

TESTIMONY ON ZC #25-06

Alley Lot Text Amendment

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Chair Hood and members of the Commission: I am an architect and urban planner who started working on alley lot development issues in 2016. Through this work I have developed relationships with alley lot property owners facing significant barriers to development. I am not an alley lot owner. I testify today in support of the Office of Planning's thoughtful work on these amendments, while respectfully requesting several modifications that I believe are critical to achieving the amendments' goals.

Nearly 900 vacant alley lots represent critical missing middle housing opportunities in established neighborhoods. However, alley lots face extraordinary infrastructure burdens that fundamentally differ from street-facing development:

- Baseline infrastructure costs (water/sewer mains, laterals, public space restoration): ~\$400,000
- Additional agency requirements (DC Water, DOEE, DDOT, FEMS): +\$80,000-\$100,000+

The modifications I propose below are intended to ensure these regulations can achieve their stated goal of facilitating the reuse of vacant alley lots, given these extraordinary cost realities.

1. HEIGHT STANDARDS

OP PROPOSAL: 22 feet by-right; 35 feet and 3 stories by special exception in residential zones

MY POSITION: Strongly support 35' special exception / Respectfully request 25' by-right

- The 35-foot special exception is essential for project viability and I strongly support its inclusion. The special exception process provides appropriate case-by-case review with public input.
- 22 feet by-right is challenging for standard two-story construction. Contemporary code-compliant residential buildings commonly require 24-28 feet to accommodate two floors with proper floor-to-floor heights, structural assemblies, and roof construction.
- A modest increase to 25 feet by-right would enable standard building practices and provide reasonable privacy from adjacent properties while remaining substantially lower than street-facing buildings.
- Height (i.e. an additional floor) is the primary feasibility lever available to offset \$400,000+ infrastructure costs. Without adequate height options, projects cannot generate sufficient revenue to be economically viable.

2. PARKING REQUIREMENTS

OP PROPOSAL: Not addressed in current amendments

MY POSITION: Request elimination of parking minimums for alley lot residential development. If special exception relief is retained as the only pathway, the Commission should ensure that current code requirements can be fully eliminated through that process.

- A parking space consumes approximately 200 square feet. On small alley lots, this represents a significant opportunity cost—space that could otherwise contribute to housing.
- At typical DC housing sale costs of \$400-600 per square foot, a 200 sq ft parking space represents a potential loss of \$80,000-\$120,000 in sale revenue. More critically, at 600 square feet per dwelling unit, that parking space eliminates approximately one-third of a potential housing unit.
- When combined with \$400,000+ infrastructure costs, mandatory parking significantly impacts project feasibility on already-constrained small lots.
- Transit options and how people move around has evolved tremendously in the last decade. Market demand, rather than regulation, should determine whether parking is provided.

3. PERVIOUS SURFACE REQUIREMENT

OP PROPOSAL: Increase from 10% to 25% (per DOEE recommendation)

MY POSITION: Respectfully oppose / Request maintaining 10% or aligning with street-facing lot standards

- As someone who works extensively with nature-based solutions and green construction standards, I appreciate DOEE's environmental objectives. However, a rigid percentage standard isn't good sustainable design practice for small, irregularly-shaped lots. Context-appropriate green infrastructure—whether bioretention, green roofs, or permeable paving—should be evaluated site-specifically rather than through a one-size-fits-all requirement.
- The burden of a strict percentage standard—and particularly one this high—disproportionately impacts small, irregularly-shaped alley lots where achieving 25% pervious surface is geometrically challenging. Unlike larger lots where the requirement may be absorbed within yard areas, small alley lots face a stark choice: expensive green roofs or significant reductions in building footprint, both of which severely impact project feasibility. The lack of flexibility for lot-specific conditions makes this a particularly rigid constraint.
- This creates a significant regulatory disparity: street-facing lots in RF-1 zones (where most alley lots are located) have a 0% pervious surface requirement, while alley lots would face a 25% requirement. This double standard is difficult to justify from either an environmental or equity perspective.
- The primary sustainability objective these amendments serve is infill development itself—utilizing vacant lots within existing neighborhoods rather than promoting sprawl. An overly restrictive pervious surface requirement risks undermining this fundamental sustainability goal by making infill development economically impractical.

4. ALLEY FRONTAGE REQUIREMENT

OP PROPOSAL: 14-foot minimum alley frontage; SE allowed.

MY POSITION: Request 12 feet by-right

- Given the configuration and irregular shapes of many alley lots throughout the District, a hard 14-foot minimum without flexibility risks unnecessarily excluding a number of otherwise viable sites.

- Many existing alley lots have functional access with frontages slightly below 14 feet, particularly on irregularly-shaped parcels where lot geometry doesn't align with rigid dimensional requirements.
- OP's proposal includes special exception relief for subdivision under C § 306.5, which would allow case-by-case review of frontage requirements as part of subdivision applications. However, a 12-foot by-right standard would be more workable for existing lots while still providing adequate access and would reduce the regulatory burden on small property owners.

5. ALLEY WIDTH & SUBDIVISION

OP PROPOSAL: Maintain 24' by-right; allow special exception for subdivision on alleys <24'

MY POSITION: Support special exception approach / Ideally request 15' by-right to open broader spectrum

- I strongly support the special exception approach, which represents a significant improvement over the current variance requirement and provides appropriate case-by-case evaluation while addressing FEMS safety concerns.
- However, I would note that 15 feet by-right would open up a broader spectrum of viable alley lots while still providing adequate access. For context: a single traffic lane in DC is 10 feet wide, and 20 feet is the DC minimum width for streets.
- A 15-foot by-right standard would still be substantially wider than minimum lane widths while reducing the number of lots that require discretionary relief.
- That said, the special exception process as proposed is workable and represents meaningful progress. If the Commission maintains 24 feet by-right, the special exception pathway is essential and appropriate.

6. MINIMUM LOT AREA FOR SUBDIVISION

OP PROPOSAL: 1,800 sq ft minimum by-right

MY POSITION: Request reduction to 900 sq ft (per OAG proposal)

- Many existing street-facing record lots throughout the District are smaller than 1,800 square feet, creating an unintended disparity in standards.
- A 900 square foot minimum would align alley lot standards more closely with street-facing lot precedents.
- Many functional, code-compliant dwellings exist on lots of this size throughout the city.
- The special exception process provides an appropriate pathway for lots below this minimum, particularly where surrounding lots are smaller.

7. ADU SIZE REQUIREMENTS

OP PROPOSAL: Standard ADU thresholds apply (e.g., 2,000 sq ft lot minimum in R-3)

MY POSITION: Support OAG proposal to reduce required lot size for ADUs on alley lots

- Standard ADU thresholds are often too large for typical alley lots, effectively precluding this housing option on lots that would otherwise be appropriate for ADU development.
- Alley lots are inherently well-suited to the ADU typology—small-scale, secondary dwelling units.

- Reduced thresholds would be important for both housing production and project financial viability.

8. ALLOWING TWO UNITS PER LOT

OP PROPOSAL: Allow second residential unit (ADU or second principal unit) based on zone and lot size

MY POSITION: Strongly support / Also support OAG proposal to reduce per-unit lot size requirements

- The provision to allow a second residential unit on alley lots (either as an accessory dwelling unit or second principal unit, depending on zone and lot size) is critical for both housing production and project financial viability. This directly addresses missing middle housing needs and helps offset the extraordinary infrastructure costs that characterize alley lot development.
- I strongly support the OAG's proposal to reduce the per-unit lot size requirement for two-unit development on alley lots as an alternative to OP's proposed thresholds. Under OP's proposal, in RF-1 zones, a lot must be 1,800 square feet to accommodate two units. The OAG proposes reducing this to 900 square feet per unit (or 450 square feet in some formulations).
- This change is particularly important because it would make 259 alley lots between 450 and 900 square feet developable by-right in RF-1 zones—lots that under OP's proposal would be precluded from two-unit development despite being appropriately sized for this housing typology. This represents a significant opportunity for missing middle housing production.
- The ability to build two units rather than one fundamentally changes project economics by distributing fixed infrastructure costs across multiple units, making projects viable that would otherwise be infeasible given the \$400,000+ baseline infrastructure burden.

9. RESIDENTIAL USE IN R-1 AND R-2 ZONES

OP PROPOSAL: Allow residential use on existing alley lots in R-1 and R-2 zones (not new subdivisions); establish increased setback requirements where abutting street-facing rear lots

MY POSITION: Strongly support (with requested setback modification to 15 feet)

- Allowing residential use on existing alley lots in R-1 and R-2 zones represents sound infill policy. These are lots of record that have existed for decades—many for over a century. Current prohibitions create artificial scarcity where appropriately-scaled housing could be accommodated.
 - The restriction to existing lots (rather than allowing new subdivisions in these zones) appropriately balances housing opportunity with neighborhood character protection. This ensures no increase in density beyond what the existing lot pattern already establishes.
 - Regarding the proposed setback requirements (25 feet in R-1, 20 feet in R-2 where abutting street-facing rear lots): while I appreciate the intent to provide buffering, these setbacks would consume the majority of usable area on typical small alley lots in these zones. I recommend 15 feet as a more balanced standard that still provides meaningful separation while maintaining development viability.
 - This change would unlock housing opportunities on long-vacant lots in lower-density neighborhoods where housing options are particularly limited and where modest infill development can support neighborhood vitality without compromising character.
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CONCLUSION

I commend the Office of Planning for their thoughtful work and extensive stakeholder engagement on these amendments. The framework they have developed represents a significant step forward in addressing a longstanding barrier to housing production.

However, based on the ground experience, I believe the modifications outlined above are essential to achieving the amendments' stated goals. Without them—particularly regarding height, parking, and pervious surface requirements—the extraordinary infrastructure costs inherent to alley lot development will continue to render most of these 900 vacant lots economically infeasible, despite the best intentions of these regulatory changes.

These requested modifications represent the minimum viable pathway for contextually-appropriate infill housing to actually be developed when projects face \$400,000+ in infrastructure costs. They would enable the amendments to achieve their purpose of facilitating housing production while maintaining appropriate review processes for neighborhood compatibility.

I respectfully urge the Commission to incorporate these modifications into the final text.

Respectfully,

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