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Office of the Director

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SUPPLEMENTAL REPORT

TO: Zoning Commission for the District of Columbia
FROM: *ELM*
Ellen M. McCarthy
Director
DATE June 12, 2006
SUBJECT: Supplemental Report Emergency Text Amendments to change public school regulations, initiated by the Office of Planning ZC #06-06

At its hearing on May 11, 2006, the Zoning Commission requested the Office of Planning to meet with representatives from the D.C. Public Charter School Board to discuss the proposed changes and potential cooperation between the Commission and the Board in regulating the location of public charter schools. At this meeting, it was agreed that lot size standards for schools are appropriately regulated by zoning, but there will be a more acute need for communication and cooperation between the zoning and chartering bodies as school sites become increasingly scarce. OP recognizes that future changes to the zoning regulations may be necessary to accommodate the evolving needs and forms of education in the District.

In the meantime however, the proposed text amendment resolves the immediate concern of protecting established, small-lot neighborhoods from possible negative effects of school uses without putting severe burdens on the location of new schools. In fact, while the well defined lot standards laid out in the amendment will not adequately address the space or loading needs of larger schools, they provide some protection for established rowhouse neighborhoods while providing clear guidelines for school developers looking for property. Other options to resolve potential neighborhood conflicts, including required traffic and parking mitigation plans and studies of the noise and other affects would require a great deal more time and expense on the part of schools in the process of locating a school site than straight-forward standards that are clearly outlined. Furthermore, the special exception provision gives schools the additional options for smaller sites where conditions warrant.

For these reasons, OP recommends that the text amendment be approved as setdown by the Zoning Commission. OP further recommends that the treatment of educational institutions by the zoning regulations be revisited in a broader way upon completion of the comprehensive plan.

ZONING COMMISSION
District of Columbia

CASE NO. 06-06
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EXHIBIT NO. 55
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The Commission also requested further information on four other issues:

Over Concentration of Schools

Regarding the potential over concentration of schools in an area, OP does not see the need for further regulation to prevent too many public schools in any area. Currently, the chartering bodies for charter schools require demographic analysis of the area surrounding any new school and takes into account the number and size of surrounding schools

School Buses

At this time OP cannot recommend zoning regulations for school bus parking in residential districts. Parking on public right-of-way is appropriately regulated by DDOT. Furthermore, where schools are unresponsive to neighborhood concerns, this issue can be brought to the chartering Board for their consideration.

Assembly Spaces in Public Elementary and Junior High Schools

OP was requested to examine the difference in parking requirements for high schools and other public schools. It is the opinion of this agency, after discussions with the staff at DCPS, that the count of assembly space or classroom space in high schools is an attempt to count some fraction of the student body of a high school toward parking requirements. Since younger students at elementary and junior high schools do not drive themselves to school, there does not appear to be a need to count the student body for parking requirements at these schools. OP does not recommend any further changes to the school parking requirements.

Child Development Centers/Pre-Kindergarten Education

The final area needing further clarification is the difference between child development centers and pre-kindergarten charter schools. Pre-kindergarten facilities unrelated to the public school system in the city are known as child development centers and are regulated as special exceptions in the residential districts and subject to enrollment limits. 201 1(p) allows for child development centers in D C public schools or recreation centers as a matter-of-right in all residential districts. This has been interpreted to include charter schools and the proposed text amendment will make this interpretation official. The need for further changes to the parking requirements comes from the fact that both child development centers and public schools above kindergarten have parking requirements, but because of the recent phenomenon of pre-kindergarten charter schools, there are no standards for this use. OP recommends the proposal as set down to make the parking requirements for pre-kindergarten public schools the same as for elementary public schools.

Based on the discussions above and the analysis provided in the original OP report, OP recommends approval of the proposed text amendment as set down.