

**16th Street Neighborhood Association**  
**General Meeting Minutes**  
**November 1, 2016**

**Attendees:** About 17 neighbors attended the meeting which was held at Simpson-Hamline Church.

**Association Business:** Cecelia passed out copies of the draft minutes for the October meeting. Susie updated members on our banking account balances. As of November 1, 2016, the Association had \$2,314.32 in the checking account and \$5 in the savings account. Since the last Treasurer's report, six households submitted dues for a total of \$180.

Jack reminded us that the city's Department of Transportation has recently completed its traffic study of our neighborhood and should finally be responding to our requests, made earlier this year, for changes in traffic signage to improve pedestrian safety.

**Update from Ms. Whitley of Councilman Todd's Office:** Ms. Whitley described several proposed bills considered by the council during the past week. Councilman Todd proposed two bills including a bill for seed money for a feasibility study to revitalize the commercial corridor on Georgia Avenue. The Council also is considering legislation giving residents the right for physician-assisted suicide.

**Speaker from the Zoning Commission:** Esther Bushman, who is the General Counsel for the Zoning Commission, presented an overview of the zoning regulations for our neighborhood and provided us with helpful handouts on these recently rewritten regulations.

After seven years of discussions and debate involving the community, the Zoning Commission recently approved zoning regulations written by the Office of Planning. These regulations became effective on September 6, 2016 and replace the 1958 zoning regulations. The rewritten regulations are available in Chapter 11 of the Municipal Code at [www.dcregs.dc.gov](http://www.dcregs.dc.gov) (official version of the regulations), the D.C. Register, and the Zoning Commission's website [www.dcoz.dc.gov](http://www.dcoz.dc.gov). Generally, it is easier to search for relevant zoning regulations on the Zoning Commission's website; however, this version is not the official version.

The residences in our neighborhood are zoned RF1, a moderately dense neighborhood, while the commercial strip on the west side of 14th Street NW is zoned MU3 (mixed use zone). A major change in the rewritten regulations is replacing past overlay districts, such as the Dupont Circle overlay, with new discrete zones.

You can find how an address is zoned by accessing the interactive zoning map on the Zoning Commission's website ([www.dcoz.dc.gov](http://www.dcoz.dc.gov)). The map application will prompt you for the address or record square and provide data relating to the property including its zone, owner, lot size, etc.

The Zoning Commission's website ([www.dcoz.dc.gov](http://www.dcoz.dc.gov)) also provides public access to zoning

decisions of BZA, Zoning Commission case files, and videos of public hearings held by BZA and the Zoning Commission. Ms. Bushman urged interested neighbors to peruse the website for various educational materials about zoning in the District of Columbia, including summaries of zoning requirements by zone.

Ms. Bushman briefly described BZA hearings for variances or special exceptions to the zoning regulations. The ANC is automatically a party of these hearings. Neighbors living near a property who may be adversely impacted by a proposed variance or special exception can file for party status fourteen days before a BZA hearing commences. If neighbors cannot appear at a hearing, they can submit testimony to the BZA record as long as it is officially open. Ms. Bushman said that the BZA hearing officials carefully review all the submitted written testimony before making their decision in each case. They write a short decision that documents their findings of fact and their conclusions of law. The procedures followed are mandated by the city's Administrative Procedures Act.

Ms. Bushman works for the Zoning Commission and not DCRA's Zoning Administrator. There is significant confusion among citizens on the responsibilities and powers of these two groups. Ms. Bushman redirects about 50% of citizens reaching out to her to the DCRA Zoning Administrator. She recommends that owners or neighbors concerned about development on a nearby property ask the Zoning Administrator what the regulations generally allow.

Some neighbors were anxious to understand what changes the new regulations have for our neighborhood. Ms. Bushman said that there were few substantive changes other than a change in the size of side yards required for semi-detached residences and other buildings. The minimum width of required side yards has shrunk from eight to five feet.

The use provisions for RF1 residences, described in Chapter 3 of Subtitle U, permit two dwelling units on each recorded residential lot (either two units in the principal structure or one unit in the principal structure and a second unit in a garage or other accessory structure). Additionally, the regulations continue to allow for more than two units in a building built before May 1958 if its lot is large enough (lot square footage/900 is the maximum number of units) ('Conversions'). Since 2015, there are additional limitations for converting these older buildings into more than two residential units.

Building a two unit flat on lots in RF1 neighborhoods is a matter of right, meaning no approval from BZA is needed as long as all other zoning regulations are met. Additionally, Conversions of non-residential buildings to more than two residential units are a matter of right subject to eight design conditions (*e.g.*, rear addition cannot extend more than 10 feet beyond furthest back wall of adjacent properties). However, Conversions of residential buildings requires a BZA special exception hearing. Neighbors living within 200 feet of the residential building subject to a Conversion development should receive advance notice of the BZA hearing and have the right to become a party to the hearing. Additionally, the ANC will get notice and has the right to become a party to the hearing.

Other zoning limitations for RF1 residences include a height limit of 35 feet (churches have a height limit of 60 feet); the maximum stories are three; row dwellings, detached and semi-detached dwellings, flats and churches cannot cover more than 60% of the lot; the front of the building will be setback from the street within the range of the front setbacks for other buildings on the same block; and the minimum length of rear yards is 20 feet.

The new regulations have some changes in parking requirements (subtitle C) that encourage the increased usage of existing parking lots and garages by neighborhood residents at night and employees and customers during business hours. Additionally, parking requirements for MU-3 zoned buildings on 14th Street NW and other major transportation corridors (*e.g.*, Georgia Ave NW) are cut in half to encourage usage of public transportation.

In answer to questions about Conversions of existing buildings into popups, Ms. Bushman mentioned that some neighborhoods obtain historic district designation to add more limits on the redevelopment of existing buildings. Permit seekers in such neighborhoods must undergo another review of their plans by the historic preservation office after the DCRA review.

Finally, Ms. Bushman recommended that neighbors contact the Zoning Administrator or DCRA's Illegal Construction Inspectors if they observe that a developer is not building in accordance with the permitted plans. If the inconsistency violates the zoning regulations, neighbors can also call her office to complain. Her office will respond to any complaints that DCRA inspectors or the Zoning Administrator are not investigating reported violations of the zoning regulations.