

**TEXT AMENDMENT FOR
MINIMUM LOT AREA AND LOT OCCUPANCY REQUIREMENTS
FOR APARTMENT HOUSES IN THE
R-4 ZONE DISTRICT**

Delegated Action of the Executive Director

May 31, 2007

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, 40 USC § 8724 (a) and DC Code § 2-1006 (a), I find that the proposed text amendment clarifying that the number of apartment units in existing apartment houses may not be increased in the R-4 Zone District unless there is 900 square feet of lot area per unit, is not inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other federal interests.

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The Zoning Commission of the District of Columbia has taken a proposed action to approve a text amendment for § 403.1 and § 403.2 of 11 DCMR and a new subsection, § 401.11. The proposed action would clarify the regulations pertaining to the expansion of apartments in the R-4 Zone, permitting the number of units in apartment houses existing prior to May 12, 1958 to be expanded provided that (1) there is at least 900 square feet of lot area for each unit (whether new or existing) and (2) that the maximum percentage of lot occupancy is the greater of 60% or the existing lot occupancy as of the date of conversion.

The District Office of Planning's intent is to allow a single family dwelling to be converted into apartments in the R-4 District as long as there is at least 900 square feet per unit. If a structure had already been converted to apartments, the text was unclear whether the minimum of 900 square feet was required. The proposed text amendment would clarify that apartment buildings, as well as single family units and other structures, are subject to the 900 square foot per unit minimum.

I find that the proposal would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it be adverse to any other federal interest.

Patricia E. Gallagher, AICP
Executive Director