

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

303.2 The maximum permitted height of a penthouse, except as permitted in Subtitle F § 204 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse or flat in Subtitle C § 1500.4, shall be as set forth in the following table:

TABLE F § 303.2: MAXIMUM PERMITTED PENTHOUSE HEIGHT AND STORIES

Zone	Maximum Penthouse Height	Maximum Penthouse Stories
RA-1	12 ft.	1
RA-2	12 ft. except 15 ft. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space
RA-3	12 ft., except 18 ft. 6 in. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space
RA-4	20 ft.	1 plus mezzanine; Second story permitted for penthouse mechanical space

RA-5	20 ft.	1 plus mezzanine; Second story permitted for penthouse mechanical space

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

304 LOT OCCUPANCY

304.1 Except as provided in other provisions of this chapter, the maximum permitted 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

Zone	Maximum Lot Occupancy (Percentage)
RA-1	40
RA-2	60
RA-3	75
RA-4	75
RA-5	75

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

305 REAR YARD

305.1 A minimum rear yard 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 YARD

Zone	Minimum Rear Yard
RA-1	20 ft.
RA-2	A distance equal to 4 in. per 1 ft. of principal building height but not less than 15 ft.
RA-3	A distance equal to 4 in. per 1 ft. of principal building height but not less than 15 ft.
RA-4	A distance equal to 4 in. per 1 ft. of principal building height but not less than 15 ft.
RA-5	A distance equal to 3 in. per 1 ft. of principal building height but not less than 12 ft.

305.2 In the case of a through lot or a corner lot abutting three (3) or more streets, the depth of a rear yard 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 yard; provided, that

the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06D published at 63 DCR 10620 (August 19, 2016).

306 SIDE YARD

306.1 An eight-foot (8 ft.) side yard shall be provided for a detached or semi-detached dwelling.

306.2 For all other buildings:

(a) In the RA-1 zone, one (1) side yard shall be provided unless the building contains three (3) or more dwelling units per floor, in which case two (2) side yards 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 yard shall be required; however, if a side yard is provided, it shall be no less than four feet (4 ft.).

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 yard on each resulting free-standing side.

306.4 A side yard 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 yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06E published at 63 DCR 10932 (August 26, 2016); Final Rulemaking & Order No. 08-06G published at 64 DCR 22 (January 6, 2017).

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 [REPEALED]

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06G published at 64 DCR 22 (January 6, 2017).

CHAPTER 4 NAVAL OBSERVATORY 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

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 yard standards that apply as a matter-of-right in the RA-6 zone.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

402 DENSITY – FLOOR AREA RATIO (FAR)

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

403 HEIGHT

403.1 The maximum permitted building height in the RA-6 zone, not including the penthouse, 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.

403.3 The maximum permitted height of a penthouse, except as permitted in Subtitle F § 204 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse or flat in Subtitle C § 1500.4, shall be twelve feet (12 ft.) except fifteen feet (15 ft.) for penthouse mechanical space, and one (1) story.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

404 LOT OCCUPANCY

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

405 REAR YARD

405.1 In the RA-6 zone a minimum rear yard 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 yard 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 yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

406 SIDE YARD

406.1 In the RA-6 zone, one (1) side yard shall be provided for all structures unless the structure contains three (3) or more dwelling units per floor, in which case two (2) side yards 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 yard 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 yard on each resulting free-standing side.

406.4 A side yard 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 yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

407 GREEN AREA RATIO

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

408 [REPEALED]

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06G published at 64 DCR 22 (January 6, 2017).

CHAPTER 5 CAPITOL PRECINCT 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

501 DEVELOPMENT STANDARDS

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

502 DENSITY– FLOOR AREA RATIO (FAR)

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

503 HEIGHT

503.1 The maximum permitted building height, not including the penthouse, in the RA-7 zone shall be forty feet (40 ft.) and three (3) stories.

503.2 The maximum permitted height of a penthouse, except as prohibited on the roof

of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be ten feet (10 ft.) and one (1) story.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

504 LOT OCCUPANCY

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

505 REAR YARD

505.1 The minimum rear yard 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 yard 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 yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

506 SIDE YARD

506.1 In the RA-7 zones, no side yard shall be required; however, if a side yard is provided, it shall be no less than four feet (4 ft.).

506.2 An eight-foot (8 ft.) side yard 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 yard on each resulting free-standing side.

506.4 A side yard 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 yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06E published at 63 DCR 10932 (August 26, 2016).

507 GREEN AREA RATIO

507.1 The minimum required GAR in the RA-7 zone shall be 0.4.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

508 [REPEALED]

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06G published at 64 DCR 22 (January 6, 2017).

CHAPTER 6 DUPONT CIRCLE RESIDENTIAL APARTMENT ZONES – 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

601 DEVELOPMENT STANDARDS

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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

602 DENSITY– FLOOR AREA RATIO (FAR)

602.1 Except as provided in other provisions of this subtitle and in Subtitle C, Chapter 15, the maximum permitted FAR 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

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

603 HEIGHT

603.1 Except as permitted in Subtitle F § 203, the maximum permitted building height, not including the penthouse, in the RA-8, RA-9, and RA-10 zones shall be as set forth in the following table:

TABLE F § 603.1: MAXIMUM PERMITTED BUILDING 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

603.2 The maximum permitted height of a penthouse, except as permitted in Subtitle F § 204 and as prohibited on the roof of a detached dwelling, semi-detached dwelling, rowhouse, or flat in Subtitle C § 1500.4, shall be as set forth in the following table:

TABLE F § 603.2: MAXIMUM PERMITTED PENTHOUSE HEIGHT AND STORIES

Zone	Maximum Penthouse Height	Maximum Penthouse Stories
RA-8	12 ft. except 15 ft. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space

Zone	Maximum Penthouse Height	Maximum Penthouse Stories
RA-9	20 ft.	1 plus mezzanine; Second story permitted for penthouse mechanical space
RA-10	20 ft.	1 plus mezzanine; Second story permitted for penthouse mechanical space

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

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 Lot Occupancy (Percentage)
RA-8	60
RA-9	75
RA-10	75

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

605 REAR YARD

605.1 A minimum rear yard 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 YARD

Zone	Minimum Rear Yard
RA-8	15 ft.; or A distance equal to 4 in. per 1 ft. of principal building height
RA-9	15 ft.; or A distance equal to 4 in. per 1 ft. of principal building height
RA-10	12 ft.; or A distance equal to 3 in. per1 ft. 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 yard 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 yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

606 SIDE YARD

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

606.2 An eight-foot (8 ft.) side yard 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 yard on each resulting free-standing side.

606.4 A side yard 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 yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of two feet (2 ft.).

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

608 [REPEALED]

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06G published at 64 DCR 22 (January 6, 2017).

CHAPTER 7 THROUGH CHAPTER 49 [RESERVED]

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

CHAPTER 50 ACCESSORY BUILDINGS REGULATIONS (RA)

5000 GENERAL PROVISIONS

5000.1 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 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.

5000.2 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 yards for accessory buildings based on the zone in which they are located.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5001 DEVELOPMENT STANDARDS FOR ACCESSORY BUILDINGS

5001.1 The bulk of accessory buildings in the RA zones shall be controlled through the development standards in Subtitle F §§ 5001 through 5004.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5002 HEIGHT

5002.1 The maximum permitted height for an accessory building shall be twenty feet (20 ft.) and two (2) stories.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5003 REAR YARD

5003.1 No rear yard shall be required for an accessory building except where abutting an alley a minimum rear yard of twelve feet (12 ft.) shall be provided measured from the center line of the alley.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5004 MISCELLANEOUS

5004.1 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.

5004.2 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 penthouse regulations in Subtitle C, Chapter 15.

5004.3 A private garage that is an accessory building in an RA zone:

(a) May be located either within a rear yard 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 yard 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.

5004.4 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5005 SPECIAL EXCEPTION

5005.1 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 F § 5201.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

CHAPTER 51 ALLEY LOT REGULATIONS (RA)

5100 GENERAL PROVISIONS

5100.1 All alley lots must be recorded in the records of the Office of the Surveyor, District of Columbia, as a record lot.

5100.2 New alley lots may be created as provided in Subtitle C, Chapter 3.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5101 DEVELOPMENT STANDARDS

5101.1 The development standards of this chapter shall apply to buildings on alley lots in RA zones.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5102 HEIGHT

5102.1 The maximum height and stories of building on alley lots in RA zones shall be twenty feet (20 ft.) and two (2) stories, including the penthouse.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5103 REAR YARD

5103.1 A required rear yard shall be provided with a minimum depth of five feet (5 ft.) from any lot line of all abutting non-alley lots.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5104 SIDE YARD

5104.1 A required side yard shall be provided with a minimum depth of five feet (5 ft.) from any lot line of all abutting non-alley lots.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5105 ALLEY CENTERLINE SETBACK

5105.1 A required twelve foot (12 ft.) yard from the centerline of all alleys to which the alley lot abuts shall be provided.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5106 PERVIOUS SURFACE

5106.1 The minimum required pervious surface shall be not less than ten percent (10%).

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5107 SPECIAL EXCEPTION

5107.1 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 F § 5201.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

CHAPTER 52 RELIEF FROM REQUIRED DEVELOPMENT STANDARDS (RA)

5200 GENERAL PROVISIONS

5200.1 The provisions of this chapter 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, Chapter 9.

5200.2 Requested relief that does not comply with specific conditions or limitations of a special exception shall be processed as a variance.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 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) Yards; and

(c) Green area ratio.

5201.2 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.

5201.3 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%).

5201.4 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.

5201.5 This section shall not be used to permit the introduction or expansion of a nonconforming use as a special exception.

5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5202 SPECIAL EXCEPTION CRITERIA FOR RA-7 (CAPITOL INTEREST) ZONE

5202.1 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.

5202.2 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.

5202.3 Upon receipt of the application, the Board of Zoning Adjustment shall submit the application to the Architect of the Capitol for review and report.

5202.4 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5203 SPECIAL EXCEPTION CRITERIA FOR RA-6 (NAVAL OBSERVATORY) ZONE

5203.1 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.

5203.2 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.

5203.3 Upon receipt of the application, the Board of Zoning Adjustment shall submit the application to the National Capital Planning Commission for review and report.

5203.4 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.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5204 SPECIAL EXCEPTION CRITERIA ALLEY LOTS

5204.1 The Board of Zoning Adjustment may approve as a special exception a reduction in the minimum yard requirements of an alley lot in an RA zone may be approved as a special exception pursuant to Subtitle X, Chapter 9.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

5205 SPECIAL EXCEPTION FROM PENTHOUSE PROVISIONS

5205.1 The Board of Zoning Adjustment may grant special exception relief from the penthouse requirements of this subtitle pursuant to the provisions of Subtitle C §§ 1504.1 and 1504.2.

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).