

# TITLE 11 – ZONING

## SUBTITLE J PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ZONES

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## **CHAPTER 1 INTRODUCTION TO PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) ZONES**

### **100 GENERAL PROVISIONS**

100.1 The Production, Distribution, and Repair (PDR) zones provide for the following:

- (a) Heavy commercial and light manufacturing activities employing large numbers of people and requiring some heavy machinery under controls that minimize any adverse effect on other nearby, more restrictive zones; and
- (b) Areas suitable for development as heavy industrial sites, but at the same time protect those industrial developments from the intrusion of non-industrial uses that impede the full utilization of properly located industrial sites.

100.2 The provisions of the PDR zones are intended to:

- (a) Regulate the use of land and structures and the erection and modification of structures in areas characterized by PDR uses, typically with heavy truck traffic and loading and unloading operations;
- (b) Encourage the retention of viable land to accommodate production, warehousing, distribution, light and heavy industrial, and research and development activities;
- (c) Allow compatible office and retail uses and development;
- (d) Minimize encroachment by uses that are incompatible with PDR uses, including residential uses, which could impair existing PDR activities;
- (e) Manage transitions between PDR-zoned areas and surrounding neighborhoods; and
- (f) Ensure the environmental performance of development.

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

### **101 DEVELOPMENT STANDARDS**

101.1 The bulk of structures in the PDR zones shall be controlled through the combined 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 mix of uses;
- (d) Manage transitions between PDR-zoned areas and surrounding neighborhoods; and
- (e) Ensure 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 criteria, if applicable, shall be considered and are found at Subtitle J, Chapter 4.

101.4 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 & Order No. 08-06A 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 PDR zones are as specified in Subtitle U, Chapter 8.

102.2 Uses in the PDR zones are subject to the standards of external effects as specified in Subtitle U, Chapter 8.

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

## **103 PARKING**

103.1 Parking and bicycle parking requirements for the PDR zones are as specified in Subtitle C, Chapters 7 and 8.

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

## **104 LOADING**

104.1 Loading requirements for the PDR zones are as specified in Subtitle C, Chapter 9.

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

**105 PUBLIC EDUCATION BUILDINGS AND STRUCTURES,  
PUBLIC RECREATION AND COMMUNITY CENTERS, OR  
PUBLIC LIBRARIES**

105.1 Public education buildings and structures, public recreation and community centers, or public libraries in the PDR zones shall be permitted subject to the conditions of Subtitle C, Chapter 16.

105.2 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.

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

**106 PENTHOUSES**

106.1 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.

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

## CHAPTER 2 DEVELOPMENT STANDARDS

### 200 PURPOSE AND INTENT

- 200.1 The PDR-1 zone is intended to permit moderate-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.
- 200.2 The PDR-2 zone is intended to permit medium-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.
- 200.3 The PDR-3 zone is intended to permit high-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.
- 200.4 The PDR-4 zone is intended to permit high-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones and minimize non-industrial uses.
- 200.5 The PDR-5 zone is intended to:
- (a) Permit moderate-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones;
  - (b) 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;
  - (c) Reflect the importance of and provide sufficient controls for the area adjacent to the U.S. Capitol;
  - (d) Provide particular controls adjacent to properties having a well-recognized general public interest; and
  - (e) Restrict some of the permitted uses to reduce the possibility of harming the site, building, or zone to be protected.

200.6 The PDR-6 and PDR-7 zones apply to the area that is immediately north and south of Fort Circle Park, also known as Fort Drive Park.

200.7 The PDR-6 and PDR-7 zones are intended to:

- (a) Encourage a scale of development and a mixture of building and land uses consistent with the Comprehensive Plan that enables existing industries that provide jobs, tax revenues, and critical support functions for development of the District of Columbia to remain in the District; and
- (b) Protect surrounding residential areas from the adverse impacts of existing industrial support uses by means of the buffering standards provided in these zones.

200.8 The PDR-6 zone is intended to permit moderate-density commercial and PDR activities employing a large workforce and requiring some heavy machinery, under controls that minimize any adverse impacts on adjacent, more restrictive zones.

200.9 The PDR-7 zone is intended to:

- (a) Permit high-density commercial and PDR activities employing a large workforce and requiring some heavy machinery, under controls that minimize any adverse impacts on adjacent, more restrictive zones and minimize non-industrial uses; and
- (b) Ensure that the views and vistas from the historic fortification of Fort Totten are not degraded or obstructed.

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

## **201 DEVELOPMENT STANDARDS**

201.1 The development standards in Subtitle J §§ 202 through 210 shall control the height and bulk of structures in the PDR zones.

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

## **202 DENSITY – FLOOR AREA RATIO (FAR)**

202.1 The maximum permitted FAR in the PDR zones shall be as set forth in the following table:

**TABLE J § 202.1: MAXIMUM PERMITTED FLOOR AREA RATIO**

<b>Zone</b>	<b>Maximum FAR Restricted Uses</b>	<b>Maximum FAR Permitted</b>
PDR-1	2.0	3.5
PDR-2	3.0	4.5

<b>Zone</b>	<b>Maximum FAR Restricted Uses</b>	<b>Maximum FAR Permitted</b>
PDR-3	4.0	6.0
PDR-4	1.0	6.0
PDR-5	1.8	3.5
PDR-6	2.0	3.5
PDR-7	1.0	6.0

202.2 The following use categories may achieve the maximum FAR as indicated in Table J § 202.1:

- (a) Agriculture, large
- (b) Animal care and boarding and animal shelter
- (c) Arts, design, and creation
- (d) Basic utilities;
- (e) Large-scale government;
- (f) Production, distribution, and repair; and
- (g) Waste-related services.

202.3 All other permitted, conditional, or special exception use categories are subject to the maximum FAR indicated in the restricted uses row in the development standards table.

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

## **203 HEIGHT**

203.1 The maximum permitted building height, not including the penthouse, in the PDR zones shall be as set forth in the following table:

**TABLE J § 203.1: MAXIMUM PERMITTED BUILDING HEIGHT**

<b>Zone</b>	<b>Maximum Height (Feet)</b>
PDR-1	50
PDR-2	60
PDR-3	90
PDR-4	90
PDR-5	40
PDR-6	40
PDR-7	65

- 203.2 In the PDR-5 zone, the maximum permitted number of stories within the building shall be three (3).
- 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 adjacent natural or finished grade, whichever is the lower in elevation.
- 203.4 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 foot of height in excess of that authorized in the zone in which it is located.
- 203.5 In the PDR-6 or PDR-7 zone, any building proposed to exceed sixty-five feet (65 ft.) in height, not including the penthouse, shall be approved by the Board of Zoning Adjustment pursuant to the special exception criteria of Subtitle X, Chapter 9. The applicant for a special exception under this subsection shall demonstrate that the building will not degrade or obstruct views and vistas from the historic fortification of Fort Totten.
- 203.6 The maximum permitted height of a penthouse shall be as set forth in the following table:

**TABLE J § 203.6: MAXIMUM PERMITTED PENTHOUSE HEIGHT AND STORIES**

<b>ZONE</b>	<b>Maximum Penthouse Height</b>	<b>Maximum Penthouse Stories</b>
PDR-5	10 ft.	1
PDR-1 PDR-6	12 ft. except 15 ft. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space
PDR-2	12 ft. except 18 ft. 6 in. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space
PDR-3 PDR-4 PDR-7	20 ft.	1 plus mezzanine; Second story permitted for penthouse mechanical space

SOURCE: Final Rulemaking & Order No. 08-06A published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 17-18 published at 65 DCR 8555 (August 17, 2018).

## **204 TRANSITION HEIGHT REQUIREMENTS**

- 204.1 Development on a lot that directly abuts a residentially-zoned property with a lower height limit, shall not project above a plane drawn at a one-to-one (1:1) angle subject to the following:

- (a) The plane shall be measured ten feet (10 ft.) above the matter-of-right height of the abutting residential property line; and
- (b) The measuring point shall be established at the middle of the abutting residential property line.

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

## **205 REAR YARD**

- 205.1 A rear yard shall be provided for each structure located in a PDR zone.
- 205.2 The minimum depth of the rear yard shall be two and one-half inches (2.5 in.) per one foot (1 ft.) of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than twelve feet (12 ft.).
- 205.3 Where the rear lot line of a lot abuts or is separated only by an alley from a residential zone or residential use of a property, a rear yard shall be provided from the ground up, subject to the transitional setback requirements of Subtitle J § 207.
- 205.4 Except as required in Subtitle J § 205.3, the rear yard need not be provided below a horizontal plane twenty feet (20 ft.) above the mean finished grade at the middle of the rear of the structure.
- 205.5 For that portion of the structure above the horizontal plane, the depth of rear yard may be measured as follows:
  - (a) When the lot abuts an alley, from the center line of the alley to the rear wall of the portion immediately above the plane; or
  - (b) When the lot does not abut an alley, from the rear lot line to the rear wall of the portion immediately above the plane.
- 205.6 In the case of a through lot or a corner lot abutting three (3) or more streets, the depth of rear yard may be measured from the center line of the street abutting the lot at the rear of the structure.
- 205.7 A required rear yard may be within a required transitional setback provided all transitional setback conditions are met.

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

## **206 SIDE YARD**

- 206.1 No side yard shall be required on a lot in a PDR zone, except where a side lot line of the lot abuts a residential zone or lot developed with a residential use. Where a

side lot line abuts a residential zone, the transitional setback requirements shall be provided pursuant to Subtitle J § 207.

206.2 A required side yard may be within a required transitional setback provided all transitional setback conditions are met.

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

## **207 TRANSITION SETBACK REGULATIONS**

207.1 Transition setback regulations apply along any and all lot lines of a lot in a PDR zone when the lot or portion of the lot directly abuts a residential zone, a lot developed with a residential use, or an alley that abuts a residential zone, unless the PDR-zoned lot is only used for residential purposes.

207.2 The following required setbacks shall be provided on a lot in a PDR zone subject to the following conditions:

- (a) A twenty-five foot (25 ft.) setback shall be provided from each lot line that is directly abutting a lot in a residential zone or developed with a residential use;
- (b) A twenty-five foot (25 ft.) setback shall be provided from each lot line that is abutting an alley that serves as the zone boundary line between a PDR zone and a residential zone. The depth of setback shall be measured from property line of the PDR-zoned lot; and
- (c) A fifteen-foot (15 ft.) setback shall be provided from each lot line, except a front lot line, that is abutting a street less than seventy feet (70 ft.) in right-of-way width that serves as the zone boundary line between a PDR zone and a residential zone.

207.3 Any setback required by this section shall be located on the PDR-zoned lot and shall be extended as a vertical plane, parallel to the PDR-zoned lot line.

207.4 Any setback area required by this section shall not be used for storage, parking, loading, or accessory uses.

207.5 Any setback area required by this section shall be landscaped with evergreen trees, subject to the following conditions:

- (a) The trees shall be maintained in a healthy growing condition;
- (b) The trees shall be a minimum of eight feet (8 ft.) high when planted; and
- (c) Planting locations and soil preparation techniques shall be shown on a landscape plan submitted with the building permit application to the Department of Consumer and Regulatory Affairs for review and approval

according to standards maintained by the Department's Soil Erosion and Storm Management Branch, which may require replacement of heavy or compacted soils with top and drainage mechanisms as necessary.

207.6 A form of screening shall be erected between the residential and PDR lots, and shall be located along the required setback identified in Subtitle J § 207.2(a). The screening shall be either:

- (a) A solid wood or board-on-board fence, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height; or
- (b) A brick or stone wall, no less than eight feet (8 ft.) and no more than ten feet (10 ft.) in height.

207.7 A transitional setback may be inclusive of a required side or rear yard provided all conditions of each section are met.

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

## **208 GREEN AREA RATIO (GAR)**

208.1 A lot in any PDR zone shall have a Green Area Ratio (GAR) of at least 0.3, except that:

- (a) A lot with a principal building that is one (1) story in height shall have a GAR of at least 0.1; and
- (b) A lot with a principal building that is two (2) stories in height shall have a GAR of at least 0.2.

208.2 For lots that have more than one (1) building, the GAR requirement shall be that applicable to the tallest building; unless the tallest building has a footprint less than four hundred and fifty square feet (450 sq. ft.). In such case the building with the largest footprint shall constitute the principal building for the purposes of determining the GAR requirement.

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

## **209 COURT**

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

**TABLE J § 209.1: MINIMUM COURT DIMENSIONS**

<b>Minimum Width Open Court</b>	<b>Minimum Width Closed Court</b>	<b>Minimum Area Closed Court</b>
2.5 in./ft. of height of court;  6 ft. minimum	2.5 in./ft. of height of court;  12 ft. minimum	Twice the square of the required width of court dimension;  250 sq. ft. minimum.

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

**210 SPECIAL EXCEPTION**

210.1 Except for the PDR-5 zone, exceptions to the development standards of this chapter, except for GAR, shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9.

210.2 For property in the PDR-5 zone, exceptions to the development standards of this chapter, except for GAR, shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9 and the provisions of Subtitle J, Chapter 4.

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

## CHAPTER 3 ALLEY LOT REGULATIONS

### 300 GENERAL PROVISIONS

- 300.1 All alley lots must be recorded in the records of the Office of the Surveyor, District of Columbia, as a record lot.
- 300.2 New alley lots may be created as provided in Subtitle C, Chapter 3.

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

### 301 DEVELOPMENT REGULATIONS FOR BUILDINGS ON ALLEY LOTS

- 301.1 The bulk of buildings on alley lots in a PDR zone shall be controlled through the specified development standards of this chapter.
- 301.2 The following development standards shall apply to buildings on alley lots in PDR zones:

**TABLE J § 301.2: ALLEY LOT DEVELOPMENT STANDARDS**

Maximum Lot Occupancy	GAR	Rear Yard Min.	Side Yard Min.	Alley Centerline Yard Min.
N/A	As required by applicable zone	5 ft. from any lot line of all abutting non-alley lots		12 ft. from the centerline of all alleys to which the alley lot abuts

- 301.3 The maximum height of a building on an alley lot shall be determined as follows:
- (a) If the alley lot is located in a square that contains R or RF zoned properties, the height shall be limited to twenty feet (20 ft.), including the penthouse; or
  - (b) If the alley lot is located in a square that does not contain R or RF zoned properties, the height shall be limited to thirty feet (30 ft.), including the penthouse.

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

## **CHAPTER 4 SPECIAL EXCEPTION**

### **400 GENERAL PROVISIONS**

- 400.1 Exceptions to the development standards of this subtitle shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9.
- 400.2 Requested relief that does not comply with specific conditions or limitations of a special exception shall be processed as a variance.

SOURCE: Final Rulemaking & Order No. 08-06A published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06P published at 65 DCR 11927 (October 26, 2018).

### **401 SPECIAL EXCEPTION CRITERIA FOR PDR-5 ZONE**

- 401.1 In the PDR-5 zone, any special exception application shall be subject to the following additional 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.
- 401.2 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.
- 401.3 Upon receipt of the application, the Board of Zoning Adjustment shall submit the application to the Architect of the Capitol for review and report.
- 401.4 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 & Order No. 08-06A published at 63 DCR 2447 (March 4, 2016 – Part 2).