



**Written Comments of the  
District of Columbia Association of REALTORS®  
To The DC Zoning Commission Regarding  
Zoning Case No. 08-06A, Subtitles Addressing Accessory Dwelling Units**

**September 15, 2014**

The District of Columbia Association of REALTORS® (DCAR) serves as the state-level association representing nearly 2,400 residential and commercial REALTORS®, property managers, title attorneys, and other real estate professionals licensed in DC. These comments aim to express our membership's support of less restrictive conditions for accessory dwelling units ("ADUs"). In particular, we support the proposals for by-right accessory apartments in the principal dwelling or an existing accessory building, as well as allowing certain new or expanded accessory structures as a matter of right.

As it stands, most ADUs must go through a discretionary, and often onerous, special exception process. The current proposed amendments to the Zoning Code would modify this process by allowing existing accessory buildings or accessory apartments in the principal dwelling as a matter of right. We wholly support these proposals and would recommend they go even further by allowing certain new or expanded structures as a matter of right, so long as they meet specified criteria. Since all ADUs would still have to go through detailed inspection and registration procedures, DCAR believes this would strike a balance between streamlining the regulation of accessory apartments, while maintaining adequate safeguards for homeowners.

Further, a by-right process is preferable because it sets in motion the use of objective criteria instead of the current more subjective approach. It allows certain accessory apartments to be approved without the undue time or expense required by the current special exception process. As there are already many of these ADUs existing illegally, the updated Code would effectively bring them into compliance through a more modern set of regulations. DCAR also supports easing the minimum lot size requirements to allow more households to be able to have ADUs. Most of the District's neighborhoods have homes on smaller lots that are more than adequate to accommodate an ADU. Therefore, we commend the proposals geared towards these ends.

Finally, a by-right process enables homeowners to accommodate unique household situations (for example, children coming home from college). DCAR believes the eased restrictions will make more housing available in some of the District's most desirable neighborhoods, without the high cost newly constructed apartments can have. The additional housing stock could allow more people of lower and moderate means to live closer to their jobs and have easier access to transportation. The additional income such apartments generate could then be welcomed by aging populations who may not have been able to stay in their homes otherwise.

While DCAR generally understands the importance and supports the value of a variety of housing choices throughout the District, we do want to avoid the oversaturation of accessory apartments. We believe this can be accomplished by the sound implementation of the proposed Zoning Code, and regulatory protections (for example, registration and inspection). DCAR also supports reasonable limits on the amount of accessory dwelling units to prevent overcrowding of neighborhoods, or accessory dwellings that are not consistent with the fabric of traditional residential neighborhoods.

In conclusion, DCAR supports easing restrictions on ADUs across the board so long as there are adequate checks and balances for safety and neighborhood preservation. We believe this will not only reduce onerous administrative burdens faced by homeowners, but increase a specific category of much needed affordable housing in the District.