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May 28, 2015

Office of Zoning  
441 4th Street, NW, Suite 200-S  
Washington, DC 20001

**Re: Notice of Proposed Rulemaking for Zoning Commission Case No. 14-11**

Commissioners,

Overall, Case 14-11 is a positive and much needed change to the Zoning Code. While it isn't perfect, it certainly has much in its favor. Upon reviewing and considering the proposed rulemaking for Zoning Commission Case No. 14-11, I wish to make the following comments, observations, and suggestions on areas still needing improvement.

**Implementation**

It is imperative that the Zoning Commission move forward quickly and decisively. Regardless of whether one supported, opposed, or had a mixed position on Case 14-11, the issue has been publically discussed and featured in news articles for well over a year. Any further delay will only serve to undermine the progress that has been accomplished with the proposed rulemaking and result in additional destruction of row house neighborhoods. I urge the Commission to implement the rulemaking immediately upon the outcome of the final vote on the issue.

**Comprehensive Plan**

Sadly, the Comprehensive Plan – and its guidance – for the most part appeared to be missing in much of the deliberations concerning Case 14-11. As a guiding document that makes preservation of row houses as single family houses a priority, it is particularly troubling that the Comprehensive Plan and its goals were marginalized. It is clear that the issue of converting row houses into apartment units with three or more dwelling units is inconsistency with the Comprehensive Plan and needs more deliberation. The relevant passage of the Comprehensive Plan that the Office of Planning was attempting to implement is:

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. Action H-1.3.A

Which is reiterated again in the Plan's Land Use Element as follows.

Develop a new row house zoning district or divide the existing R-4 district into R-4-A and R-4-B to better recognize the unique nature of row house neighborhoods and conserve their architectural form (including height, mass, setbacks, and design). Action LU-2.1-A

ZONING COMMISSION  
District of Columbia

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CASE NO.

ZONING COMMISSION  
EXHIBIT NO. 242

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As the Home Rule Charter requires that zoning "shall not be inconsistent with the Comprehensive Plan," it is imperative that Case 14-11 be reviewed within the context of the Comprehensive Plan to bring the two into agreement.

**Parking**

One issue that was absent during deliberations was parking requirements. Specifically, should the Zoning Commission determine to move forward with allowing row house conversions into three- and four-unit apartment dwellings, it must also include a provision that denies such a conversion from exclusion of the District's off street parking requirements. Row house neighborhoods, by their very nature, are densely developed communities. Potentially increasing the population in these neighborhoods by 300-400% creates stresses and strains on the City's infrastructure beyond what it can currently accommodate. Ideally, densely populated areas of Washington will allow many to live, work, and play without the necessity of owning an automobile. However, the reality is that many residents do own cars, and even those who don't have friends and visitors who travel with cars. Permitting a row house conversion that allows for a special exception or zoning variance exempting the property from parking requirements further decreases the character and livability of these densely populated neighborhoods.

**Up Zoning**

While it is highly desirable to preserve our row house neighborhoods - primarily located in R-4 - it must also be recognized that Washington is a living, growing, and changing city. We are challenged to have adequate housing for both newly arrived Washingtonians and families that have lived here for generations. We are also challenged to have available housing for families of all income levels and a flexibility of housing types.

I encourage the Zoning Commission and the Office of Planning to work with neighborhoods and Advisory Neighborhood Commissions to identify areas where up zoning is possible and desirable. In reviewing my own neighborhood along Georgia Avenue, a few areas immediately come to mind where this would be desirable and result in additional housing units. It is imperative that these opportunities be identified before land is developed if we are to achieve the very density that is desired, especially along our transit corridors.

I thank you for your time, and the opportunity to comment on the Proposed Rulemaking for Zoning Commission Case no. 14-11.

Sincerely,



Kent C. Boese