

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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MEMORANDUM

TO: Zoning Commission for the District of Columbia
FROM: Travis Parker, Zoning Review Manager *TP*
DATE: August 29, 2008
SUBJECT: ZC Case 08-06-2

Proposed Amendments to the Parking Regulations 11 DCMR

On July 31, the Office of Planning (OP) presented preliminary recommendations for revisions to the parking recommendations as part of the Zoning Review Process. Members of the Zoning Commission asked for additional information and analysis of four issues.

I. REMOVAL OF MINIMUM REQUIREMENTS/RELIANCE ON MARKET TO PROVIDE PARKING

OP's July 31 memorandum to the Commission presented information regarding minimum parking requirements. OP's information and analysis concluded that minimum parking requirements:

- Increase the cost of housing units and decrease the number of units that can be built
- Make certain construction types infeasible, significantly increasing the costs of development
- Preclude or limit many types of development on small parcels
- Limit the potential reuse of existing buildings that do not meet the higher parking requirement
- May result in discontinuous retail frontages, as curb cuts and driveways replace storefronts or interrupt a continuous retail frontage to provide parking access
- Result in a lower market price for parking by increasing supply, thereby increasing traffic generation by as much as 40%, and hiding the costs of parking within the cost of housing, goods, and services
- Spread destinations apart, resulting in further walking and driving distances
- Create service-level barriers for other modes by increasing travel distances and conflict points with vehicles entering and exiting driveways
- Create barriers to high-quality urban design by creating gaps within corridors
- Encourage reliance upon personal auto travel with detrimental environmental consequences

ZONING COMMISSION
District of Columbia

CASE NO. 08-06-2
ZONING COMMISSION

District of Columbia
EXHIBIT NO. 08-06-2
EXHIBIT NO. 08

This supplemental memorandum provides additional information in three broad areas:

- Reliance on market forces to meet the demand for parking
- Experience in other cities that have reduced or eliminated minimums
- Equity impacts of changes to minimum parking requirements

Reliance on Market/Other Cities' Experience

Nelson\Nygaard, OP's consultant for the Parking Study Area, listed several cities in its report that have reduced or eliminated parking minimums. As Nelson\Nygaard reported in its findings:

Many cities are deciding that these requirements are simply no longer needed. Many have concluded that developers do a better job anticipating the parking market at their developments than zoning codes ever could. Developer projections are made on a site- and context-specific basis for each project, representing a much finer estimating instrument than setting zoning formulae.

The developer has a vested interest in getting this right. Over-anticipating demand, especially in areas with high land values, would add significant unnecessary cost to a project. Under-parking a project, however, can reduce its marketability.

These dynamics are not merely theoretical, but are borne out in actual practice. San Francisco has eliminated parking minimums for all uses in its downtown and in transit-served, mixed use areas. In a letter to OP (Attachment 1), San Francisco Planning Director John Rahaim reports that "eliminating the minimums has been a key ingredient in our recent neighborhood plans in ensuring a growing stock of diverse housing opportunities ... and encouraging infill housing at the scale, density, and transportation patterns of the surrounding neighborhoods." San Francisco has been able to achieve these results despite having a higher rate of car ownership than the District (approximately 30 percent of San Francisco residents do not own a vehicle, compared to 37 percent in D.C.). Mr. Rahaim reports that San Francisco has been able to address "spillover" concerns through "active management" of on- and off-street parking, including pricing strategies similar to those being studied and acted upon by the District (see next section).

Mr. Rahaim states that the "elimination of minimums" 'one-size-fits-all' approach has also provided the necessary flexibility to make project-by-project determinations on the appropriate amount of parking, without having to seek variances ... and other unnecessary hoops when site analysis and project specifics would encourage otherwise." This is precisely the intent of OP's recommendations. Considering the effects of removing minimums in specific neighborhoods, Nelson\Nygaard has reported that "in Market & Octavia [one of the earlier areas to have parking minimums eliminated], we're finding some developers delighted to provide little or no parking, and some eager to seek Conditional Use Permits to go above the [maximums]." Nelson\Nygaard also reports that while the changes to the requirements were originally controversial in Market & Octavia, the San Francisco Planning Commission has just approved elimination of minimums in the "Eastern Neighborhoods" plans with little or no controversy.

Portland, Oregon, reports similar success in the areas where that city has eliminated minimum parking requirements. In a letter to the Zoning Commission (Attachment 2), Portland Planning Director Gil Kelley has endorsed OP's recommendations. Mr. Kelley states that in "Portland's

Downtown, allowances for no minimum parking as well as limits on new parking have been in place since 1975. In concert with investments in light rail and other mass transit, the result has been greatly increased transit ridership and a dramatic improvement in air quality.”

In Portland’s experience, reliance on the market to meet parking demand has been an integral part of their strategy. Quoting at length from Mr. Kelley’s letter:

The emphasis of our approach to vehicle parking has been to leave it to the market to determine if parking should be included with new development, rather than to dictate this through regulations. We have found that this approach has resulted in outcomes that are responsive to parking needs as they differ across Portland. In those areas with attractive alternatives to automobile travel and where there is less of a need and demand for parking, the choice to include little or no parking has proven to be a practical option for many projects, creating opportunities for new residential and commercial development that would not otherwise be practical. In most areas of Portland, developers remain free to provide parking and continue to do so in the majority of projects.

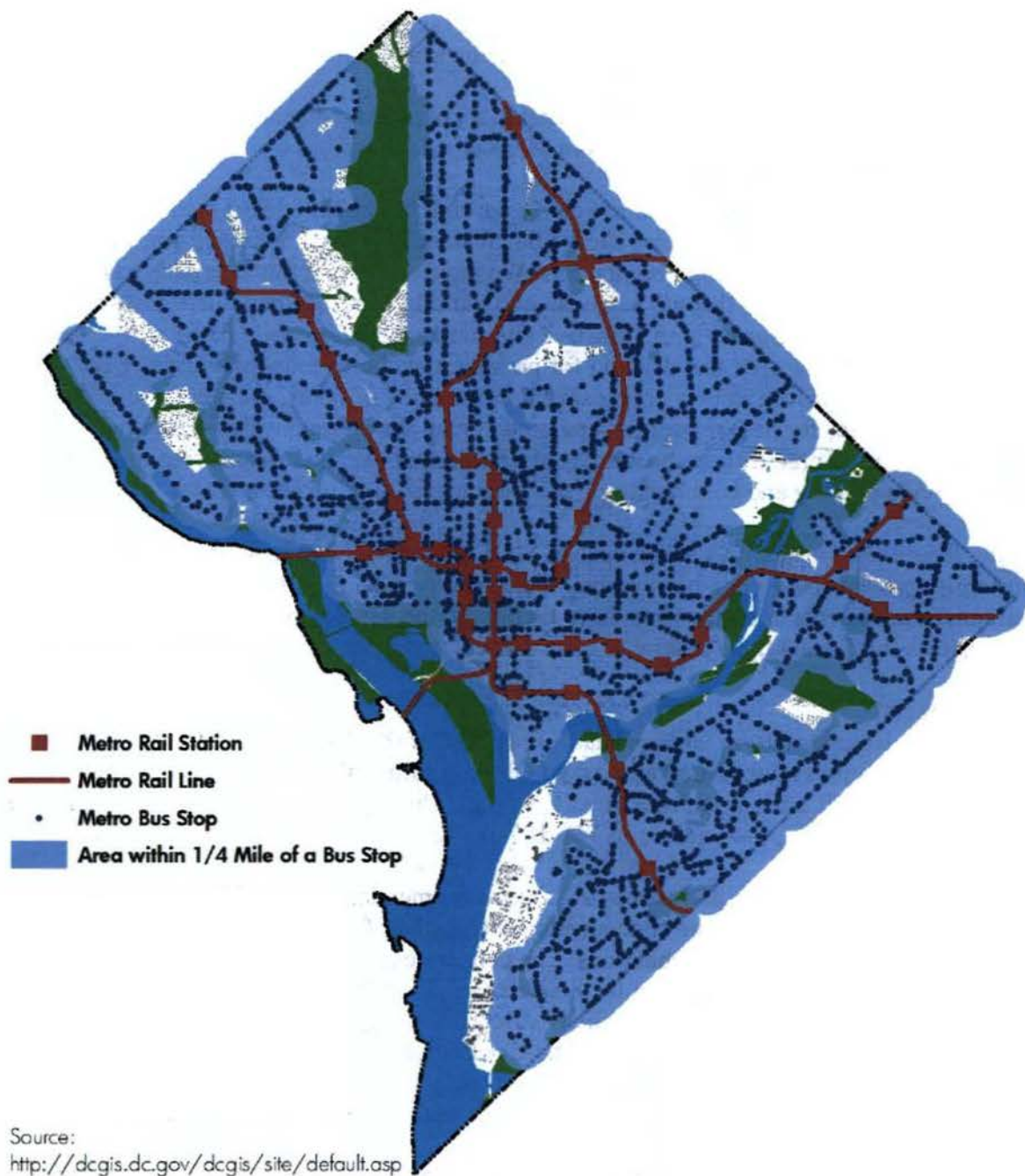
Moving from these generalities to the details, Mr. Kelley states that less than one percent of multifamily projects have been built without parking citywide. However, the elimination of minimum requirements does appear to have facilitated the development of a number of small infill projects that would have otherwise been difficult to build.

Equity Impacts

In response to testimony from George Clark, President of the Federation of Citizens Associations, Commissioner Hood also asked OP for additional analysis regarding potential equity impacts of OP’s proposal; specifically, whether there are any impacts on areas that are not as well-served by transit, particularly in Wards 7 and 8.

OP understands the concerns and agrees that our recommendations should not inequitably impact any part of the city. However, the concern expressed by Mr. Clark appears to be based on a misunderstanding of the recommendations. The concern expressed in Mr. Clark’s testimony was a result of a debate with the Coalition for Smarter Growth (CSG) regarding the extensiveness of the public transportation system within the District. CSG suggested that all residents of the District have reasonably good access to public transportation, since nearly all residents of the city live within ¼-mile of a bus stop (see Figure 1). Mr. Clark disputed this claim, and suggested that this statement “cavalierly consigns large swaths of the city to a half-mile hike.”

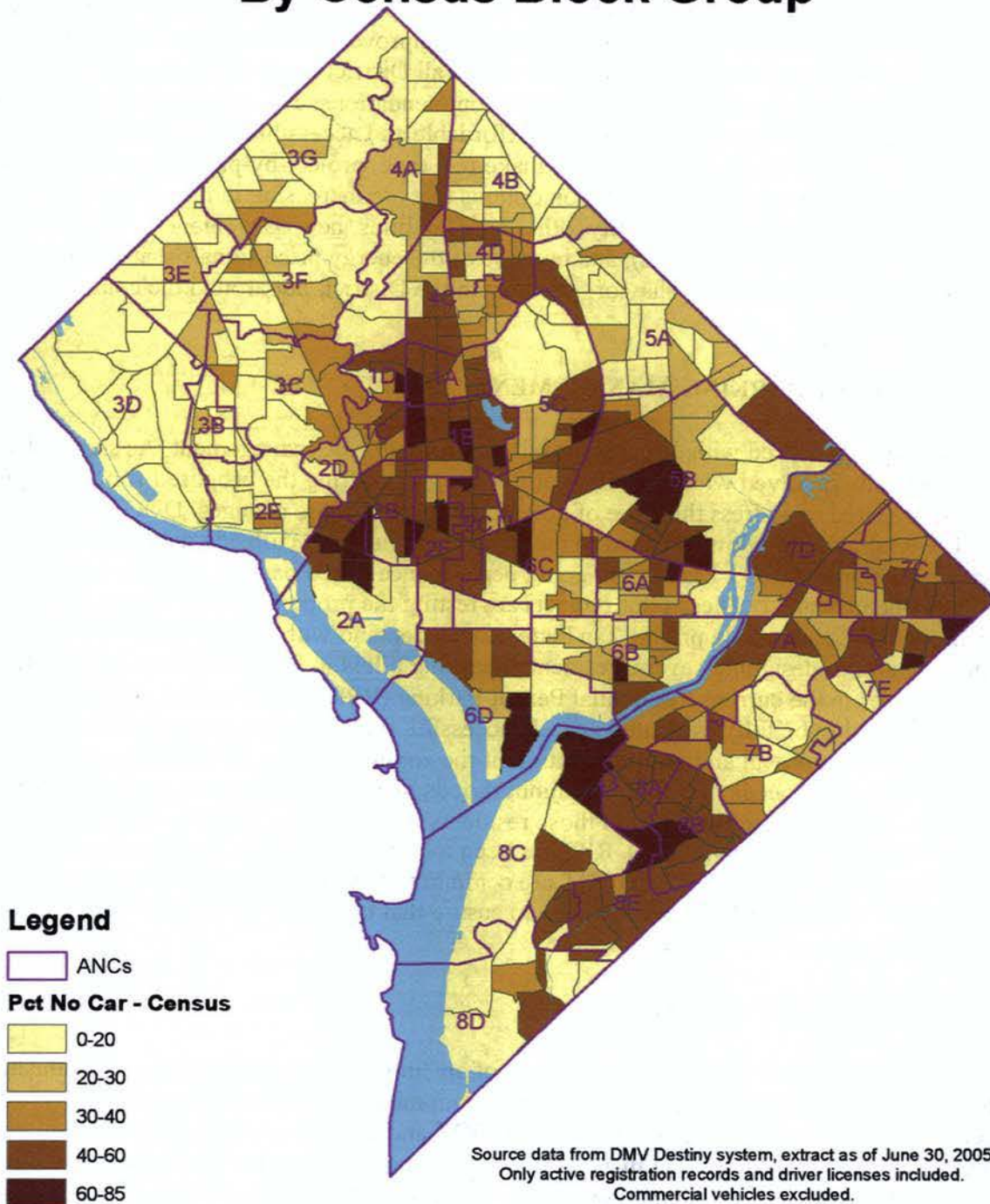
The basis of the concern appears to be a belief that the recommendations will result in no new off-street parking in new developments, or that the proposal is intended to “impose a car-free lifestyle” on the residents of the District. Neither outcome is anticipated or intended. Based on the experience of the other cities that have removed minimum parking requirements, the most likely outcome is that when developers and homebuilders perceive a strong market for off-street parking provided along with housing units, they will provide the parking sufficient to meet the demand of their buyers. When developers perceive a market for little (or no) parking, they will build less (or none). Home buyers and renters will make purchase/rental choices according to their needs and desired lifestyle, rather than universal and arbitrary requirements. No one will be “consigned” to anything.



On the contrary, OP expects the equity impacts of our recommendations to be positive. According to testimony presented at the July 31 hearing by Brian O’Looney, an architect with Torti Gallas and Partners, Inc., a parking space can cost anywhere from \$3,000 (for surface asphalt) to \$45,000 (for an underground garage). Removing the minimum parking requirements from residential units will free low- and moderate-income households who do not own cars from being forced to assume the burden of these costs in the price of their housing. This “parking subsidy” that car-less households currently provide to car owners as a result of the existing minimum requirements is particularly dramatic in many parts of Wards 7 and 8. As Figure 2

shows, census data reveals a large number of census block groups in these wards with high percentages of zero-car households.

Percent Census Households with No Cars By Census Block Group



Nothing in the above analysis should be taken to suggest that transit accessibility is optimal throughout the city. While 70 percent of District residents live within a 10 minute walk of a Metrorail station, 30 percent do not. While all residents live within a short distance of a bus stop, some bus lines have infrequent headways that make transit an inconvenient choice for many trips. The District Department of Transportation (DDOT) is aggressively pursuing improvements to provide alternative travel options, and the streetcar lines planned in Anacostia and the H Street NE/Benning Road corridor are specifically intended to improve transit accessibility in underserved locations in Wards 7 and 8. OP does not expect all District residents to immediately adopt car-free lifestyles upon implementation of these recommendations. The recommendations are designed, however, to make such options more affordable and accessible to current and future residents who do choose them. This ability to make real time, project-by-project determinations is critical – both because of the transportation options that are increasing in many parts of the city (e.g., car and bike sharing availability, other bike facilities, new convenient walkable destinations, improved transit service), and because of the energy price signals that are beginning to affect a historic shift in travel behavior – not just in the District, but around the country.

II. ON-STREET PARKING MANAGEMENT

DDOT is the agency tasked with direct responsibility for curbside management. As such, DDOT has been integrally involved with the Office of Planning in drafting the proposed zoning changes and is well prepared to address the issue of potential impact of these changes. DDOT has already launched several parking pilots intended to modernize and improve curbside management in the District. For example, DDOT has two on-going performance-based parking pilot projects; one in Ward 6 and one in Ward 1. These pilot projects are testing the proposition that managing on-street parking through variable pricing can better match demand with supply. In addition, DDOT is conducting and/or designing several residential parking pilots in Wards 1, 3 and 4 to identify potential changes in the current Residential Permit Parking (RPP) program. The results of these pilots are expected to be fully evaluated and, if successful, implemented prior to the anticipated 2010 date for final approval and implementation of the zoning changes. DDOT also regularly responds to the unique needs of different neighborhoods by analyzing the best use of the RPP program to achieve the specific needs of those residents. For example, in some neighborhoods (Georgetown and Shaw, to name two), RPP has been modified to protect residential parking in the evening and night hours. OP and DDOT are committed to working closely with one another, and with neighborhoods and business owners, to ensure that changes to the zoning regulations and curbside management are complementary.

III. IN-LIEU PARKING FUND

In its report, OP recommended the establishment of an “in-lieu” parking fund as a mechanism by which applicants could receive by-right flexibility from minimum or maximum parking requirements. In subsequent conversations with DDOT and the Office of the Attorney General (OAG), it has become apparent that there are legal and administrative hurdles to establishing such a mechanism through the zoning regulations. Therefore, OP is withdrawing this particular policy recommendation from the zoning review process. OP remains interested in the potential for an “in-lieu” mechanism to provide additional flexibility, and will explore possibilities for implementing such a mechanism through legislative action instead.

Allowing flexibility from the parking requirements for applicants who are committed to reducing vehicle trips to their property, but who do not meet the test for a variance, remains an important objective. Such flexibility is currently provided through the special exception process in § 3108 of the current regulations, but this flexibility is limited. Therefore, OP proposes the following alternative recommendation:

Recommendation 4 (Alternative)

A special exception may be granted to provide up to 50 percent less than the minimum parking requirement for a use, or to provide 50 percent more than a maximum parking limit. In addition, the special exception criteria should be modified to direct the Board of Zoning Adjustment to consider not only “ridesharing programs,” but a broader category of Transportation Demand Management (TDM) programs approved by DDOT.

Analysis

The current special exception authority is limited to parking reductions of up to 25 percent for most uses, but allows reductions of up to 50 percent for “all other uses.” This recommendation would set a common standard for all uses. In addition, TDM practices have evolved significantly beyond ridesharing programs. Many jurisdictions, including Arlington County, Virginia, have successfully encouraged or required TDM programs for many projects. Successful TDM programs often employ a wide range of strategies to reduce vehicle trips and the need for on-site parking, including bicycle parking and shower facilities (above requirements), subsidizing car-sharing memberships or transit fares, or providing telecommuting centers in residential properties. This recommendation would clarify that this wider range of strategies, when included in a TDM program approved by DDOT, is an acceptable alternative to fitting within the minimum/maximum requirements. Alternatively, a DDOT-approved TDM program could be an absolute requirement for any project receiving a special exception under these provisions. Such a requirement would provide even greater assurance to the neighboring community that a project has a well-thought-out plan to manage the demand for vehicle trips and parking. DDOT has expressed support for such an approach.

IV. ROWHOUSE PARKING

At the hearing, Commissioner May asked for more discussion of the affect of the parking recommendations specifically on rowhouses. He expressed concern regarding parking in the rear of row buildings at the expense of usable backyards. One of the not-so-hidden costs of minimum parking requirements is the loss of traditional urban design for a more auto-oriented streetscape. D.C. contains a great many historic rowhouse neighborhoods that are desirable because they were built before the automobile age. While these areas are exempted from parking under the current regulations, newer areas are not allowed to develop in the same way. In non-historic parts of the city where rear parking is not possible, new row buildings must build curb cuts and driveways in the front. They are required to sacrifice a traditional walkup entrance for a front dominated by a garage door. Where rear parking is possible, a traditional building front can be constructed, but the backyard must be sacrificed to a garage or parking pad. Under the existing regulations, either the front or the back of a rowhouse lot must be compromised for the provision of parking, even when the homeowner does not want or need it.

The recommended changes would allow for a third choice. While not preventing a new home builder from constructing a rear parking space or front-loaded garage, the recommendations would make it possible, as a matter-of-right, to opt for a yard over a driveway. Homeowners without cars could construct rowhomes without extra pavement and without curb cuts, allowing for more on-street parking to benefit the surrounding community. The underlying goal is flexibility in the regulations to allow for a neighborhood's priorities to be met; with good urban design and a sustainable lifestyle given equal priority to the provision of parking.

August 22, 2008

Zoning Commission
District of Columbia
441 4th Street, NW
Suite 210 South
Washington, DC 20001

Commissioners:

I understand that you are considering changes to the District of Columbia's zoning regulations that would eliminate minimum vehicle parking requirements and add requirements for bicycle parking, among other related provisions. Based on the success of our experience in Portland with similar parking provisions, I would like to lend my endorsement to the direction you are considering. Portland's parking provisions have been a key part of our efforts to foster transit-oriented development and have been particularly useful, in freeing development from the costs of meeting minimum parking requirements, in facilitating small-scale urban infill development and affordable housing construction. In this letter, I would like to share some of what Portland has learned from our parking provisions.

In Portland's downtown, zoning code allowances for no minimum parking and maximum parking ratios for some land uses have been in place since 1975. These regulations were adopted as part of the Downtown Plan, a public-private partnership to spur economic revitalization and growth. In concert with investments in the Portland (Bus) Mall, light rail and streetcar, this regulatory approach has resulted in increased economic vitality, growing transit ridership, an enhanced pedestrian experience and a dramatic improvement in air quality. In the early 1970's, downtown Portland violated federal air quality standards for carbon monoxide on one out of three working days. The last recorded violation occurred in 1984 and the downtown parking regulations were essential to that improvement. Moreover, downtown has continued to thrive and has experienced a boom in residential development over the last decade.

In the commercial zones along neighborhood main streets, Portland has not required off-street parking for over 25 years. This has facilitated the renovation and development of small commercial projects on the constrained sites typical of older main streets, contributing to vibrant neighborhood commercial districts. Rather than compromise nearby residential areas, this has made the surrounding residential neighborhoods extremely popular.

Portland's zoning code now also waives minimum parking requirements for any project citywide located within 500 feet of a street with frequent transit service (defined as 20 minute frequency during peak hours). Our experience has been that a large portion of new retail projects with small tenant spaces along older commercial main streets are not including off-street parking. However, projects in more auto-oriented strip commercial areas further out from the city center, as well as supermarkets and other large retail projects in most areas, are voluntarily choosing to include off-street parking for customers.

Regarding residential development, we have found that only a minority (less than one percent) of multifamily projects citywide have been built without off-street parking. However, there has been an increasing number of small projects built without parking in close-in neighborhoods. These



primarily involve higher-density projects on small sites, where the only way to provide parking would be in the form of costly structured parking. Some of these have been ownership housing projects, including an innovative condominium project recently built on a very small lot in a popular close-in neighborhood, whose units were quickly sold to buyers who indicated they were more concerned about adequate bicycle parking than about off-street vehicle parking. Based on a review of recent projects, it is apparent that our allowances for no off-street parking have facilitated the ability to accommodate density on small infill sites, providing new housing opportunities that may not have been practical if off-street parking for each unit were required.

In Portland's Downtown, we estimate that only one out of approximately 30 market-rate residential projects built over the past five years have opted to include no off-street parking, although it has been more common in the Downtown area for affordable housing projects to include little or no off-street parking. Among those projects providing parking, some have separated parking from the purchase or lease arrangements for the housing, providing residents the choice to save costs by not having to pay for an off-street parking space (instead of being forced to have parking costs bundled with housing costs). Worth noting in relationship to parking demand is the example of one Downtown affordable housing project, The Sitka, which was required by lenders to include parking at a one-to-one ratio, but which has never had more than two-thirds of this parking utilized by its tenants. In this case, provision of this relatively modest parking ratio resulted in an oversupply of parking that exceeds demand.

Another component of Portland's parking policies are requirements for off-street bicycle parking, which must be provided as part of most new development (options are also provided for paying into a bike parking fund used to install bike parking in public rights-of-way). This is part of a multi-pronged strategy to increase the attractiveness and convenience of bicycling as a transportation option, focusing not only on improving bicycle routes, but on ensuring that appropriate bicycle facilities are available where trips begin and end. The success of this overall strategy has resulted in significant increases in bike ridership (which grew by 39 percent from 2004 to 2006 alone, according to one key survey).

The emphasis of our approach to vehicle parking has been to leave it to the market to determine if parking should be included with new development, rather than to dictate this through regulations. We have found that this approach has resulted in outcomes that are responsive to parking needs as they differ across Portland. In those areas with attractive alternatives to automobile travel and where there is less of a need and demand for parking, the choice to include little or no parking has proven to be a practical option for many projects, creating opportunities for new residential and commercial development that would not otherwise be practical. In most areas of Portland, developers remain free to provide parking and continue to do so in the majority of projects.



Based on our experience in Portland, I believe that the parking provisions you are considering will prove to be valuable tools in facilitating additional development that can capitalize on the District of Columbia's excellent opportunities for getting around by transit, walking, and bicycling.

Regards,

A handwritten signature in black ink, appearing to be "G. Kelley", with a long horizontal line extending to the right.

Gil Kelley
Planning Director

cc: Harriet Tregoning, Planning Director, District of Columbia





SAN FRANCISCO PLANNING DEPARTMENT

Harriet Tregoning
DC Office of Planning
801 North Capitol Street, NE
Suite 4000
Washington, DC 20002

August 27, 2008

Dear Harriet,

We understand that Washington D.C. is considering a significant overhaul of its parking regulations. San Francisco has a long tradition of regulating parking quantity (lowering or eliminating minimums and instituting maximums), design, and operation (e.g. pricing) as a primary tool in managing transportation demand and maintaining a high quality and sustainable urban environment. The city has long had a comprehensive "Transit-First" transportation policy that is now widely shared and accepted by City agencies and a large segment of the population. The Transit First policy has led to parking policies in our downtown core for several decades that have been expanded rapidly outward to the city's denser mixed-use and transit-served central neighborhoods in the past several years. This has come largely through new neighborhoods plans prepared by the Planning Department, and also in some cases by action of our legislators who have built on those successes. In general, we have:

- eliminated parking minimums for all uses, including residential uses. (*downtown and in transit-served, mixed use areas*)
- eliminated parking minimums for designated affordable or group housing units and for housing designated for seniors or persons with disabilities. (*citywide*)
- instituted firm parking maximum limits, generally equal to or less than the previous minimum requirements. (*downtown and in transit-served, mixed use areas*)
- required (*downtown and in transit-served, mixed use areas*) or permitted (*citywide*) residential parking over certain ratios be stored in mechanical stackers or accessed by valet only, in order to reduce the use of autos for frequent, casual use and reduce the physical footprint of parking.
- restricted garage access from certain key pedestrian-oriented commercial street frontages and limited the number and size of garage openings per project. (*downtown and in transit-served, mixed use areas*)
- required that residential parking be "unbundled" from the rental or sale of residential units, to ensure that residents have visible and separable choices and greater affordability options in making housing and transportation decisions. (*citywide*)
- required both residential projects and non-residential garages to provide a certain ratio of dedicated, free parking spaces for car-sharing vehicles. (*citywide*)
- increased minimum requirements for indoor, secure bicycle parking for all uses. (*citywide*)

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- required that garages available to the public or serving employment centers feature pricing that discourages long-term (commute) use and favors short-term (visitor, shopper) use. (*citywide*)
- required office developments to participate in an area-wide Transportation Demand Management program (*downtown*)
- required that parking in new developments be built underground or, if above-ground, “wrapped” on all street frontages with active uses (e.g. retail, housing, offices). (*downtown and in transit-served, mixed use areas*)

While there has certainly been much discussion, ultimately there has been general broad acceptance for these zoning changes, many of which were accompanied during deliberation by supporting analysis showing how our previous minimum requirements were distorting or degrading the physical and social qualities of the city and specific neighborhoods that people cherished most. There are and will always be those who are concerned about “spillover” and “lack” of parking in their neighborhoods, and we have continued to pursue active management strategies of on- and off-street parking to make most efficient use of these resources.

It would be hard to isolate the effects of the changes in regulation, but it is reasonable to say that our zoning is now consistent with both our vision for the city as well as the character of the existing city for which this city is known. In the downtown area, over 70% of workers take transit to work and less than 20% drive or carpool, and outside of the downtown less than 50% of workers use cars for commuting. Maintaining low parking ratios in areas where there is good transit service is critical in maintaining this balance. We believe that the continued strength of downtown is dependent on its pedestrian and transit orientation, which have strongly supported by these parking policies.

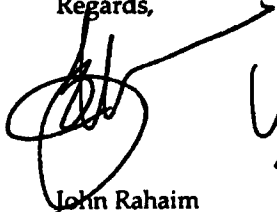
On the residential side, about 30% of San Francisco households do not own a vehicle, and that figure is higher in the denser and more transit-served neighborhoods. Eliminating the minimums has been a key ingredient in our recent neighborhood plans in ensuring a growing stock of diverse housing opportunities and affordability levels, and encouraging infill housing at the scale, density, and transportation patterns of the surrounding neighborhoods. We additionally found the existing parking minimums were a perverse limit on the number of housing units that otherwise were acceptable and desirable, strictly because of the confounding geometry and cost of fitting the required number of parking spaces into projects with limited envelope and lot size. Finally, even people who otherwise oppose reductions in parking have seen that requiring the introduction of garages in lieu of storefronts in the middle of ground floor retail frontages on our fine-grained pedestrian-oriented commercial streets is problematic

The elimination of minimums’ “one-size-fits-all” approach has also provided the necessary flexibility to make project-by-project determinations on the appropriate amount of parking, without having to seek variances, discretionary approvals and other unnecessary hoops when site analysis and project specifics would encourage otherwise.

For a city to grow at high levels of activity, density, and economic vibrancy and meet the needs of 21st century dynamism, particularly in solving the questions of sustainability, diversity, livability, and economic efficiency, minimum parking requirements seem particularly outmoded and rigid.

We are encouraged by the direction that Washington D.C. is considering and would be happy to offer additional technical assistance to your staff as necessary. Best of luck in your efforts.

Regards,

A handwritten signature in black ink, appearing to read 'John Rahaim', with a long horizontal line extending to the right.

John Rahaim

Planning Director

*Look forward to
seeing you in the fall*

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