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5 A PROPOSED RESOLUTION
6

7 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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9 To declare the existence of an emergency with respect to the need to amend the Construction
10 Codes Approval and Amendment Act of 1986 to prohibit for a specified period of time
11 the issuance of any building permit that would allow a one-unit or 2-unit residence to be
12 converted into a multi-family dwelling.

13 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
14 resolution may be cited as the “Prohibition on Single Family Dwelling Conversions Emergency
15 Declaration Resolution 2015”.

16 Sec. 2. (a) On March 30, 2015, the District of Columbia Zoning Commission (“Zoning
17 Commission”) voted to reduce the allowable height of conversions (“pop-ups”) in R-4 districts
18 from 40 feet to 35 feet, but more zoning regulations regarding pop-ups and other construction,
19 such as increasing the footprint of a house, to convert a one-unit or 2-unit house into a multi-unit
20 dwelling (collectively “pop-up construction”) needs to be developed and finalized.

21 (b) Pop-ups have caused property rights disputes regarding reducing the efficacy of
22 rooftop solar panels, reducing already limited off-street parking, by their inordinate height
23 obstructing neighboring chimneys, a potential carbon monoxide and fire hazard, causing
24 damage to the foundations of neighboring homes, reduced air quality, and flooding and other
25 water damage.

26 (c) Section 2 of An Act Providing for the zoning of the District of Columbia and the
27 regulation of the location, height, bulk, and uses of buildings and other structures and of the uses
28 of land in the District of Columbia, and for other purposes, approved June 20, 1938 (52 Stat.
29 800; D.C. Official Code § 6-641.02), provides that regulations shall be “. . . designed to lessen
30 congestion in the street, to secure safety from fire, panic, and other dangers, to promote health
31 and the general welfare, to provide adequate light and air, to prevent the undue concentration of
32 population and the overcrowding of land, and to promote such distribution of population and of
33 the uses of land as would tend to create conditions favorable to health, safety, transportation,
34 prosperity, protection of property, civic activity, and recreational, educational, and cultural
35 opportunities, and as would tend to further economy and efficiency in the supply of public
36 services. Such regulations shall be made with reasonable consideration, among other things, of
37 the character of the respective districts and their suitability for the uses provided in the
38 regulations, and with a view to encouraging stability of districts and of land values therein.”.

39 (d) It is urgent that a moratorium be placed on the issuance of building permits as soon as
40 possible to maintain the status quo until needed regulations pertaining to pop-up construction are
41 developed, finalized, and implemented by the Zoning Commission.

42 Sec. 3. The Council of the District of Columbia determines that the circumstances
43 enumerated in section 2 constitute emergency circumstances making it necessary that the
44 Prohibition on Single Family Dwellings Conversions Amendment Act of 2015 be adopted after a
45 single reading.

46 Sec. 4. This resolution shall take effect immediately.

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