

OUTLINE OF TESTIMONY TO THE ZONING COMMISSION

CASE NO. 08-06-3 ZONING REGULATIONS REWRITE PARKING

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- I. Introduction
- II. Size of loading berths
 - A. Concept: no longer require 55 foot berths and make all required berths 30 feet
 - B. Comment: support, especially for residential buildings**
- III. Shared loading
 - A. Concept:
 - 1. Allow different uses in the same building to share loading as long as internal access is provided from all the shared uses which require loading
 - 2. Provide loading for the highest individual requirement and not the combined requirements of all uses
 - B. Comment: support**
- IV. Relief from loading requirements
 - A. Concept: if adopted law, regulations or DDOT prohibits a curb cut and there is no alternative access, then loading need not be provided
 - B. Comments/questions**
 - 1. The decision by DDOT to preclude curb cut as an application of zoning without guidance or standards is problematic and should be reconsidered**

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District of Columbia

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- 2. If delegation is retained, zoning amendments should not take effect until DDOT has adopted rules that make clear in the public domain how the Zoning Regulations will be applied**

V. Location of loading berths

A. Concept:

1. Spaces must be located within the building or structure; or
2. To the rear of the principal building or otherwise screened so as not to be visible from the public right-of-way

B. Comments/questions

- 1. Does "right-of-way" mean "street," as differentiated from an alley?**
- 2. Screening needs to be better defined**
 - a) If the berths are in the rear, then they don't need to be screened**
 - b) Clarify that access lanes and maneuvering areas do not need to be screened**

VI. Access to loading berths

A. Concept

1. Prioritize access to encourage (require) access of secondary streets or alleys
 - a) Off an improved alley
 - b) If no alley, then off a secondary street as determined by DDOT
 - c) If no alley or secondary street, then from the front of the building if DDOT will allow a curb cut
 - d) If adopted law, regulations or DDOT prohibits a curb cut and there is no alternative access, then parking need not be provided
2. Distances between parking entrances and intersections should match current DDOT standards

B. Comments/questions

1. **Establishes too rigid a hierarchy**
 - a) **Alley may be improved but may be too narrow**
 - b) **Alley may direct traffic to rear of abutting or nearby residential areas**
 - c) **May not always be preferable to locate loading on side street or rear**
2. **Needs to be a way to get exceptions or relief from both street location and distance from intersection**

VII. Trash enclosures

A. Concept:

1. Development over 2,000 square feet must provide space for trash receptacles
2. External receptacles must be screened and/or covered

B. Comments/questions

1. **Not sure whether this is appropriately a zoning regulation and, if it is, whether it belongs in the loading requirements**
2. **Receptacles should be allowed in loading areas as long as they don't occupy required berths or platforms**
3. **Clarify that trash storage may be indoors**
4. **Clarify that trash receptacles must be "covered" but that they need not be placed in a covered enclosure (would interfere with top loading trucks)**

VIII. Number of required loading berths

A. Concepts:

1. Provide loading requirements by use category rather than by individual uses

2. Base loading requirements on square footage rather than other standards (number of units or sleeping rooms)

B. Comments/questions:

1. **Not identified in notice of hearing**
2. **Generally supportive of current requirements as to number of berths**
3. **Support simplifying table to specify required number of berths by category**
4. **Changing requirements to a standard calculated on square footage from units or sleeping rooms may need additional analysis (i.e., it seems like, for some uses, the level of activity leading to a loading requirement is better defined by unit or room than by square footage)**
5. **Rules of interpretation section should be retained**

IX. Conclusions

- A. Some of the details of what is proposed are not known, especially as to changes in the number of berths, therefore making it difficult to respond on a cogent basis
- B. Changes which decrease requirements and add greater flexibility in providing loading or to do it in more creative ways are generally good things
- C. The reverse is also true: The changes which increase requirements and provide less flexibility are generally not good things
- D. The delegation of authority to DDOT without guidance or standards is problematic and should be reconsidered; if delegation is retained, zoning amendments should not take effect until DDOT has adopted rules that make clear in the public domain how the Zoning Regulations will be applied