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D.C. OFFICE OF ZONING

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Zoning Commission
441 4th St. NW, Suite 200-S
Washington, DC 20001

RE: Case No. ZC 14-11

Dear Zoning Commissioners:

Please accept my comments on the proposed rule to deal with pop-up developments in R-4 Districts. I commend the Zoning Commission for taking this important step to address concerns raised by District residents. I would prefer to see the rules adopted as modified by my suggestions (in bold), but at a minimum, **the Zoning Commission should immediately adopt the rules as they current stand rather than taking no action at all.**

Matter-of-Right Conversions

I do not believe the proposed rule goes far enough to protect the supply of single-family homes in R-4 zones. Proposed new section 330.7 would permit conversions of existing residential buildings to apartment houses with up to four units as a matter-of-right. The decision to allow matter-of-right conversions of rowhouses in R-4 zones is a mistake.

Family households with children need larger housing units with more bedrooms. The District's Comprehensive Plan states that of the city's existing housing stock, only one-third of the units have three bedrooms or more, and 80% of recent new construction has been apartments with fewer bedrooms. The Comprehensive Plan also states that the availability of single-family housing and housing with more rooms are two factors that are positively correlated with retaining family households.

The Comprehensive Plan guides the District's development and provides overall guidance about the city's planning. The Comprehensive Plan states:

Policy H-1.3.1, Housing for Families: Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments.

Action H-1.3.A, Review Residential Zoning Regulations: During the revision of the city's zoning regulations, review the residential zoning regulations, particularly the R-4 (row house) zone. Make necessary changes to preserve row houses as single-family units to conserve the city's inventory of housing for larger households. As noted in the Land Use Element, this should include creating an R-4-A zone for one- and two-family row houses, and another zone for multi-family row house flats.

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However, conversions drive up the price of single-family homes because families are competing with developers who have cash and can close with no contingencies. **Please amend the proposed rules to end matter-of-right rowhouse conversions altogether.**

Limitations on Conversions

Although I do not support matter-of-right conversions to apartment houses, I support the limitations on conversions in section 330.7. **These limitations also should apply to conversions to two-unit flats.** Many developers convert rowhouses to two-units by adding a floor and large rear additions. These limitations must apply to two-unit conversions to protect adjacent properties from massive rear additions and upper floors that block chimneys and solar panels.

Rear Additions

On the subject of rear additions, I am attaching a photo of one such addition that is nearly completed on my street. As you can see, the character of the neighboring back yards have changed dramatically, with a 4-story wall running along most of the length of the back yards. This diminishes neighbors' enjoyment of their outdoor space, and significantly reduces the amount of light and air that access the south side of their homes. No one should be permitted to bring about such dramatic changes to neighbors' property.

Accordingly, I support the conditions in sections 330.7 and 330.8 even though I do not support matter-of-right conversions of rowhouses to apartments. However, **the language in sections 330.7(h) and 330.8(d) should be clarified to prevent misinterpretation. The language in section 330.7(h) could suggest the addition could extend 10 feet past the furthest rear wall of any rowhouse. It should be clear that an addition must not extend any more than 10 feet past the rear wall of any adjoining rowhouse. These conditions also must apply to conversions of a rowhouse to a two-unit.**

Height Limitations

I support reducing the height of buildings in R-4 to 35 feet. This should not impact most homes in R-4 as the Office of Planning found that 94.4% of homes in R-4 are 35 feet or less. I do not support a maximum height of 40 feet for new construction of three or more adjoining rowhouses built concurrently. This could entice developers to raze existing rowhouses to construct new buildings. **These also should be limited to 35 feet.**

Effective Date

I implore the Zoning Commission to act quickly on this rulemaking and **make the final rule effective immediately.** Many District homeowners in rowhouse neighborhoods are plagued by pop-ups and need help now. Pop-ups have been a problem for at least 15 years, and change is overdue. Please make the final rule effective when published and do not grant any exceptions for permit applications that have not been approved. Those applications should be reviewed under the new R-4 zoning rules. Otherwise, D.C. homeowners will suffer even longer at the

hands of opportunistic developers who have no regard for the integrity of D.C.'s rowhouse communities or those who currently live in these communities.

Sincerely,

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