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To: DCOZ - ZC Submissions (DCOZ)
Subject: Support for Case No. 25-06 [Brian Levy]

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January 9, 2026

Mr. Anthony Hood
Chairman, Zoning Commission of the District of Columbia
441 4th Street, NW, Suite 210S
Washington, DC 20001

RE: Support for Zoning Case No. 25-06

- a. Good afternoon Chair Hood and members of the Zoning Commission. My name is Brian Levy, I lived in DC for 22 years and have owned a 5200ft² R-3 alley lot in Ward 5 since 2012.
- b. I first want to express my gratitude to the Office of Planning staff and the Zoning Commission for responding to earlier testimony and requests to reconsider certain restrictions on alley lot development. I also would gently note that the Commission requested additional study to amend alley codes in *July 2020* (Case 19-13).
- c. I am pleased to be here today, to strongly support the proposed alley lot zoning changes, as it will support more housing in DC, diversify housing options, and increase the DC tax base during a time when DC has a \$1.1B shortfall from the federal side in our FY2026 budget.
- d. I have been a proponent of increasing affordable housing and micro-housing in DC alleys for years, and helped organize support for changes to alley codes during the 2016 zoning rewrite. I feel strongly there is huge untapped potential for increasing smaller, affordable alley dwellings on DC's 890 vacant alley lots, as some other cities have done, but to date the codes have been overly restrictive, and since 2016 we have seen quite limited and high cost alley development.
- e. In my case, since the 2016 alley code changes went into effect my land valuation went from \$23K to \$275K, so for the past 10 years I have been dutifully paying heightened property taxes, without an economical way to develop my lot due to code restrictions. Apart from codes, alley lot owners face burdensome development constraints, first of which is bringing in water/sewer, which based on a paid 2021 civil estimate will be ~\$172,000. I am told 2026 pricing could be at least 25% higher. Another major obstacle is alley lot naming for permitting, which is outside the scope of this testimony.
- f. In fact recently my wife and I considered building our dream family home on this lot, moving out of our expensive Mt. Pleasant rental, but all the impediments added up and we ended up leaving DC for Takoma Park this past summer.
- g. While the proposed changes represent progress, I believe they can be further strengthened:
 - i. Subdivision alley width (306.1.a): I am highly disappointed the MOR alley width for subdivision originally proposed by OP reverted from 15' to 24' after very delayed FEMS input. This was one of the top requests made in 2020 from many who testified, and many alley lot owners consider a special exception process to be burdensome. **I strongly support OAG's recommendation to**

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establish 15 feet as the matter-of-right standard. OAG also noted this will reduce burden on BZA from hearing many more subdivision special exception cases.

- ii. Eliminate parking minimums. Around my alley lot, every house surrounding the alley lot has 2 parking spaces behind the home, and there is always ample street parking. More broadly, these requirements can quickly make projects unworkable on smaller sites- let's make sure our default is housing people, not vehicles. **I urge the Commission to eliminate parking minimums for alley lot development.**
- iii. Allow additional height by special exception (5201.3): R Zones uniformly permit up to 40 feet and three stories for non-alley lot buildings, so at a minimum the max alley lot height should be allowed up to 35 ft by special exception. In many cases, extra height is needed for projects to pencil. I support the proposed language here and OAG's comments to allow flexibility here. **I support the proposed language allowing increased height by special exception and OAG's analysis supporting up to 35 feet.**
- iv. Retain pervious surface requirements at 10% (U 5100.2.g). By reducing buildable area, DOEE's last minute suggestion to increase the requirement to 25% will come at a direct cost of additional housing envisioned by the CP. The 25% for alley lots is also a double standard vs street facing lots. For example, for RF-1 1800ft² lots have -no- pervious surface requirements. **I support aligning pervious surface requirements for alley lots with zone requirements for street facing lots.** There is also, apart from expensive green roofs, no flexibility here to allow for other runoff mitigation approaches instead of requiring open space.
- v. Reduce lot area minimums for MOR accessory apartments on alley lots (Table U 600.f.2). Making it easier to build accessory apartments on alley lots furthers the cause of additional affordable housing in DC. **I support OAG's recommendations to reduce lot area minimums for accessory apartments on alley lots.**

Respectfully submitted,
Brian Levy