

# Guidelines

PUBLIC SPACE, WHAT IS AND IS NOT PRIVATELY OWNED, IS PUZZLING TO MANY D.C. PROPERTY OWNERS. SAD TO SAY, IT IS EVEN CONFUSING TO SOME OF THE GOVERNMENT WORKERS CHARGED WITH REGULATING IT. BECAUSE OF THIS, THE CAPITOL HILL RESTORATION SOCIETY FELT THE NEED TO CONVEY VERY CLEARLY WHAT IS AND IS NOT PUBLIC SPACE IN OUR HISTORIC DISTRICT AND DISCUSS THE RIGHTS AND RESPONSIBILITIES ASSOCIATED WITH THIS SPACE, LEADING TO THIS GUIDELINE.

BECAUSE SO MANY PEOPLE OVER THE YEARS HAVE NOT FULLY UNDERSTOOD THE NATURE OR EXTENT OF PUBLIC SPACE ABUTTING THEIR PROPERTIES, INFRINGEMENTS

ABOUND. PEOPLE ARE PARKING ILLEGALLY IN PUBLIC SPACE, STORING TRASH CANS IN PUBLIC SPACE, AND FENCING PUBLIC SPACE. THIS GUIDELINE IS AN EFFORT TO GET THE WORD OUT IN HOPES THAT BETTER INFORMED PROPERTY OWNERS WILL ADHERE TO THE LAWS GOVERNING THE PUBLIC SPACE HELD IN TRUST FOR US ALL.

PLEASE NOTE, THE CAPITOL HILL RESTORATION SOCIETY IS NOT AN ENFORCEMENT AGENCY, BEING SIMPLY A NON-PROFIT COMMUNITY ORGANIZATION DEDICATED TO EFFORTS THAT PROMOTE AND PRESERVE THE QUALITY OF OUR COMMUNITY. FOR ENFORCEMENT, PLEASE CALL THE APPROPRIATE CITY AGENCIES REFERENCED IN THE BODY OF THIS DOCUMENT.

## YOURS, MINE, AND OURS: FRONT YARDS AND OTHER PUBLIC SPACE ON CAPITOL HILL

**"H**ear ye! Hear ye! The capital of our nation, known as Washington, District of Columbia, does hereby announce to all owners of real estate in this fair city, they are in receipt of the free use of the surrounding real property, to sit upon, and to gaze upon its green enjoyment. Let it be known that no taxes will be levied upon this gift."

While this announcement is fictitious, the law it is based on is not. Since late in the 19th century, use of our front yards has been a gift of the city. Look at the plat of your house. The property line for most Capitol Hill buildings is at the front plane of the house, where the front door is. Your front stoop and even the couch in your living room bay window, appears to rest on someone else's land. That someone else is the government holding the land for all of us in common to enjoy the large preserve of green space bordering our streets.

This unique arrangement of government land ownership and citizen stewardship is one of the least known and understood aspects of home ownership in the District of Columbia.

Because the land is a gift of usage, not of ownership, requiring foster care, it comes with responsibilities governed by city

regulations. This guideline introduces the history of our "parking" and legislation affecting its use.

### ORIGINS OF OUR PUBLIC FRONT YARDS

When Pierre L'Enfant planned Washington in 1791, he envisioned a port city with docks, wharves, and industry extending along the Anacostia River, with Washington's commercial life filling the southeast quadrant. L'Enfant planned the city on a democratic grid, with diagonals radiating from major points like the

Capitol and President's House superimposed on the orthogonal grid of numbered and lettered streets. The diagonal avenues, named for states, were further located to connect bits of high ground or other significant features. All his streets were of generous widths with a few distinguished by extraordinary breadth. L'Enfant imagined grand embassies along East Capitol making it a ceremonial boulevard equaling some in Paris. His design designated an astonishing 160' width for East Capitol Street to accommodate

WASHINGTON'S GENEROUS STREET WIDTHS WERE AN INTEGRAL PART OF L'ENFANT'S CONCEPTION OF THE CITY WITH SPECIFICATIONS FOR VARIOUS STREETS INCLUDED ON HIS ORIGINAL DRAWINGS AS WELL AS ON THE MANY ENGRAVINGS OF THE CITY PLAN THAT WERE PRINTED THROUGHOUT THE 19TH CENTURY.

### Breadth of the Streets.

*THE grand Avenues, and such Streets as lead immediately to public places, are from 130 to 160 feet wide, and may be conveniently divided into foot ways, walks of trees, and a carriage way. The other Streets are from 90 to 110 feet wide.*

FROM REPRODUCTION OF MAP ENGRAVED BY THACKARA AND VALLANCE OF PHILADELPHIA, 1792.

"Every grand transverse Avenue, and every principle (sic) divergent one, such as communication from the President's House to the Congress house (sic) etc. 160 feet in breadth...

The other streets are of the following dimensions, viz.	feet
Those leading to public building or markets	130'
others	110'
	90

JILL LAWRENCE

FROM THE BICENTENNIAL MAP (BIC) PUBLISHED BY U.S. COAST AND GEODETIC SURVEY, FACSIMILE 1987 COPY L'ENFANT MAP AND FROM L'ENFANT'S 1791 MANUSCRIPT PLAN FOR THE CITY OF WASHINGTON REPRODUCED BY THE LIBRARY OF CONGRESS 1991

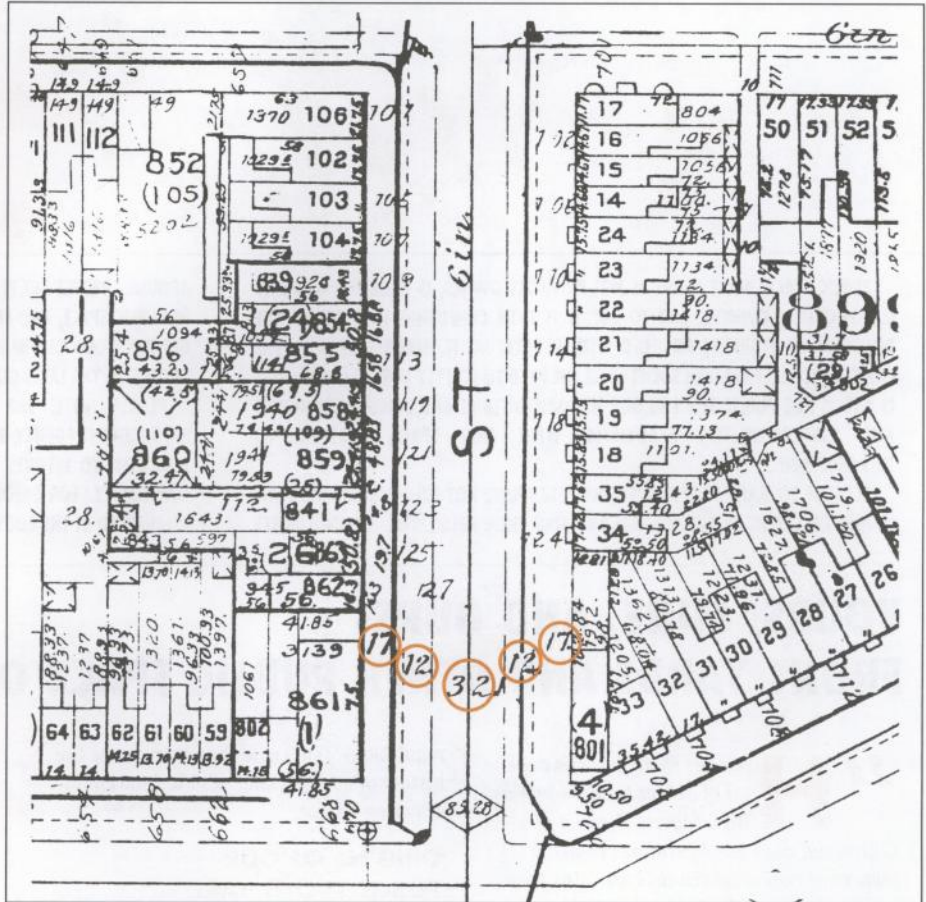
## WHAT IS "PUBLIC SPACE?"

Public space is **all** of the publicly owned land in the city, including street rights-of-way. In this guideline we are largely concerned with one of the sub-groups of street rights-of-way—the land between the sidewalk line and the front property line, usually the building face, not including bay projections. This space is variously called "parked" space, public parked space, parking, or sometimes just public space. Roadways and sidewalks are also right-of-way sub-groups referred to by the D.C. government.

While important to our historic district, this guideline will not discuss city-built elements of alleys, roads, and sidewalks, although we will talk about tree boxes.

This guideline will use the terms "parking," "parked," and "front yards" to refer specifically to the public space between our house fronts and the sidewalk, a category created by the 1870 "Parking Act." Private use of this land and the right to fence it on most Washington streets was granted in 1899 through Public Act #173 and General Regulations.

THIS IS THE KIND OF INFORMATION YOU CAN FIND IN BAIST'S REAL ESTATE ATLAS. INFORMATION ON THESE MAPS INCLUDES SQUARE NUMBERS, LOT NUMBERS, FOOTPRINTS OF BUILDINGS, LOT DIMENSIONS, ADDRESSES, SEWERS, AND WIDTHS FOR STREET ROADWAYS, SIDEWALKS, AND "PARKED" SPACE. NOTE A ROADWAY WIDTH OF 32 FEET, SIDEWALK WIDTHS OF 12 FEET ON EACH SIDE OF THE ROADWAY, AND "PARKED" FRONT YARDS OF 17 FEET



carriage lanes, four decorative rows of trees, and gravel walkways.

In less than a decade, though, nature and demographics altered this aspect of L'Enfant's plan. Erosion from tobacco farming upstream clogged the Anacostia with silt, and destroyed the previously flourishing port of Bladensburg. The city of Washington developed slowly and grew to the north and west.

By the late 1860's, Congress realized the grading and paving of Washington's wide rights-of-way was unlikely. So, in 1870 Congress passed the "Parking Act," recognizing this excess right-of-way. In 1899 use of this space was officially given to property owners as front and side yards, with the right to fence these areas with short open fences.

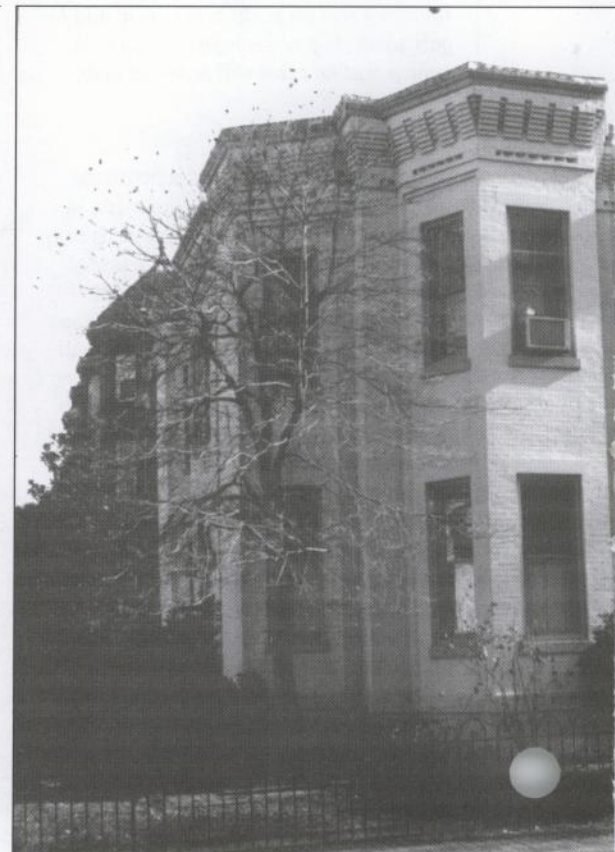
The term "parking" may be confusing to modern city dwellers who associate the word with automobiles. Nineteenth century legislators envisioned streetscapes with a series of green planted miniature "parks," not cars.

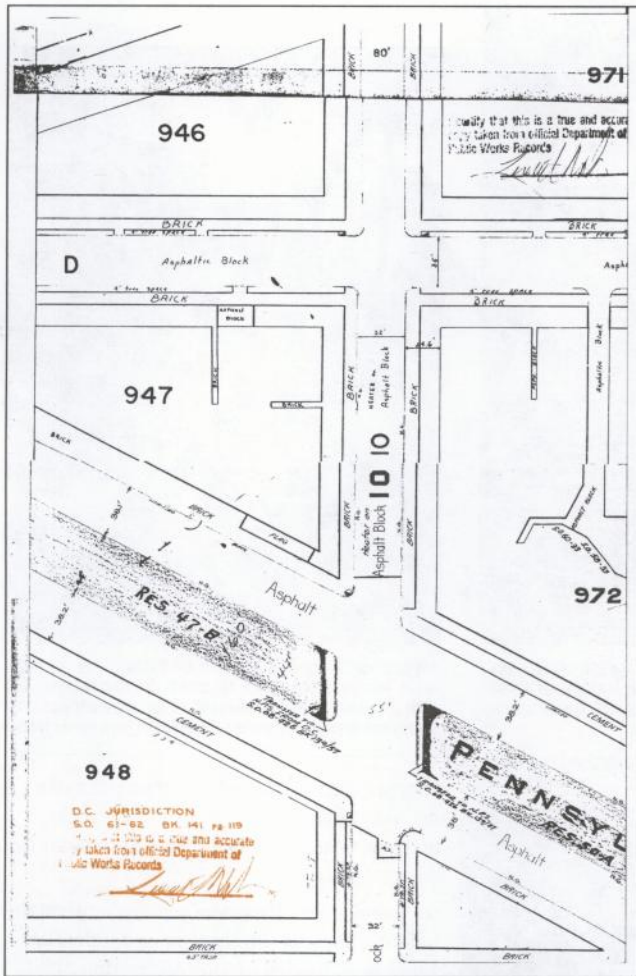
## OUR BUILDINGS: A RESULT OF WIDE RIGHTS-OF-WAY AND PROJECTIONS

Prior to 1871, Capitol Hill had few houses. Most of those few houses, moreover, had flat fronts abutting the city-owned, right-of-way line. But in 1871, a second formative piece of legislation, the "Projection" Act, allowed bay windows, corner towers, and porches to project into public space.

Today, the depth and width of such projections is delineated in Article 5 of the building code, depending on building frontage and street width. This projection legislation allowed developers greater freedom to construct in the popular styles of their day including Queen Anne, Richardsonian Romanesque, and Italian styles—all characterized by bays, towers, turrets and other complex building shapes.

Using projections, a developer could build larger houses on smaller lots and gain more light with extra windows in bays. One astonishing Hill example at 701 A Street, SE, sits on a corner lot only eleven feet wide. But, the house's four projecting bays increase its apparent and actual size to create a very livable house. The builder who cleverly





Street: 10th Street, Southeast

LOCATION	REMARKS	STREET	ROADWAY	SIDEWALK	PARKING		
E. Cap. to 5th St.		80	30	10	10	15	15
I to River		80	30	10	10	15	15
D to I Street		80	32	10	10	14	14
Note: 12' sidewalk in front of Tyler School							

THE TABULAR FORM BREAKS DOWN THE TOTAL STREET WIDTH BETWEEN ROADWAY, SIDEWALK, AND "PARKING."

THIS IS THE CERTIFIED INFORMATION AVAILABLE TO YOU FROM THE DEPARTMENT OF PUBLIC WORKS RECORDS ABOUT TOTAL STREET WIDTH, AND THUS WHAT CONSTITUTES PUBLIC SPACE IN FRONT OF OUR BUILDINGS.

### HOW BIG IS YOUR PARKED SPACE? GETTING MEASUREMENTS

The widths of parked front yards vary on different blocks of Capitol Hill and in other areas of the city. Common depths for front yards and corner house side yards range from 14' to 18', from the front door to the sidewalk's inner edge. Those lucky enough to live on the grand boulevard of East Capitol Street savor 40'-deep, tax-free front yards.

To appreciate the parked space on your block, walk to the corner, make an about-face, and scan all the yards, including yours. Only bay windows, porches, staircases, and short fences should appear in the long progression of greenery. No cars, no tall fences, no dumpsters and no trash cans should intrude on your sight-line. You are looking at your block's parked space.

To determine the size of your own piece of public land, measure from your front door, often right on the front property line, to the inner edge of the sidewalk. For a quick check of these dimensions, you can consult Baist's Real Estate Atlas, found at most local real estate offices and in the Washingtoniana Room of the Martin Luther King Memorial Library.

You can verify your measurement at 614 H Street, NW, Room 317. Ask for a copy of the "Street Widths" page for your block. When you receive it, you will notice that the city's definition of street includes your little front yard. For example, on 10th Street, SE, between East Capitol and D Street, the roadway is 30' wide, each sidewalk is 10' wide and each front yard is 15' wide. Together, from door-to-door across the street, they make up an 80' wide street.



Justin Caputo, photo

exploited this projection possibility must have been very pleased with his idea. He built an identical group at 7th and A Streets, NE.

Most of Capitol Hill's buildings have bays and other projections since they were built after the passage of the Projection Act, during the boom years 1873 to 1893.

All residents of Washington benefit from the beauty of this street-front public space. If all our front yards are added to other green city spaces such as the circles, squares, triangles, median strips, the Mall, parks, and the rights-of-ways within the L'Enfant-planned part of the city, we have more public space than any other city in the country. To appreciate our green bounty, compare the look of our streetscapes to Colonial-era port cities that grew without a grand design. Walk up 32nd and 33rd Streets in Georgetown. Note how close to the sidewalk the houses are and how narrow the streets feel compared to those planned by L'Enfant. A trip to some areas of Baltimore, where endless front stoops perch on hard concrete, further illustrates the benefit of our green buffer zone.

THE BUILDING LOT OF THE HOUSE ON THE LEFT IN THIS GROUPING ON SEVENTH STREET, SE IS A BARE ELEVEN FEET WIDE. A VERY LIVEABLE HOUSE IS CREATED BY TAKING FULL ADVANTAGE OF BAY PROJECTION POSSIBILITIES ON TWO SIDES.

## FENCES

**Fences at sidewalk line:** Section 103.1, Title 24 of the District of Columbia Municipal Regulations, (DCMR) Public Space and Safety

“open fences of an approved type not less than three feet or more than three feet six inches in height”

**Fence Heights:** Section 514.0 of the Building Code

“Party” fences, or fences separating private properties may be up to seven feet tall by right and taller if both property owners agree and sign the building permit application accordingly. This does not include any fence in our front yards as our front yard fences do not separate private property, but are merely a privilege in public space.

Fences abutting alleys shall not exceed seven feet.

Fences separating neighboring front yards from each other and from the sidewalk must be short and open. Fences separating our back yards, which we own, from each other or from the alley may be seven feet tall. On Capitol Hill you often see seven-foot-tall fences, built on private property, separating someone’s extra lot from their front yard or separating their publicly owned front yard from the one they own because their house is set back. Also, because of some of our oddly shaped squares, courtesy of L’Enfant, some people have “parked” back yards and may separate the back yard they own from their public backyard by a taller fence. But remember, you may not put a tall fence on public property, such as at the sidewalk line or in your front yard in public space.



Judith Capen, photo

NOTE THE LOW FENCE (36 TO 42 INCHES) ON THE LINE BETWEEN SIDEWALK AND PUBLIC SPACE FRONT YARD. THE LEGAL TALL FENCE BEYOND IS SEPARATING AN UNBUILT LOT FROM PUBLIC SPACE, RUNNING ALONG THE PROPERTY LINE.

THIS SOLID BRICK FENCE DOES NOT MEET THE REQUIREMENT THAT FENCES ALONG THE SIDEWALK LINE BE OPEN.



Judith Capen, photo

THE TALL FENCES IN THE BACKGROUND ARE ILLEGALLY BUILT IN PUBLIC SPACE. THE FOREGROUND FENCE, THE LOW BRICK RETAINING WALL, AND EVEN THE BARELY VISIBLE MID-GROUND CHAIN LINK FENCE ARE LEGAL ON THE LINE BETWEEN THE SIDEWALK AND FRONT YARD PUBLIC SPACE.



Judith Capen, photo

Neighbors are the best custodians of public space once they know their front yard, sidewalks, and tree boxes are on land held in trust for the common good.

**Automobiles.** Parking a vehicle between the building line and the sidewalk in residential zones is prohibited by Title 18, Section 2405(a) of the DCMR. Houses with existing fenced side property must park inside their property line, either inside a previously approved garage or behind a fence enclosing private property.

If a property has a curb cut the driveway is for entering or leaving the garage. A driveway must be used briefly to load or unload, but a curb cut does not entitle the homeowner to park in the city-owned front yard.

Property owners who have changed their front garage into a bedroom or other non-automobile use, are required by the city to remove the curb cut and driveway, and to return the sidewalk and curb to match adjacent materials. (When a property owner applies for a building permit to convert a garage to some other use, the applicant must make pay a \$100 per square yard of public space deposit to Public Space. If the property owner does not reverse the driveway, the City will use the deposit to do the work. According to the Director of Public Space, reversal of driveways no longer leading to authorized parking spaces is based on long standing policy, practice, and precedent.)

Reversing a driveway restores the streetscape, returning at least 16’ of street parking to the neighborhood, space to be

## RIGHTS AND RESPONSIBILITIES

In return for our use of public space as front yards, Washingtonians are responsible for the foster care of this land—to see that it is not abused. The DC government is responsible for enforcing laws and regulations relating to public space in the following categories:

1. Automobile Parking Violations - call Parking Enforcement
2. Construction without a permit - call Public Space, Inspections and Investigations
3. Trash - call Solid Waste Control

4. Rats - call Rodent Control
  5. Street Trees - call Trees and Landscaping
- Phone numbers for government offices and organizations mentioned in this guideline are available from the Capitol Hill Restoration Society.

To protect our public space legacy, citizens need to be aware of the regulations governing use of public space. This guideline can be used to inform neighbors about public space do’s and don’ts. Residents who see violations can call the appropriate government agency to alert supervisors, or contact the Capitol Hill Restoration Society for help. Informed neigh-

# ALL OF THE CARS SHOWN ON THIS PAGE ARE ILLEGALLY PARKED.



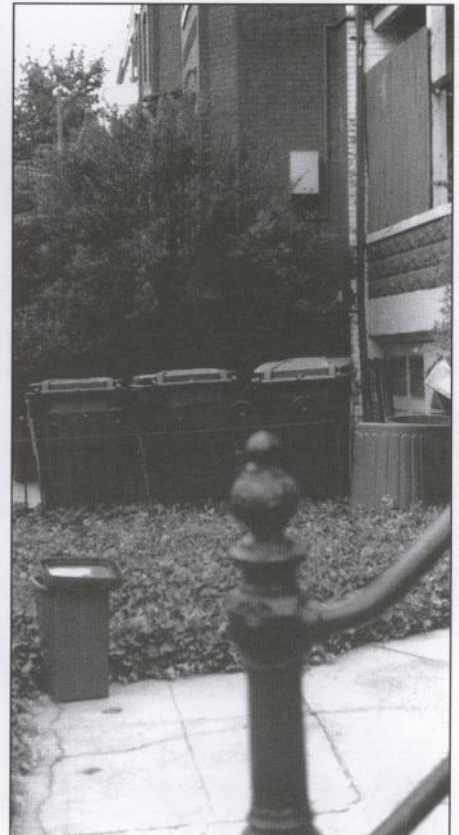
NOT ONLY ARE THESE CARS ILLEGALLY PARKED, BUT ONE OF THEM IS PARKED ENTIRELY ON THE SIDEWALK.



PHOTOS ILLUSTRATE THE ALL-TOO-COMMON CASES OF GARAGES CONVERTED TO HABITABLE SPACES WHILE OWNERS RETAIN THE DRIVEWAYS, PARKING AUTOS ILLEGALLY IN PUBLIC SPACE.

ALL OF THESE ILLEGALLY PARKED CARS ARE SUBJECT TO EVEN GREATER FINES BECAUSE THEY ARE IMPINGING ON SIDEWALK SPACE





THE UNCOLLECTED TRASH IN THESE PICTURES VIOLATES D.C. LITTER CONTROL LAWS 7-38 AND 11-13.

shared equally by all residents and visitors.

The fine for parking a car on public “parked” space is presently \$20 (code #042) and \$100 if any part of the vehicle hangs over the sidewalk (code #047). Cars parked in driveways straddling the public space and sidewalk are generally given the higher priced ticket.

To get the city’s help ticketing vehicles on public space, call Parking Enforcement and ask to speak to the supervisor for your area. To confirm your request for ticketing, you may need to send that person a copy of this guideline along with the pertinent page showing “Street Widths” from the Public Space Permits office. Without citizen vigilance, our historic streetscape is likely to look like an extended parking lot.

**Construction.** All excavation work in public space requires a permit from the District of Columbia and a visit from “Miss Utility” before any digging commences. Employees of Miss Utility, a free public utility inspection service, mark locations of underground sewer, water, electric and gas lines on pavement and sidewalks with colored lines and arrows. Call at least 48 hours before scheduled excavation. Digging without knowing the location of utility lines can be both dangerous and costly.

Because Capitol Hill is a designated historic district, any construction or alteration in public space must be reviewed by the Historic Preservation Review Board to insure compatibility with the historic building fabric. For example, if a property owner would like to lower the level of a front yard, change the fence style or height, or remove the porch or replace a staircase, a permit is required indicating that the new work replicates original material or appearance and is consistent with the historic building fabric of the Capitol Hill Historic District.

**Reporting Construction Violations.**

Construction work without a permit may result in a fine for violating city laws. To determine if construction work is legal, look for a public space construction permit posted in a window or prominent location. If no yellow public space form (regular building permits are pink) is visible, contact the D.C. Office of Public Space directly—starting with the Permits and Records Branch to see if the activity is allowed and the owner has a permit on file. Then, if necessary, follow up with D.C.’s Investigations and Inspections Branch of Public Space. This office will send inspector to explain the law to the violator, and if necessary, issue a Stop Work Order and/or fine. Call the Capitol Hill

Restoration Society, the D.C. Historic Preservation Division, or the D.C. Zoning Commission for further guidance.

Temporary permits are issued by the city for the use of public space during construction, but property owners must apply for such permits. These temporary permits specify whether machinery or a dumpster will be stored at the site. If the permit includes a security fence, it will specify height and location. Violations of temporary public space permits include damage to sidewalks, trees or tree boxes. It is illegal for construction material, gravel, mud, or debris to block sidewalks leaving less than a 6’-wide pedestrian walkway, unless the sidewalk is officially closed for construction.

**Sanitation and Rats** Litter, debris, and other refuse in yards, tree boxes, or on sidewalks should be reported to the D.C. government’s Office of Solid Waste Control. Sightings of rats or rat holes should be reported to the D.C. Office of Rodent Control who operates a program known as “War on Rats.” Rodent Control employees will use poison bait or put tracking powder in rat burrows. If Rodent Control finds garbage, old furniture or appliances, tall weeds, construction debris, peanuts or seeds, dog food or excrement, or firewood

## D.C. LAWS AND REGULATIONS REGARDING PUBLIC SPACE

District of Columbia Municipal Regulations (DCMR) and other acts are available at D.C. Public Libraries

### AUTOMOBILES

DCMR Title 18- Vehicles and Traffic, Section 2405.3(a) states: "No person shall park a vehicle...on the public parking between the sidewalk space and the building line..."

DCMR Title 24- Section 101.5, Public Space & Safety discusses storage of vehicles in public space  
Section 610.8 "No vehicle shall be parked...so that it or any part of it projects over public space."

### TREE BOXES

DC Act 8-43 Tree Space Beautification Regulation Act of 1989

### CLEANING PUBLIC SPACE

DCMR Title 21- Water and Sanitation, Sections 705 & 707 containerization and storage requirements

### CLEANING ROADWAYS COMMERCIAL

DC Litter Control Laws 7-38 and 11-13

*The D.C. Historic Landmark and Historic District Protection Act also applies to work in public space*



ON A WIDE STATE AVENUE LIKE HERE ON SOUTH CAROLINA AT THE GRACE CHURCH CONDOMINIUMS, PRIVATE HOMEOWNERS GAIN A SUBSTANTIAL LAWN ON PUBLIC SPACE.



THIS PHOTOGRAPH, LOOKING ALONG THE FRONT YARD, PARKED SPACE ON 10TH STREET, S.E., ILLUSTRATES THE BENEFIT WE DERIVE FROM OUR PUBLIC SPACE FRONT YARDS

that is not stored 18" above ground, they will fine the person responsible.

**Tree Boxes.** If you wish to beautify your sidewalk tree boxes with planting, choose plants or flowers with shallow root systems, planting carefully, not digging directly over the root ball. Aggressive vines like wisteria should not be planted in tree boxes since they climb and damage trees. The maximum height of plants allowed by law is eighteen inches. City regulations prohibit altering grades at tree boxes as modifying the grade more than six or so inches at a tree is likely to kill it. The use of gravel as ground cover is prohibited. If installing raised tree-box edging, it may not be less than 4" or more than 12", and the curb side must remain open because of people stepping to the sidewalk from cars.

To donate a tree for a sidewalk tree box, call D.C.'s Trees and Landscaping Office and ask them for the approved species for your block. The tree maintenance department will issue a free permit to you. "Trees for Capitol Hill," a community organization dedicated to neighborhood trees, has information on planting and care of our street trees.

**Planting.** As lovely as evergreen hedges or other dense plantings can look, allowing them

to grow tall enough to obscure vehicular or pedestrian visibility is a violation of D.C. regulations. The official cap on the height of bushes bordering the sidewalk is three feet (Section 102.4, Title 24). But, unless the bushes create a safety hazard by their density and location, they are rarely reported.

Requirements for residential and commercial property owners about litter, trash, clearing snow, leaves and debris. Commercial property owners must clean 18" out into the roadway gutters in addition to cleaning their public space and sidewalk. Fines range from \$35. to \$2,000.

### Commercial Use of Public Space.

Commercial uses potentially create more violations of the public space litter laws than residential uses because they generate more trash and may have it picked up less frequently. Overflowing dumpsters, piled up crates, boxes and bags of garbage in public space are violations of the D.C. Litter Control Laws 7-38 and 11-13.

Unlike residential neighbors, the owners of buildings zoned for commercial use are sometimes allowed to rent this space from the city to use for an unenclosed sidewalk cafe, flower stand, parking vehicles, or for metal doors to access an underground vault. All commercial

uses must conform to Public Space requirements, with input from the Advisory Neighborhood Commission and approvals from the Fire Chief, Police Chief, Director of the Department of Consumer and Regulatory Affairs, Director of the Water and Sewer Utility Administration, public utilities with equipment under it, adjacent property owners and occupants, the Office of Planning, the Historic Preservation Review Board, and possibly the Commission of Fine Arts, depending on location. The final decision is made by the Public Space Committee.

Only owners of a commercial property can apply to rent abutting public space to park a car. The annual rental cost of a 9'x19' regulation-sized auto parking space from the city is presently about \$500-600, depending on the assessed value of the attached building. The owners also must carry liability insurance on the rented area. Needless to say, most cars you see parked in these areas just inside the sidewalk line are not there legally and are subject to fines.

If a business appears to be creating a parking lot in public space, call the Permits and Records Branch of Public Space to find out if the owners have a permit for the construction or for rental of a space to park a car. Be specific in your questioning because the owner

# PUBLIC SPACE REGULATIONS QUICK LIST

## ALLOWED, no permit needed:

### IN FRONT YARDS:

flowers, ground covers, bushes and trees  
garden urns and ornaments, garden  
furniture

### IN TREE BOXES:

"beautification"

flowers and ground covers up to 18" high  
edging between 4" and 12", curb side  
open  
mulch

## ALLOWED, with a permit:

### IN GENERAL:

short, open fencing  
hedges along fence line (DCMR 24, 102.3)  
approved tree species in tree boxes  
new walkways, retaining walls  
fountains and pools  
stairs, porches  
sculpture  
ON COMMERCIAL PROPERTY: (permit  
needed along with rental payment)  
cafe with removable tables and chairs,  
removable planter boxes, and removable  
fencing merchandise display fruit stand,  
flower stand metal doors to underground  
vault space to park auto with  
neighborhood approval

## NOT ALLOWED

### IN GENERAL:

construction without a permit  
garbage cans, dumpsters  
furniture, appliances, trash, glass, and  
debris  
hazardous materials  
firewood not raised 18" above ground  
hedges taller than three feet and more  
than 6" over the sidewalk  
overgrown plants and weeds  
laundry  
vegetables  
dead animals  
wild animals  
animal excrement  
advertisements  
fencing higher than 42"  
fencing inconsistent with the character  
of the historic district  
vehicles on sidewalks  
TREE BOXES  
gravel as mulch  
raising the grade at trees except with  
mulch  
vegetables  
signs on trees

## NOT ALLOWED

### RESIDENTIAL

vehicles parked on public space including  
driveways  
storage of vehicles  
driveways with no functional garage or  
private fenced area  
SIDEWALKS  
storage of solid waste  
ice and snow more than eight hours after  
storm  
gravel, mud, and debris  
litter (requires daily cleanup)  
oily liquids



SOME OF THESE CARS ARE PARKED LEGALLY, BUT AT LEAST FIVE OF THEM ARE ILLEGALLY PARKED.

may have a permit to repair or replace an existing private property parking area and driveway, but not have permission to expand onto public space.

If there is no permit, or the work being done is not listed on the permit, call the Chief of Investigations and Inspections for Public Space to have an inspector sent to the site immediately. Construction permits may be revoked at the discretion of the Public Space inspectors or by the Metropolitan Police Department.

**Sidewalks.** Besides foster care of the green public space, both residents and businesses are also required to look after

the sidewalk portion of public space abutting their property. This means we are obligated to remove snow and ice within eight hours of a storm's end. Litter and debris, including animal excrement, should be picked up daily. Businesses have an additional obligation to clear 18" out into the road along the curb line. Of course, the same rules prohibiting autos or garbage cans (except on trash nights) in parked spaces apply to sidewalks as well.

### L' ENFANT'S LEGACY

Pierre L'Enfant envisioned his plan as an integrated composition — decoration and function intertwined. Buildings and landscape, vista and axis, the natural and the built

were all to work together in a harmonic whole. As he said at the close of his memorandum on his master plan for the city, "...the whole will acquire new sweetness being laid over the green of a field well level and made brilliant by the shade of ...trees artfully planted."

As the current joint owners of our public space, we can each preserve and enhance L'Enfant's vision by our thoughtful urban stewardship.

### ADDITIONAL INFORMATION

Capitol Hill Restoration Society Design Guidelines: Building Permits discusses what work requires permits and how to go about applying for and getting a building permit. Work in front yards requiring a building permit includes: retaining walls taller than 25 inches, window wells, a piece of sculpture, a new fence, porch repair, scaffolding for brick or stone pointing and the pointing itself.

D.C. Zoning Code, D.C. Building Code, and District of Columbia Municipal Regulations (DCMR) and other acts are available at D.C. Public Libraries

"Trees for Capitol Hill," is a volunteer community organization dedicated to planting trees in public space and public space beautification. Call (202) 544-8789.

### ACKNOWLEDGEMENTS

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The content of this document has been reviewed by staff of the D.C. Historic Preservation Review Board, Office of Policy and Planning, Office of Public Space Permits and Records, Solid Waste Management Administration, and Department of Public Works, technical advisers, and interested members of the community. The content of this document is consistent with review practices of the D.C. Historic Preservation Review Office and with practices of other D.C. public agencies and with the Standards of the Secretary of the Department of the Interior.

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Comments on the usefulness of this information are welcomed and may be sent to the author care of the Capitol Hill Restoration Society, Yost House, 1002 Pennsylvania Avenue, SE, Washington, D.C. 20003 (202) 543-0425. This publication is not copyrighted and can be reproduced without penalty. Additional copies are available from the Capitol Hill Restoration Society, above address and phone number, and from the D.C. Historic Preservation Division, 614 G Street, NW, Washington, D.C. 727-7362. Normal procedures for credit to the author and the Capitol Hill Restoration Society are appreciated.

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