

**COMMITTEE OF 100 ON THE FEDERAL CITY****ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
PUBLIC HEARING****Monday, November 15, 2010****FOR THE PURPOSE OF CONSIDERING THE FOLLOWING  
CASE NO. 08-06 (Comprehensive Zoning Regulations Review: Chapters B  
15, B-16 & B-17)****Testimony of Alma Hardy Gates**RECEIVED  
D.C. OFFICE OF ZONING  
2010 NOV 15 PM 12:47

This testimony is submitted on behalf of the Committee of 100 (C100) on the Federal City, a group that has advocated on behalf of intelligent and smart planning and land use in Washington, DC since our founding in 1923. I represent the C100 on the Zoning Regulations Rewrite Task Force and participated in the sessions on Parking, Loading and Bicycle Parking

The Committee of 100's testimony will focus specifically on several sections of Chapter 15, Parking.

**Comment:** The contrast between Chapter 21, Off-Street Parking Requirements, currently found in Title 11 and what is being proposed in the Zoning Regulation Rewrite is striking. In Chapter 21, parking was proportionate to the use and a minimum or "at least" parking standard was imposed. In the proposed regulations, the Office of Planning has eliminated minimums and proposes parking maximums that may well create a new intensity as spill over parking is transferred onto surrounding streets.

The proposed regulations seem ambiguous on underground and surface parking. It would be impossible to increase the number of underground spaces if the use changes, therefore a minimum number of spaces may provide a more realistic approach.

The Office of Planning proposes to put drivers within the District of Columbia on a parking diet. While one of the intended outcomes is to

ZONING COMMISSION  
District of Columbia

CASE NO. 08-06

remove cars from the street and diminish CO2 emissions, the actual outcome of imposing parking maximums might be quite the opposite as drivers circle blocks looking for a parking space on the street.

Development patterns in the city have changed dramatically. What was once a downtown business district is now peppered with residential and mixed use properties. Incentives exist for downtown apartment/condo dwellers to walk to work or to use the Metro; but, not all areas of the city enjoy convenient access to the Metro network nor are they served by reliable public transportation.

It is naïve to believe only downtown city dwellers are working in the federal and commercial office buildings that line major streets throughout the downtown business district. If Virginia, Maryland and West Virginia neighbors are going to drive into the city to work, how will the maximizing of parking facilitate their needs or where are they going to park?

### **1503 MAXIMUM PARKING REQUIREMENTS**

**TWO ALTERNATIVES FOR THIS SECTION ARE ADVERTISED.**

**[ALTERNATIVE 1:**

**1503.1** The following maximums apply to all parking areas in all zones; in addition to any parking maximums specified in the land use subtitles:

- (a) No above-grade parking area shall be built or expanded exceed one hundred thousand (100,000) square feet in land area;
- (b) No parking area shall be built or expanded to have more than one thousand (1,000) parking spaces; and
- (c) No parking area associated with a use or uses shall be built or expanded to have more than four (4) spaces per thousand (1,000) square feet of the gross floor area of the use or uses.

**1503.2** Special exception relief from these prohibitions is provided for in § 1513.6.]

**[ALTERNATIVE 2:**

**1503.1** The following maximums apply to all parking areas in zones within subtitles D, E & G; in addition to any parking maximums specified in the land use subtitles:

- (a) No above-grade parking area shall be built or expanded to exceed one hundred thousand (100,000) square feet in land area;
- (b) No parking area shall be built or expanded to have more than five hundred (500) parking spaces; and
- (c) No parking area associated with a use or uses shall be built or expanded to have more than three (3) spaces per thousand (1,000) square feet of the gross floor area of the use or uses.

**Comment:** While parking maximums limit options, Alternative 1 offers a more reasonable choice based on the size of the provided land area (100,000 sq.ft.). Setting maximums for parking is like casting fate to the wind because each situation is unique and as uses change the potential need for zoning relief is more likely. While above grade parking areas occupy buildable space, they serve an important and necessary purpose for hospitals, churches and other institutions that attract large numbers of individuals who may not live in the immediate area. For example, the Sibley Medical Office Building (MOB) that is currently under construction was required to build an excess of parking spaces. Since the MOB approval, Sibley has submitted an application for a new hospital, partnered with Johns Hopkins and anticipates a substantial increase in on-site activity. The Zoning Commission had the foresight to require more MOB parking than zoning required to prevent overflow parking on surrounding neighborhood streets. If the application for the MOB had been approved using Alternative 2 the neighborhood would be the recipient of considerable overflow parking.

Sibley and Georgetown Hospitals are not served well by public transportation and are located on the same bus line. Limiting above grade parking for these institutions could limit their ability to fulfill their public service mission without creating serious community impact.

Pricing is not a function of zoning however, the prices being charged in some cases encourage drivers to seek free parking on surrounding streets. For example, Georgetown Hospital charges \$10.00/hr. to park in their lot which may cause patients and visitors to seek on-street parking and give the impression that excessive parking spaces exist on site.

**1503.2** The following maximums apply to all parking areas in zones within subtitles F, H, I & J; in addition to any parking maximums specified in the land use subtitles:

[Subtitle F/H= Apartment/mixed use Transit; I= Downtown; J= Industrial]

- (a) No above-grade parking area shall be built or expanded to exceed one hundred thousand (100,000) square feet in land area;
- (b) No parking area shall be built or expanded to have more than two hundred and fifty (250) parking spaces; and
- (c) No parking area associated with a use or uses shall be built or expanded to have more than one (1) space per thousand (1,000) square feet of the gross floor area of the use or uses.

**Comment:** The potential outcome of this section which limits above grade parking in F/H areas has the potential to flood neighborhood streets with parking from apartment dwellers who may use public transportation for work but own a car for leisure and practical purposes. Restricting the number of provided parking spaces places a burden on neighborhood streets while lining the pockets of developers

who are spared the cost of providing adequate parking for building tenants.

**1503.3** Special exception relief from these prohibitions is provided for in § 1513.6.

**1507.6** When a *driveway* with a direct street connection is permitted, and its lot fronts on two (2) or more streets, a *driveway* shall only connect to the street with the lowest classification as designated in [DDOT's Functional Classification Map, as published on the DDOT website]. When all abutting streets are the same classification, a *driveway* may connect to any street. The four street classifications are listed below in highest to lowest order:

- (a) Principal arterial;
- (b) Minor arterial;
- (c) Collector; and
- (d) Local.

**Comment:** The width and capacity of streets decreases proportionately as they descend from principal arterial to local street. Is it reasonable to dump exiting traffic onto local streets that have lower capacity when a higher classification street is available?

### **1513 SPECIAL EXCEPTIONS FROM PARKING REQUIREMENTS**

**1513.1** This section provides flexibility from parking requirements when providing the number of parking spaces required is impractical or contrary to other District regulations, or when it is unnecessary due to a lack of demand for parking, lack of space, or proximity to transit.

**1513.2** The Office of Zoning shall refer any application filed for a special exception established by this section to the Office of Planning and the District Department of Transportation (DDOT) for review and report.

**TWO ALTERNATIVES OF THE FOLLOWING SUBSECTION ARE  
ADVERTISED:**

**[ALTERNATIVE 1: ALLOWING FOR A FULL OR PARTIAL REDUCTION IF  
ONE OF THE CRTIERIA IS MET:**

- 1513.3** The Board may grant, by special exception, a full or partial reduction in the minimum parking required for a use if, in addition to meeting the general requirements of [§3104], the applicant demonstrates that:
- (a) The use or structure is within one-quarter mile (1/4 mi.) of a Metrorail station entrance, a streetcar line currently in operation, or a *high-frequency bus corridor*;
  - (b) The use or structure will generate demand for less parking than the minimum parking standards require;
  - (c) The applicant agrees to implement a *transportation demand management plan* approved by DDOT; or
  - (d) It is physically unable to provide the required parking spaces on the lot or within four hundred feet (400 ft.) or a combination of the two.]

**[ALTERNATIVE 2: ALLOWING FOR UP TO A 50% REDUCTION IF ONE OF  
THE CRTIERIA IS MET]:**

- 1513.3** The Board may grant, by special exception, up to a fifty percent (50%) reduction in the minimum parking required for a use if, in addition to meeting the general requirements of [§3104], the applicant demonstrates that:
- (a) The use or structure is within one-quarter mile (1/4 mi.) of a Metrorail station entrance, a streetcar line currently in operation, or a *high-frequency bus corridor*;
  - (b) The use or structure will generate demand for less parking than the minimum parking standards require;

- (c) The applicant agrees to implement a *transportation demand management plan* approved by DDOT; or
- (d) It is physically unable to provide more than 50% of the required parking spaces on the lot or within four hundred feet (400 ft.) or a combination of the two.

**1513.4** The Board may grant, by special exception, a full or partial reduction of the minimum parking required for a use or structure if, in addition to meeting the general requirements of [§3104], the applicant demonstrates that:

- (a) The only means by which a motor vehicle could access the lot is from an improved *public street*; and
- (b) A curb cut permit for the property has been denied by DDOT; or
- (c) Any driveway that could access an improved *public street* from the property would violate any regulation in this chapter, in the parking provisions of any other subtitle in the Zoning Regulations, or in Chapters 6 or 11 of Title 24 DCMR.

**1513.5** The Board may grant, by special exception, a full or partial reduction of the minimum parking required for an addition to a *historic resource* if, in addition to meeting the general requirements of [§3104], the applicant demonstrates that:

- (a) As a result of the nature or location of the *historic resource*, providing the required parking would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the *historic resource*; and
- (b) At least one of the following applies:
  - (1) The use or structure is within one-quarter mile (1/4 mi.) of a Metrorail station entrance, a streetcar line currently in operation, or a *high-frequency bus corridor*; or

- (2) The applicant agrees to implement a *transportation demand management program* approved by DDOT.

**1513.6** The Board may grant, by *special exception*, an increase in the maximum number of parking spaces or maximum size of parking area allowed under § 1503.3 or the maximum parking standards of a land use subtitle if, in addition to meeting the general requirements of [§3104], the applicant demonstrates that a *transportation demand management plan* approved by DDOT will be implemented. The Board may impose as a condition of its approval of the special exception established by § 1513.6, requirements as to screening, landscaping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property.

**1513.7** The Board may grant, by *special exception*, a waiver from the *driveway* location requirements of § 1507.6 if, in addition to the general requirements of [§ 3104], the Board finds that it is impractical to locate the *driveway* following these requirements. In evaluating a special exception request under this subsection, the Board shall consider:

- (a) Whether the lot has unusual topography, grades, shape, size, or dimensions; and
- (b) The impact of *driveway* location on design, landscaping, safer ingress or egress, and traffic patterns.

**1513.8** The Board may grant, by *special exception*, a modification or waiver of the screening requirements of §§ 1510.8 and 1510.9. In granting a modification or waiver, the Board shall find that the parking area meets the general requirements of [§ 3104], and shall consider:

- (a) The adequacy of protective and screening walls located on adjacent property;
- (b) Impacts on the pedestrian environment within adjacent streets, sidewalks, and other public areas, and



- (c) Topographic and traffic conditions.
- (d) The Board may require any special treatment of the premises that it deems necessary to prevent adverse impacts on neighboring properties or the general public.

**Comment:** The criteria listed in the special exception alternatives amount to a lowering of the bar. Few, if any development sites, would not request a special exception given the requirements listed in the two alternatives. For example, "This section provides flexibility from parking requirements when providing the number of parking spaces required is impractical or contrary to other District regulations, or when it is unnecessary due to a lack of demand for parking, lack of space, or proximity to transit." Why would any developer not seek flexibility given this plum?

Recently, DDOT has shown an avoidance of responsibility in zoning cases and has suggested a Transportation Demand Management (TDM) plan/template that amounts to little more than the installation of a bike rack and an on-site parking space for Zip Car.

**In general, the Zoning Commission would do well to compare the proposed parking regulations with the existing regulations found in Title 11, Chapter 21. Off-Street Parking Requirements. There is little reason to believe the parking maximums and special exception criteria proposed in Chapter B-15 can or will meet their stated purpose without considerable input from the Zoning Commission.**

Alma H. Gates

Alma H. Gates  
Chair, Zoning Subcommittee  
Committee of 100 on the Federal City

RECEIVED  
S.C. OFFICE OF ZONING

**Facsimile Cover Sheet**

2010 NOV 15 PM 12:47

**TO:** Sharon Schellin  
**FROM:** Alma Gates  
**DATE:** November 15, 2010  
**PAGES:** 10, Including Cover Sheet  
**RE:** TESTIMONY

Thank you for accepting this testimony and distributing it. I am sorry I will not be there tonight.