

PROPOSED ZONING CHANGE FOR MOUNT PLEASANT

Current Zoning: Since 1958, most houses in Mount Pleasant have been zoned R-4, which permits matter-of-right development of single family houses, whether detached, semi-detached or row. ("Matter of right" means that no additional zoning approval such as a "special exception" or "variance" is necessary.) Houses in an R-4 zone, regardless of lot size, may create a second unit, authority originally intended for basement apartments. A large number of houses in Mount Pleasant were converted to "apartment houses" of three or more units before 1958 and may continue to be used that way indefinitely. There are also apartment zones along Park Road and 16th Street (R-5-B and R-5-D, respectively), while Mount Pleasant Street is zoned C-2-A (low density mixed use). Some houses are included in the other three zones because of the way the zone lines were drawn in 1958.

The Problem: R-4 zones also permit the matter-of-right conversion of single family houses into three or more units, at the rate of one unit for every 900 square feet of lot area. This "conversion authority," coupled with the unusually large lot sizes in Mount Pleasant, is now attracting developers who buy houses, remake them as condominiums, and move on. This reduces the availability of larger dwelling units suitable for growing families, groups, or others over the long term, while also potentially increasing the number of cars competing for on-street parking. If the property in question does not currently occupy 60% of its lot, the developer may also be able to expand the structure to that extent, creating an oversized addition that looms over its neighbors and displaces green space. While historic district designation protects against teardowns and pop-ups, it is of little help in limiting the size of additions or new construction that seeks to maximize lot coverage and the number of units. It is of no help in limiting conversions of single family houses to three or more units.

The Proposed Solution: The DC Office of Planning (OP) has proposed amending the zoning code to eliminate further matter-of-right conversions of single family residential buildings. If the Zoning Commission ("the Commission") approves this change, houses in R-4 zones that have not already been converted to three or more units would be limited to two units, unless the owner obtains a variance from the Board of Zoning Adjustment (BZA). The OP proposal is the initial filing in Zoning Commission Case 14-11, the full record of which may be found at www.dcoz.dc.gov under Case Records.

The proposal on conversions is part of a broader proposal to address development pressures in R-4 neighborhoods, including pop-ups which are occurring primarily in row house neighborhoods that are not historic districts. In proposing the changes, OP cited the desirability of preserving affordable "family-sized" housing stock, as opposed to creating yet more small units geared to small households, and cited both the original primary purpose of the R-4 zone--"the stabilization of remaining one-family dwellings"--and the policy stated in the city's current Comprehensive Plan: "Protect the character of row house neighborhoods by requiring the height and scale of structures to be consistent with the existing pattern,...,and regulating the subdivision of row houses into multiple dwellings." The proposal to limit conversions responds directly to testimony by Historic Mount Pleasant and neighborhood residents before the Commission last fall seeking relief from conversions specifically in Mount Pleasant. OP subsequently surveyed R-4 neighborhoods throughout the city and developed its proposal to address problems affecting R-4 zones generally.

How Mount Pleasant Would Be Affected: The properties that would be directly affected by the proposed limitation on conversions are pre-1958 houses on lots of 2700 square feet or more that have not previously been converted to three or more units. Such properties are estimated to represent less than 10% of the approximately 2000 houses in Mount Pleasant. These "large lots" are found throughout the neighborhood but are not evenly distributed. The largest concentrations are on Irving Street and Park Road, while Kenyon Street and Kilbourne Place have none. The proposals related to pop-ups should not affect Mount Pleasant directly but could greatly benefit non-historic districts that are zoned R-4 (including Columbia Heights).

The Immediate Challenge: OP's proposals are already generating opposition from developers and affordable housing advocates, who see the division of existing houses as an easy way either to make money or to house more people, even though it is evident that the new units being created are anything but "affordable" as that term is used in the housing industry. Two members of the Commission have suggested that conversions should be made easier, not harder – by either (1) reducing or eliminating the 900 square foot per unit limitation or (2) making conversions that are not possible as a "matter of right" easier to achieve (by making them subject to "special exception" rather than the more rigorous "variance" provisions.) It has also been suggested that conversions to more than 2 units could be made subject to affordability requirements. At the Commission's request, OP is drafting alternatives to reflect these suggestions for public comment.

The Commission has voted to consider the OP proposal at public hearings this fall, and OP is working with the Office of the Attorney General to develop the requested alternatives. Hearings are likely in late October or early November. The outcome will depend on the nature and strength of the public testimony. At the current time, the Commission is split between members who have expressed strong support for the OP proposal and those who want to go in an entirely different direction and make it easier to convert houses in R-4 zones to three or more units.

However, Mount Pleasant could also be the subject of a neighborhood-specific amendment. As a result of the testimony presented last fall by Historic Mount Pleasant and individual residents, the Commission offered to support relief from conversions for this neighborhood. Thus, while the outcome may be uncertain with respect to OP's citywide proposal, it should be possible to gain that relief for the Mount Pleasant Historic District if we can demonstrate strong support from current residents at the hearings this fall. If we fail to do so, it is possible the Zoning Code will be amended to make conversions even easier than they are today – with the result that the loss of single family properties will accelerate.

PLEASE SIGN THE PETITION: To gain Zoning Commission approval to end matter-of-right conversions of houses in Mount Pleasant to three or more units – whether as a neighborhood-specific or a citywide amendment – the neighborhood needs to show its support for this change. Please show your support by signing the petition at the Farmers Market or when a neighbor comes to your door. These petitions will be introduced into evidence before the Zoning Commission this fall.

The text of the petition is as follows:

As current residents of Mount Pleasant, we are concerned about the negative impact that the continuing conversion of single family houses to multi-family dwellings will have on the quality of life and historic character of our neighborhood. We support an amendment to the zoning code that will limit future conversions of single family houses to no more than two dwelling units, irrespective of lot size. We understand that houses that have already been converted to "apartment houses" (three or more units) will be allowed to remain as such. We further understand that this change will not affect the right of any homeowner to convert a basement to apartment use or to develop a second dwelling elsewhere on his or her property.

Name/Address/Signature

Questions may be addressed to: info@historicmountpleasant.org or 387-2734.

Please mail or drop off your signed petition at: 1731 Lamont Street NW, Washington, DC 20010, by Oct