



October 29, 2019

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Anthony Hood, Chair  
District of Columbia Zoning Commission  
441 4th St NW #200  
Washington, DC 20001

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VIA: Interactive Zoning Information System (IZIS)

RE: Zoning Commission Case 19-14: Text Amendment to Subtitles C, D, E, & X (Nonconforming Structures)

Dear Chairperson Hood,

At a rescheduled, properly noticed, meeting on October 15, 2019, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 7-0-0 to send these comments related to our support of the text amendments in Zoning Commissioner Case 19-14

While we support the intent of the proposed amendments, ANC 6B would like to suggest two changes to the proposed amendments. First, we encourage the Zoning Commission to maintain separation of the special exception criteria for alley- and street-facing lots. Second, there is a proposed change that inadvertently applies broad special exception criteria to all substandard record lots, not just street-facing lots. Finally, ANC 6B would like to take the opportunity to point out the continued deficiencies in the zone summaries in the online Zoning Handbook and encourage the Office of Planning and Office of Zoning staff to correct these shortcomings.

**Proposed Change 1: The text amendments add confusion to the to the special exception criteria for alley vs. street-facing lots**

Combined with the proposed text amendments in Zoning Case 19-13 to allow development on alley-facing tax lots, the residents of ANC 6B and the rest of the district need clear and concise development and special exception standards for alley lots. These changes, instead of making the standards clear, muddy the waters and struggle to keep track of alley vs. street-facing lots, record vs. tax lots, and conforming vs. substandard lots. As an example, if one were trying to look up the special exception standards for an alley tax lot, it is clear which paragraph is relevant. But what if it's a record lot? And where will the special exceptions introduced in 19-13 go?

*For clarity and ease of use, especially in light of pending case 19-13, we encourage the Zoning Commission to retain the special exception development standards for alley lots in E-5204 and not commingle them with street-facing lots in E-5201.*

### **Proposed Change 2: E-5201 needs clarity**

The proposed changes to E-5201.1 states “principal residential building on a non-alley lot or for a new principal residential building on a substandard record lot as described by Subtitle C §301.1...” As written, the development standards in E-5201 apply all substandard record lots, even alley lots. ANC 6B believes this again muddies the alley vs. street-facing standards and further believes the relievable standards in this paragraph do not apply to substandard alley record lots. *We encourage the Zoning Commission to ensure this sentence applies to only street-facing lots.*

### **Comment 1: The zone summaries in the Zoning Handbook contain inaccurate information and have limited usability for alley lots and special exceptions**

While we believe the amendments proposed and our changes make the zoning regulations easier to use, we wish to emphasize that the zone district summaries online tend to be the entry point for most irregular users of the zoning regulations. They are in fact linked from PropertyQuest, the Zoning Map, and other places online.

These summary pages often contain inaccurate information (see the height limit in the RF-3 zone for example) and have limited usability for non-development standards and zero information about special exceptions or variances. ANC 6B encourages the Zoning Commission and their partner agencies to expand these webpages to do the following:

- 1) Include a sentence explaining the use permissions, parking, and inclusionary zoning regulations in each zone with an accompanying link to the regulations instead of just the link
- 2) Include the allowable special exception development standards in each zone page for each aspect. Being able to point to a webpage that clearly says 70% lot occupancy by special exception in the RF-1 zone, for example, would our constituents better understand development rights.
- 3) Add a new table for alley lots on in each zone where they are allowed and to include all development standards for alley lots with use permissions, parking, and IZ with special exception thresholds for all standards.

### **Conclusion**

ANC 6B is home to many alley lots of some combination of conforming/non-conforming and tax/record. As we address the issues here and in Zoning Case 19-13, our main priority is clear communication with owners, neighbors, and businesses about the by-right development potential as well as the special exceptions and criteria. We recognize this case’s intent is not to deal with alley lot standards, but we encourage the Zoning Commission to take the necessary steps now to

clarify the special exception standards for alley vs street-facing lots. We believe these changes serve to actually make them more muddled than before.

If the Zoning Commission chooses to deal with clarifying the special exception standards for alley lots in 19-14, we understand that. In that case, we fully support the text amendments as captioned and encourage adoption as soon as possible.

Due to the scheduling of ANC 6B's Planning and Zoning Committee meeting, no representative from ANC 6B will be able to present these comments in person. If you need clarification of follow-up on any item, please contact Commissioner Corey Holman, chair of 6B's P&Z Committee, at 301-664-4132 or [6B06@anc.dc.gov](mailto:6B06@anc.dc.gov).

Sincerely,



Chander Jayaraman  
Chair, ANC 6B