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Re: Zoning Case No. 08-06A, Subtitle D

Dear Chairman Hood and the D.C. Zoning Commission:

First, I want to congratulate the Office of Planning for years of concerted efforts on the zoning rewrite. It has been a model for transparent, positive, inclusive process. Thank you for the opportunity to comment.

I have lived in DC since 2000. I have had the fortune to live near Metro stations and consistent bus services; I find these benefits to be cost-effective in the high-density areas where I've lived. I have watched the growth of new condo developments and find the limitations to changing existing houses to be inconsistent with DC's overall approach to growth. I have lived in condo units and row homes in Adams Morgan, U Street, Mount Pleasant, and Fort Totten neighborhoods; I have found all my neighborhoods to be welcoming of dense living. Very often people are living as roommates and would rather have the option of affordably living on their own.

In my current neighborhood, I have been shocked and appalled to see that the zoning requirements are so inconsistent with what I see as how the houses were designed and how people actually live. On Farragut Place Northwest, the homes were built with three separate entrances on the back of each row-home. Yet, only one of the 40 houses on the street has a land area greater than 1600 square feet. The street is zoned R-3. Of the 40 homes, only 15 have the use code 11 for single family residential. Two homes have use code 23 and 23 homes have use code 24 for a total of 25 homes with multi-family designation. I do not know the history of the disconnect between the design of the houses and the zoning designation, but this opportunity to rewrite the zoning presents an opportunity for homeowners in neighborhoods such as this to more readily get permission to use their homes as the house was designed.

In submitting these comments pertaining to Accessory Dwelling Units (ADU's), I am motivated out of concern for affordable housing and environmentally sustainable growth. In the District, we have lost half our affordable housing in the past 10 years and median home values have doubled since 2000 to \$400K today. In this time, rents have also increased approximately 50% and a quarter of DC renters are spending half their income on housing. I believe responsibly allowing the growth of ADU's is one simple measure we can take to expand affordable housing options for DC residents. ADU's will increase housing supply and reduce housing costs. Furthermore, it provides more options for affordably aging in place by older residents. Allowing residential use on the 600+ DC alley lots is also a way of increasing affordable housing.

With DC serving as the urban core for the National Capital Region, it has a vital responsibility to foster sustainable development. Many negative impacts of limiting housing options in the District are distributed throughout the region by forcing people to live further from work and necessary services.

With this in mind, I respectfully submit the following comments:

ZONING COMMISSION
District of Columbia
CASE NO.08-06A
EXHIBIT NO.531

I strongly **support** the current language in Chapter 16 Use Permissions R Zones that allows an accessory apartment by right in the R zones, and by special exemption in R-19 and R-20 (Section **1606.2, 1606.3**). I also **support** parking reforms as currently stand in the draft, as a compromise that can support ADUs.

Under **1606.4** pertaining to ADU's, I understand the Board may waive up to 2 of the conditions set forth in 1606.4.g (and potentially more with a variance). However the Special Exemption process, by requiring a public hearing, can be time consuming, and I feel that several of the conditions set forth here are unnecessary and onerous. Thus I strongly **oppose** certain conditions of the draft language under sections.

1606.4(a): Minimum lot areas. I feel that the current minimum lot area requirements (4,000-7500 ft²) are excessive and would unduly impact the development of affordable ADU's across the city. A perfectly livable accessory dwelling unit may be built in a 300 square-foot footprint, on a 1600 square-foot lot with an existing two floor, 1500 square-foot row house, even with proscribed setbacks. **Minimum lot areas should be reduced to 1500 square-foot under this section for all R zones.** (33 of 40 homes on Farragut Place NW have land areas from 1509-1512 square foot and were designed to function as multi-family units; additionally, these properties are 0.5-0.6 miles walk from the Fort Totten Metro Station.)

1606.4(e): *If the (accessory dwelling) apartment is located in the principal dwelling the following conditions shall apply: (1) The house shall have at least two thousand square feet (2,000 sq. ft.) of gross floor area, exclusive of garage space. **The current rule is discriminatory against those who have smaller homes who wish to have an ADU. I believe this minimum house size requirement should be reduced to 1000 ft².** There are many row houses in DC with 1200-1500 ft² of living space that have basement units that can easily be used as an ADU. Furthermore, there are micro units currently allowed under DC code (and being developed by PN Hoffman at the Wharf project) of 300 ft², thus a small house with interior ADU that totals 1000ft² seems entirely reasonable.*

1606.4(f) (*An accessory building that houses an accessory apartment shall comply with the following conditions...*).

(1) *The accessory building was in existence on January 1, 2013; **I believe newer accessory buildings should be allowed an accessory apartment without a specific Board waiver (per 1606.4.g) if other conditions are complied with.***

(5) *Easement for permanent passage of 10 ft in width from front of house, or through an alley in back with a alley width minimum 24ft. The easement language appears to effectively preclude ADU's at all row houses in DC with shared walls. In addition, the majority of DC alleys are less than 24 ft² (average 10-15 feet wide), so here too. **I support eliminating the 1606.4.f.5.A, and reducing 1606.4.f.5.B to 15 feet.***

(8) *An accessory building constructed as a by right accessory building after January 1, 2013 shall not be used as, or converted to, an accessory apartment except by special exception for a period of five years after the approval of the building permit for the accessory building. **I oppose any time limitations on use of private property as an accessory dwelling, and recommend deletion of 1606.4.f.8.***

1608 Alley Lot By-Right Uses Zones A/B/C

1608.1: Alley lot uses. I support allowing residential use of alleys in R-1, R-2, and R-3, not just R-3.

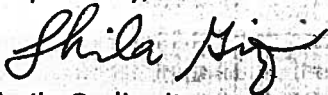
1608.2(c): Residential conditions for alley lots. For residential uses, I believe there should be no limits on R zones, and minimum alley width should be 15 feet, or less than 24 feet. The current 24 foot standard effectively precludes the vast majority of alleys in the District.

1609.1: Alley Lot Special Exception Uses; **I believe alley lots in R-3 zones should be afforded residential use by right, not by special exception.**

1609.2: Alley lot special exemptions. **I believe alley width should be 15 feet, or less than 24 feet, not 24 feet. I understand that fire codes concerns resulted in the 24 foot language, but believe this code is excessive.**

Thank you for considering my testimony.

Respectfully,



Sheila Gudiswicz