

Feb 18, 2014

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Anthony Hood  
Chairman  
DC Zoning Commission  
One Judiciary Square  
441 4th Street NW, Suite 200 South  
Washington, DC 20001

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 (Ward 1 specifically) for twelve years and continue to marvel at what a wonderful, cosmopolitan, and international city it has become. The changes that have happened in the short time that I have lived here are astounding, and I can't wait to see what lies ahead. Also, my profession as an architect (again, for twelve years in the District) has given me unique insight into the nature of the City, and our need for more affordable housing and more density. If DC is going to continue to grow and compete on the international scene, then we need to become serious about making more spaces for people to live and work. I am especially interested in the zoning rewrite and how it may affect accessory dwellings.

In submitting these comments pertaining to ADU's, I am primarily motivated out of concern for affordable housing in the District, where we have lost half our affordable housing in the past 10 years, and where median home values have doubled since 2000 to \$400K today. In this time rents have also increased approximately 50%, and today 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, allowing lower cost housing for low income residents and interns, as well as aging in place by older residents. Allowing residential use on the 600+ DC alley lots is also a way of increasing affordable housing.

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

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 expensive, and I feel that several of the conditions set forth here are unnecessary and onerous. Thus I do **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 ft<sup>2</sup>) 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 300ft<sup>2</sup> footprint, on a 1600ft<sup>2</sup> lot with an existing two floor, 1500ft<sup>2</sup> row house, even with prescribed setbacks. Minimum lot areas should be reduced to 1600ft<sup>2</sup> under this section for all R zones.

**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. There are many row houses in DC with 1200-1500 ft<sup>2</sup> 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 ft<sup>2</sup>, thus a small house with interior ADU that totals 1000ft<sup>2</sup> 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 ft<sup>2</sup> (average 10-15 feet wide). 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,

Will Couch

