

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                  | <b>Date</b> | <b>Issue</b>      | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| 830                 | A               | The Committee of 100 on the Federal City Comments            | 9/12/2014   | parking - general | After reviewing the District Department of Transportation's (DDOT) recently released Curbside Management Study, The Committee of 100 on the Federal City (C100) is writing to request that the Zoning Commission (ZC) postpone consideration of the Office of Planning's (OP), one-size-fits all changes to the city's parking policies that will overwhelm and undermine the thoughtful framework and policies presented in DDOT's Study. DDOT's approach is to recognize that a range of options is needed to meet the varied needs of diverse neighborhoods and areas of the city. Further, the Study strives to develop clear, consistent and enforceable policies for this precious real estate. OP has refused to acknowledge the city's diversity and continues to press for a singular approach that will hurt many parts of the city and create intensified challenges for DDOT. DDOT's proposals for more effective and responsive curbside management will only be useful if the city views parking and other curbside uses comprehensively. To isolate curbside policies from related policies will distort the conclusions and inevitably result in conflicting and inconsistent regulations. For example, the Study emphasizes the consensus among commercial establishments that curbside loading zones are too small and too few, and that there is need for more commercial parking. Yet, it fails to mention OP's zoning Postponing the Zoning Commission's review of OP's proposals will give DDOT time to delve more fully and comprehensively into both public and private parking and loading issues, with better curbside management as the city's population grows. Further examination of curbside management needs to include information on at least three vital issues that are missing from everyone's understanding of parking in the District: Private supply of parking and data on user demand in various types of buildings including all residential, commercial and mixed use; Effect of population growth on auto and truck ownership and how, even if the rate of ownership goes down, the total number of vehicles will not be static; Analysis of how private parking and loading zone requirements link to efficient and effective curbside management particularly given the multiplicity of users that must be served curbside. In short, OP, and soon the Zoning Commission, could be creating additional demand and more stress on curbside parking and loading that will prevent implementing the approaches laid out in the Study. We would hope that even at this late date the Zoning Commission would defer a radical overhaul of related zoning regulations until the three items of information listed above have been addressed and discussed in the context of the proposed parking revisions and forthcoming amendments to the Comprehensive Plan. These initial comments should not be interpreted to mean that C100 agrees with everything in the Study, but it is a very credible beginning and provides the foundation for a productive conversation with the public. The Zoning Commission needs to review this | OP welcomes the release of the DDOT Curbside Management Study. Although it addresses on-street parking, it is, as noted by DDOT, the parking proposals in the ZRR are sensitive to context and set a framework for the continued evolution of off-street parking provision, but do not preclude any of the approaches we outlined in our study. DDOT has indicated support for the ZRR proposals, to provide minimum parking requirements based on proximity to transit and geographically defined need, rather than the current regulations which have no rationale. OP will continue to work with DDOT to ensure continued coordination of on and off site parking standards and programs. OP will also pass on your comments regarding on-street parking to DDOT. |
| 849                 | A               | Christy Shiker Holland & Knight Comments                     | 9/15/2014   | process           | We believe it is important to allow vesting to occur in the following situation: Projects for which an award of a Request for Proposal has been issued by the General Service Administration but for which a building permit application has not yet been filed as of the effective date of the regulations; JBG is preparing and submitting proposed development plans in response to Request for Proposals from the General Services Administration. Because the ZRR is continuing to be refined and updated, these development plans are based on the current Zoning Regulations. Accordingly, it is important that if an award is issued for a Request for Proposal prior to the effective date of the new regulations but a building permit application has not been filed (i.e., because a lease is being negotiated), that the award is protected based on the criteria set forth in the current regulations. Therefore, we request inclusion of this protection in the vesting provisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | The ZC will work with OAG, OZ, DCRA and OP to make sure that projects are appropriately vested.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 865                 | B               | ANC 6B Comments                                              | 9/15/2014   | definitions       | ANC 6B suggests additional revisions to OP's revised definition of "Fast Food Restaurant." Our commission has found that fast food restaurants, including establishments that are considered "fast casual," put significantly more strain on the neighborhood than do other restaurants. Fast food restaurants generally generate high volumes of trash and litter; emanate strong odors from deep frying and other cooking; and attract loitering. As a result, ANC 6B believes that fast food restaurants, including fast casual restaurants, should be subject to the special exception process to allow the community to weigh-in. The current definition of fast food is vague and interpreted narrowly, such that some establishments that operate like fast food are excluded from the definition. ANC 6B believes the revised definition should: (1) cover all fast food restaurants, including fast casual; and (2) more clearly define what constitutes fast food. While we appreciate that OP's revised language may have been intended to advance these goals, we propose the following revisions, to further clarify and improve the definition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Definitions have been expanded and modified. This issue will be reviewed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 865                 | B               | ANC 6B Comments                                              | 9/15/2014   | definitions       | ANC 6B supports OP's revised definition of building which addresses the meaningful connection "loophole" in the current zoning code. Our commission has reviewed a number of cases where applicants have used an outdoor trellis to connect a main building to an accessory structure. Under current zoning, the trellis is considered a meaningful connection so that the two buildings are considered one single building, allowing the applicant to avoid seeking additional zoning relief on the accessory structure. OP's revised definition should address this "loophole" by ensuring that a meaningful connection between buildings must be above ground, enclosed, consist of common space, and allow for open passage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you fro the comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 856                 | B               | Parking Development Solutions and Lindsley Williams Comments | 9/15/2014   | definitions       | Briefly, PDS notes that the "ramp" provisions exclude certain ramps and drive aisles that lead to a "parking garage" as proposed. That is a defined term, elsewhere, and that could be an issue with unintended consequences. Thus, for that, PDS suggests that the focus be on "vehicular storage areas" instead and possibly add related provisions to exclude, if below grade, namely "loading and service delivery" areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Definitions have been expanded and modified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 814                 | B               | Alma Gates Neighbors United Trust Testimony                  | 9/8/2014    | definitions       | Define "abut." Clarify definition of "Zoning Administrator." It would be useful to have OAG provide additional guidance on the authority of the ZA as it pertains to interpretation of the zoning regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Definitions have been expanded and modified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| 730                 | B               | Lindsley Williams Comments                                   | 7/9/2014    | definitions  | Definition of "Director" is now limited to "full time employees," but the director may supervise others. The definition of "Gross Floor Area" is similar to the current definitions, but perpetuates existing flaws including the requirement to count the area of elevator shafts at all floors. The definition of "Height" should reinstate balustrades to the same status as parapets. Ensure that development that was pursued and lawfully occupied under the existing zoning would not become non-conforming as a result of changes in definitions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for your comments.                                                       |
| 856                 | B               | Parking Development Solutions and Lindsley Williams Comments | 9/15/2014   | definitions  | Elevator floor areas are currently “counted” at every floor level at or above the basement through which the elevator passes, whether it serves that floor or not. The only “floor” to an elevator is its cab and it cannot be at more than one floor at a time, though the pit could itself also be counted as a floor if at or above the basement level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Definitions have been expanded and modified. This issue will be reviewed.          |
| 859                 | B               | Goulston & Storrs Comments                                   | 9/15/2014   | definitions  | Include a definition for Continuing Care Retirement Community: A building or group of buildings providing a continuity of residential occupancy and health care for elderly persons. This facility includes dwelling units for independent living, assisted living facilities, plus a skilled nursing care facility of a suitable size to provide treatment or care of the residents; it may include ancillary facilities for the further enjoyment, service or care of the residents. The facility is restricted to persons 60 years of age or older or couples where either the husband or wife is 60 years of age or older. We propose allowing CCRCs in the same zone districts where CRFs and HCFs are allowed. Since CRFs and HCFs largely require special exception approval in residential zone districts, the BZA would still be able to assess the impacts of a CCRC on neighboring properties before approving it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Definitions have been expanded and modified. This issue will be reviewed.          |
| 875                 | B               | Goulston & Storrs Christine Roddy Comments                   | 9/15/2014   | definitions  | Include a definition for Continuing Care Retirement Community: A building or group of buildings providing a continuity of residential occupancy and health care for elderly persons. This facility includes dwelling units for independent living, assisted living facilities, plus a skilled nursing care facility of a suitable size to provide treatment or care of the residents; it may include ancillary facilities for the further enjoyment, service or care of the residents. The facility is restricted to persons 60 years of age or older or couples where either the husband or wife is 60 years of age or older. We propose allowing CCRCs in the same zone districts where CRFs and HCFs are allowed. Since CRFs and HCFs largely require special exception approval in residential zone districts, the BZA would still be able to assess the impacts of a CCRC on neighboring properties before approving it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | OP will propose to include a definition for a continuing care retirement community |
| 810                 | B               | Lindsley Williams Testimony                                  | 9/8/2014    | definitions  | Most recent text proposals include a host of definitional changes, along with clusters of uses ("use groups"), the latter more or less conceptual so far. There are many defined terms. One class of definitions specifies areas, heights, widths, minimum yard widths or depths, setbacks, etc., and have explicit or implicit rules of measurement, some also already have helpful proposed diagrams; the more, the better. Harmonize with the Height Act to the extent possible (as stated in ZC Order 08-06-B). Definitions are now set out at section 199.1 (for the most part -- a big, and confusing, exception is "building, height of" in Residence districts). Consider adopting at least the definitions that provide specification of measurement in the near future within a modestly reorganized 199.1: General definitions (those that are not measurement); Definitions that measure, with accompanying "Rules of Measurement" that are outside of the definition itself and diagrams (definitions, rules of measurement and diagrams needs to be co-located in the code, not chapters away from each other); and Use groups. Anticipate arising non-conformities (height, FAR for example) just from definitions/measurement rule changes. Protect owners and land from inadvertent definitional damage (grandfather); give the ZA authority to make minor allowances while informing ZC of fact pattern involved for possible adjustment short of full rulemaking. Consider why the regulations still require "record lots" when modern survey data have seemed fully adequate for years. Consider effective date of changes, phase in or opt in. Maybe let old rules linger a while and be an option to use, but publish the new ones pronto and allow the use. | Definitions have been expanded and modified.                                       |
| 856                 | B               | Parking Development Solutions and Lindsley Williams Comments | 9/15/2014   | definitions  | PDS also notes that the point where the exclusions begin, as proposed, is tied to the “ground floor,” another defined term. This poses a potential problem for sites where vehicular entrances are higher than the ground floor. Driveways and public alleys can lead to entrances well above the ground floor and, to the extent that is the case, the ramp exclusion should apply, albeit just to the area of ramps and drive aisles, not any flanking parking, loading, or service delivery areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Definitions have been expanded and modified. This issue will be reviewed.          |

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| 768          | B        | Alma Gates Neighbors United Trust Comments                   | 9/2/2014  | definitions           | The definitions listed below either need clarification or are missing from the proposed list of Definitions submitted on June 16, 2014 and set down by the Zoning Commission on July 10, 2014: 1) Alley Dwelling – “Alley” is defined but "alley dwelling" is not. Is an alley dwelling a permanent or temporary structure? (See “Camping.”) 2) Berm – Definition missing in current regulations and no definition is found in the Definition section. The term is used in current code in § 413 and in ZRR, Subtitle C, § 502.3. 3) Camping – need definition for clarification purposes. 4) Large Format Retail – The new definition might reference “Big Box Stores,” the more common term of use with regard to these types of retail establishments. 5) Community Service Center - Only "Community Center, Private" is listed, however Subtitle K, § 414.8 (a) refers to Community Service Center. It appears both private and public community centers are allowed but only one is defined. “Community Service Use” is not being brought forward into the ZRR text. 6) Department Store - need definition if other types of stores are defined. 7) Emergency Shelter - need definition. 8) Green Area Ratio – include definition in the Definitions section of the code as well as in the Subtitle. 9) Healthcare Facility - definition in current regulations is found under definition of Community-based residential facility. It is not clear what kinds of facilities are included in healthcare facilities and if these include residential facilities. A fuller definition would bring clarity to these different types of facilities. 10) Household Staff – definition is needed to clarify that this is a person receiving a routine pay check and benefits from the homeowner. 11) Museum – definition needed. 12) Public Food Concession Stand – definition needed. (Would this include lemonade stands?) 13) Retaining Wall – a definition needs to be brought forward from the current zoning text into the list of ZRR definitions. 14) Vehicle Service or Repair – a definition is needed to clarify what is and what is not included in this category. Is it the same as garage, repair? Does it include Gasoline Service Stations that have vehicle service bays? What about Motorcycle Repairs? How does this definition relate to "Automobile, truck, or motorcycle accessory sales, including installation?" 15) Zones – definitions of each zone district are absent from the list of definitions. Given the rewrite and reorganization of the Zoning Regulations, complete zone definitions are needed in one place (as well as at the front of each text section) as a “reference guide.” | Definitions have been expanded and modified, but many definitions that are the common use are not defined, rather a reference is made to Webster's Unabridged Dictionary. |
| 856          | B        | Parking Development Solutions and Lindsley Williams Comments | 9/15/2014 | definitions           | The order and manner in which the exclusions are written could be interpreted several ways. To correct that, he suggests that the rule restate that any area below the basement be excluded, and that areas at or above the basement be included unless otherwise exempted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Definitions have been expanded and modified. This issue will be reviewed.                                                                                                 |
| 857          | B        | Lindsley Williams Comments                                   | 9/15/2014 | definitions, height   | I urge the Zoning Commission to review and put into effect much of the thinking and many of its core “height” provisions it created, but held in abeyance, in ZC Order 08-06-B.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | OP will propose to include language about how and where the measuring of grade and buildings are determined consistent with 08-06-B                                       |
| 855          | B        | Parking Development Solutions Comments                       | 9/15/2014 | parking - mechanical  | From prior summaries of recommendations, we know that OP favors both changing the term “Mechanical Parking Garage” to “Automated Parking Garage”, but also to allow such systems by right, ideas we have been supporting through the entire zoning update. We know of no opposition to these in the overall record. So, we are hopeful that you will continue down that course and, if delays appear to slow down adoption of other provisions, whether related to parking or not, that "automated parking" might become a by-right option even under the present regulatory framework. That said, we believe that what OP is recommending as a definition is inappropriate in that it refers to both “elevators” and their “operators” when referring to an automated garage. “Elevators” in the sense generally understood would rarely be the means by which vehicles would be moved vertically in an automated setting, and no vehicle in movement is accompanied by an “operator.” Moreover, OP’s definition makes no mention of lateral movement and does not specify that the entire operation is computerized. In fact, there is no inherent requirement for an attendant at all, particularly where the vehicles are ones are associated with drivers who are familiar with the system, as in an apartment house. In our testimony and prior documents, we also urged that what OP would define as “public garages” (and we would define as “parking garages”) be allowed to provide incidental services, thus sparing round trips from and back to the garage for something minor that could be provided within as an accessory use — without creating a service "destination" for others. We would hope DDOT and OP would support this, too. Our proposed language accomplishes this. Such an option would not be inconsistent in any location where the garage is already open to the general public, operating as a commercial facility, something that would be typical in non-Residence zone districts, but we would think it could also be effective and benefit residents of apartment buildings just as well provided the services are not offered to non-residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments.                                                                                                                                              |
| 728          | B        | David Alpert Greater Greater Washington Comments             | 7/3/2014  | use                   | OP's recommended change regarding theaters in residential zones is a welcome step, but is too narrow to not sufficiently address the problems that make a chance necessary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comment. Theaters in residential zones can have both positive and negative impacts. The proposal is to allow them by special exception.                |
| 729          | B, C     | Lindsley Williams Automated Parking Solutions Comments       | 7/9/2014  | parking - definitions | The proposed definitions, other than "repair garage," could apply to both principal uses and accessory uses. Parking garages, whether principal or accessory uses, could and should provide sensible, low-to-no impact accessory uses. Elevators are not an inherent part of an "Automated Parking Garage;" rarely, if eve, is there a universal need for an "Elevator Operator." Are you making the distinctions needed between "public garage" and "parking garage."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments.                                                                                                                                              |

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| 835          | B, C     | Larry and Ann Hargrove Comments                   | 9/14/2014 | use                  | We believe the Commission should carefully and skeptically consider the wisdom of the proposed new scheme, set out in Chapter 2 of Subtitle B, Chapter 2 of Subtitle C and in specific provisions in the R, RF, RA, and P zones, for providing permissible uses in the various zone districts. We believe a better system would be one in which (1) the general categories are retained if at all only as a convenient way of organizing specific use provisions in the code, (2) a longer list of specific uses is prepared for inclusion in the re-write (beginning with the several dozen example uses that are already listed under the various use groups, and the substantial number of specific uses mentioned only in the land use subtitles but not mentioned in Subtitle B), (3) the ZA's authority to add uses or use groups is pared back or eliminated and all subtitles are treated alike in this respect, and (4) in the future the Commission does its legislative job whenever the question of creating a new permitted use is raised.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | OP is reviewing the organization of uses and agrees that more detail and organization is needed.                                                                                            |
| 848          | B, C, D  | The Committee of 100 on the Federal City Comments | 9/15/2014 | use, home occupation | Non-residential uses in residential zones – add language to clarify that Zoning Administrator can only approve home occupations not on approved list if the home occupation is closely related to the listed occupation. The use category system should not be applicable to home occupations. If clarifying language is not added, the ZA will be able to interpret the proposed language as authorizing every occupation within the category that the authorized use falls into. For example, tutor would authorize all service category uses. That is over broad and turns the home occupation permission into license to establish any <b>commercial use in a residential neighborhood</b> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Thank you for your comment. The list of home occupations and corresponding conditions is identified in Sub D section 1610.                                                                  |
| 865          | C        | ANC 6B Comments                                   | 9/15/2014 | bike parking         | ANC 6B supports OP's alternative amendments on bicycle parking which represent reasonable adjustments based on public comments and industry practice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for your supportive comment.                                                                                                                                                      |
| 779          | C        | Mary Buckley Testimony                            | 9/4/2014  | bike parking         | Eliminate below surface long-term bike parking for religious institutions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Thank you for your comment. The proposed requirement would apply only to new construction; encouraging a balanced approach to access is important for all uses.                             |
| 759          | C        | Mary Buckley Comments (ward 8)                    | 8/25/2014 | bike parking         | Eliminate bike parking requirement for new churches.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for your comment. The proposed requirement would apply only to new construction; encouraging a balanced approach to access is important for all uses.                             |
| 805          | C        | Susan Kimmel Testimony                            | 9/8/2014  | bike parking         | I support provisions which encourage and enable more bike transit and reduce required minimums of vehicular parking. To me, after biking several miles to get to one's destination, parking my bike 50' or 120' from the door, probably does not make a lot of difference. Having enough spaces for short- and long-term parking, though, is very important. So I support aligning the number of spaces for residential buildings to match DDOT starting with 8 units instead of 10. I also think you need 10 spaces <u>close-by the entrance, that is, within 50'</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Thank you for your supportive comment.                                                                                                                                                      |
| 881          | C        | Wilkes Company Comments                           | 9/15/2014 | bike parking         | Section 2004 - the alternative language proposes some changes with respect to the location of short term bike parking spaces, but maintains that the minimum of 10 spaces within 50 feet of a primary building entrance. This may well not be workable, depending on the use and condition of the public space. Greater clarification is needed for the calculation and location of the <u>minimum number of short-term bike parking spaces</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comment. OP ahs proposed to amend the proximity requirement to 120 feet.                                                                                                 |
| 768          | C        | Alma Gates Neighbors United Trust Comments        | 9/2/2014  | GAR                  | It's not clear the current iteration of revised text requires implementation of effective sustainable environmental protections. If GAR is to be an effective tool for increasing the quantity and quality of environmental performance of the urban landscape there must be constancy and consistency. Given the seasonal nature of Washington, DC's climate, vegetated walls, some plantings, some vegetated roofs, and some landscaped areas will most likely not survive intense cold or heat and will fail to meet the overall goal of GAR on a year-round, long-term basis. For example, will a vegetated wall function in January? Will the vegetation remain for four seasons or should vegetated walls be removed from the list because they are seasonal elements? Most ground cover is a year-round survivor. The multipliers assigned to vegetated walls and ground cover appear skewed, given ground cover is not seasonal. Vegetated wall, planting on a vertical surface – multiplier of 0.6. Ground covers, or other plants less than 2 ft. at maturity – multiplier of 0.3. Regardless of whether a vegetated wall or ground cover is indicated, lot line to lot line building coverage precludes environmental performance of the urban landscape. The downtown area of the city, already densely constructed and, which is about to expand three-fold, will be mostly exempt from any GAR requirements and continue to act as a Grey Funnel, allowing pollution and toxins to be washed into local rivers and the Chesapeake Bay. (See proposed Downtown map below.) The changes proposed by the Office of Planning to the Green Area Ratio subtitle are minor tweaks. The Zoning Commission must ask how the GAR will benefit the city in the long-term if the land area to be included is so limited and the proposed solutions are so minimal; how does GAR move the city from a grey funnel to a green filter; and, which agency will be charged with ensuring GAR is implemented on a long-term basis? | OP has proposed clarification language as alternate text.                                                                                                                                   |
| 814          | C        | Alma Gates Neighbors United Trust Testimony       | 9/8/2014  | GAR                  | While GAR doesn't apply to the residential zones, which feed sewer outlets, they are the source of sewage spills. Two new multi-acre housing development and large additions on the campuses of Georgetown, American, and George Washington Universities appear to have had an impact on the area's infrastructure. Currently the GAR contains "an ounce of prevention" but lacks the metrics necessary to measure infrastructure capacity and ensure future Potomac sewage spills don't occur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | OP proposed, and the Zoning Commission adopted, separate, more appropriate pervious surface limits for the low density residential zones; GAR does apply to multi-family residential zones. |
| 885          | C        | Deborah Kavruck Comments                          | 9/15/2014 | height               | Do not increase height allowance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comment                                                                                                                                                                  |
| 845          | C        | Chris Collins Holland & Knight Comments           | 9/15/2014 | height               | Respectfully request that the Commission incorporate the adopted provisions of Chapter 4, Section 402 in Order No. 08-06-B, dated February 7, 2011. Portals Development Associates is most interested in retaining Section 402.4 as adopted by the Commission in Order No. 08-06-B, which would insure that Maryland Avenue can continue to be the point of measurement for the Portals. Includes attachments A, B1-B3, and C1-C12.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | OP agrees this adjustment should be included to reflect the long standing conditions of development of the Portals on Maryland Ave SW.                                                      |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                       | <b>Date</b> | <b>Issue</b>        | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>OP Response</b>                                                                                                                                     |
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| 848                 | C               | The Committee of 100 on the Federal City Comments | 9/15/2014   | IZ                  | Affordable housing –reduce the percentage of AMI for IZ eligibility. It is widely known, that 80 and even 60 percent of AMI does not capture the low income DC population. The current IZ program is skewed to higher incomes that are outside the income group targeted by IZ programs. The percentage should be significantly lowered to perhaps 30% in order to ensure that limited IZ resources are reserved for the lowest income population. Other program improvements should ensure that fees do not conflict with intent of the program to provide stable and affordable housing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | OP will be addressing concerns raised regarding IZ through a separate process.                                                                         |
| 865                 | C               | ANC 6B Comments                                   | 9/15/2014   | IZ                  | ANC 6B believes it is important to ensure that affordable units built now remain affordable units in the future, even beyond the 30-40 year window after which certain units can revert to market rate, typically associated with current affordable housing projects. Subtitle C, Section 2204.1 appears to achieve this goal but only for units created after implementation of the new regulations. It's important that the ZC carefully review this section of the proposed text to ensure that it achieves the objective of creating long term affordable units, not just for future developments, but for existing ones as well. In reviewing this section, ANC 6B also notes that Subtitle C, Section 2201.4(a) exempts areas in Georgetown and near the Naval Observatory from IZ requirements. Perhaps there is a justification for this, but on the surface, it seems to be an exclusion that only heightens the perception of Georgetown as an entitled and exclusive enclave and works against creating socio-economically diverse neighborhoods. All areas of the city, including its most well off neighborhoods, should contribute to solving one of the greatest problems facing DC. ANC 6B also notes that the section exempting large areas of Georgetown is a recent amendment which has had little prior scrutiny and further reinforces our objection to the exemptions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | OP will be addressing concerns raised regarding IZ through a separate process.                                                                         |
| 868                 | C               | Paulette Tilghman Comments                        | 9/15/2014   | IZ                  | As a native Washingtonian, I am hurt by the way my city subsidizes the displacement and gentrification of many of the people who were born here. Please redefine "affordable" housing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP will be addressing concerns raised regarding IZ through a separate process.                                                                         |
| 782                 | C               | Robert T. Richards Testimony                      | 9/4/2014    | IZ                  | Redefine “affordable housing” to be more transparent; discretionary zoning benefits should be tied to different levels of affordable housing, with fewer benefits for higher levels of affordability. We object to the draft code’s definition of “affordable housing” because its lack of transparency facilitates and encourages displacement and gentrification in the worst sense of those terms. The definition streamlines and simplifies the various definitions of “affordable housing” contained in the existing code for PUDs, IZ and the Downtown Development Overlay, some of which are imported from other statutes. Under the proposed new definition, housing for any 4-person household earning up to \$86,000 (80% of AMI) is affordable. Housing for any single-person household earning up to \$61,000 is affordable. (DC IZ income limits at 80% AMI). The average household income for all of Ward 7 is \$54,000. A random sample of ZC orders, summarized in the footnote below, shows that the majority PUD-related affordable housing targets the 60 to 80 AMI range, which, to repeat, exceeds the Ward 7 median income even at the lower range. For purposes of transparency, any new definition should retain distinctions among “moderate,” “low” and “very low” income housing, with some numbers attached for additional clarity. The draft PUD regulations refer variously to “affordable,” “moderate-income” and “low-income”) without indicating how that translates into dollars. Also, the PUD rules state that housing shall be administered pursuant to IZ standards, which targets households at the 50% and 80% AMI levels. As a matter of policy, the Commission should reserve the most substantial benefits within its discretion for households most in need. Largely through the PUD process, the Zoning Commission confers development bonuses in exchange for public benefit and amenities, which typically include some level of affordable housing. Yet much of this housing is beyond the reach of much of the District. In addition, many of the affordable units are sized and located for young singles on their way up the job ladder. We are subsidizing gentrification and simultaneously forcing out long-time, low and moderate income residents. There may have been a need 20 years ago to rebalance the District’s income mix to build a middle class. However, it makes no sense in today’s economic climate in the city to keep throwing zoning benefits at housing for new singles earning up to \$60,000 while young singles who grew up in the city in Wards 5, 7 and 8 cannot get out of their parents’ house. I realize that a project’s financial structure often drives the income mix, especially when government financing is involved. You do retain the power of clarity and the power of “no.” You need not indiscriminately treat the term “affordability” as a one-size-fits-all umbrella covering a \$60,000 a year single and a female head of household with children earning \$34,000 (the median income in some Ward 7 census tracts). Words matter. More powerfully, the Zoning Commission | OP will be addressing concerns raised regarding IZ through a separate process.                                                                         |
| 728                 | C               | David Alpert Greater Washington Comments          | 7/3/2014    | loading             | Delay is causing harm to neighborhoods as non-controversial yet important smaller proposals in the ZRR remain not part of the zoning code.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for your comments. The Zoning Commission is holding the record open until September 15, 2014 and will deliberate once the record has closed. |
| 848                 | C               | The Committee of 100 on the Federal City Comments | 9/15/2014   | loading             | Parking and Loading – don’t approve. OP has not presented data that shows its proposal won’t transfer parking and loading demand to public streets.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for your comments.                                                                                                                           |
| 779                 | C               | Mary Buckley Testimony                            | 9/4/2014    | parking - car share | Car share spaces should not be required to be provided at religious institutions. However, sharing of parking spaces between uses are an excellent idea. I hope this includes DC School parking lots, which DC has shuttered to preclude any use, except staff during business hours.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your supportive comment.                                                                                                                 |
| 779                 | C               | Mary Buckley Testimony                            | 9/4/2014    | parking - car share | D 1601.2(a)(3) permits up to 2 car share spaces in an R-2, which, if provided, would be in addition to the required parking space for the house. In order to have ample parking for visitors in such a residential community, and to avoid the appearance of a parking lot, I suggest and recommend a minimum lot size for the R-2 (R-1-B).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for this comment - OP will propose adding a minimum lot width requirement to the new text.                                                   |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                        | <b>Date</b> | <b>Issue</b>             | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 759                 | C               | Mary Buckley Comments (ward 8)                     | 8/25/2014   | parking - car share      | Eliminate care share requirement at religious institutions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Existing buildings would not have to provide car share spaces. OP proposed an alternative that included removing the proposal to require car-share spaces in new development. An existing church could (under the current and the proposed regulations) provide a car-share space if it wished to, but there would be no requirement to do so.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 881                 | C               | Wilkes Company Comments                            | 9/15/2014   | parking - car share      | Section 1908 - the alternative language proposes to eliminate the mandatory requirement for car sharing spaces in all developments. This change is supported.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your supportive comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 759                 | C               | Mary Buckley Comments (ward 8)                     | 8/25/2014   | parking - churches       | Churches that DC government has designated to be in a historic district, due to the age of church's structure, should not be limited or impact the church's ability to expand parking surface or lots on a religious institution's property that was owned prior to effective date of ZRR.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for your comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 779                 | C               | Mary Buckley Testimony                             | 9/4/2014    | parking - compact spaces | Recommend eliminating the ZRR requirements that car share spaces, compact spaces up to 50% of all spaces be eliminated at residential multi-unit buildings, i.e., condos.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for this comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 881                 | C               | Wilkes Company Comments                            | 9/15/2014   | parking - dimensions     | Section 1901.13 requires all non-required parking spaces to comply with the applicable provisions of Chapter 19, including access and size. This requirement is a change from the current Zoning Regulations, which permit non-conforming spaces to be provided in a parking garage but do not permit such spaces to be counted for the zoning minimum. For example, tandem spaces are commonly provided in below-grade parking facilities, but only count as one space for zoning. This section would eliminate the ability for tandem spaces or other types of non-compliant spaces to be provided above the minimum number of parking spaces required by zoning. Accordingly, the last phrase of this section should be deleted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for your comment. OP will propose this change to the Zoning Commission, to ensure that provided parking spaces can be used as efficiently as possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 797                 | C               | Cheryl Cort Coalition for Smarter Growth Testimony | 9/8/2014    | parking - downtown       | We oppose the OP proposed language to "require parking in the D-5 zone west of 20th Street, NW." We support the alternative: "retain the parking standards for the D-5 zone west of 20th Street NW as originally setdown on September 9, 2013."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 877                 | C               | ANC 5D Resolution                                  | 9/15/2014   | parking - general        | 7. The proposed regulations that substantially limit, restrict and eliminate parking should be removed from the Zoning Rewrite process. The Zoning Commission and Office of Planning should work collaboratively with the District Department of Transportation and the Washington Metropolitan Transit Authority and ANC's to create a viable plan that encourages DC residents to walk more and utilize mass transit. The District should not seek to penalize car owners through onerous codified regulatory action(s). Planned unit developments (PUD's) should continue to include adequate parking to protect the affected community against parking congestion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for your comments. Throughout the ZRR process, OP has worked closely with DDOT and has collaborated with WMATA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 877                 | C               | ANC 5D Resolution                                  | 9/15/2014   | parking - general        | 8. The city should explore the feasibility of providing tax relief to residents that are willing to create parking spaces on their property to relieve on-street parking demand and congestion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for your comments. The OP proposal would not prevent the provision of parking on a property, and would facilitate the off-site location of parking and the sharing of parking spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 862                 | C               | ANC SMD 8A01 Holly Muhammad Comments               | 9/15/2014   | parking - general        | 9/5/14 - There seems to be a war on drivers in the District of Columbia. OP intends to eliminate parking through the zoning re-write. With all of the metro, bus and bicycle use in DC, vehicular traffic is still necessary. The ZRR is written for the young, single, able bodied individual. There is no concern or compassion expressed in the re-write for the elderly, families or the disabled when it comes to the use of vehicles vs walking, cycling or using metro rail transit. Is it written this way because these are the classes that will be eliminated through the re-write? Ward 8 has an abundance of elderly, families and disabled people because this is the Ward that is affordable for these classes. The ZRR proposes to eliminate parking for new developments near metro stations and actually penalize developers for exceeding the maximum number of parking spaces not taking into account the many classes of people who must use a vehicle for transportation. Many of our elderly neighbors are not able to do a lot of walking and there is a lot of walking involved to use the metro rail. They either are still driving to doctor's appointments, shopping and errands or they have someone else who transports them for these appointments. Parking is a necessity for this group. We have families that must use a vehicle for transportation vs a bicycle or the metro rail that can become very expensive for a family of four, five or more. Parking is a necessity for this group. We have our disabled neighbors whom many also find it difficult to get around without a vehicle. Then you have those that must use a vehicle for the type of life style they lead. It is a matter of choice most times but a matter of necessity many times. To reduce parking at a 10 unit building from 1 for every 2 units to 2 spaces for the full 10 unit building is excessive. To reduce parking by 50% in areas of metro rail or major bus lines is again excessive. There must be ANC review when there is a proposal for the reduction of the required minimum parking spaces in the community. This will allow the ANC to review the arguments and "advise" the BZA about neighborhood parking conditions. The ANC must have review and be able to advise the BZA when it comes to parking issues. The Commissions are familiar with the communities they are familiar with the residents and they are familiar with the issues that will affect the reduction of the required number of parking in any given community. | OP is not proposing to eliminate parking; rather OP is proposing to change - in many instances lessen - the requirement for the minimum number of parking spaces. By providing a zoning code that is less auto-centric and more responsive to all modes of travel and more responsive to the physical make-up of the city, it can benefit all residents, young and old. OP notes that the current regulations - established many years ago - require 1 space for every 6 seniors residences and the proposal would maintain this minimum requirement. OP is not proposing to eliminate parking close to metro stations. OP's proposal for parking mitigation is intended to ensure that developments that provide excess parking alleviate some of the traffic and environmental costs associated. OP agrees that whether to incur the cost of a parking space should be a matter of choice; unfortunately the current regulations effectively require parking that owners are required to have and pay for, whether they use it or not. ANC review for any further reduction in parking would continue to be required. |
| 841                 | C               | Andrea Rosen Comments                              | 9/15/2014   | parking - general        | Having a place to store a car continues to be crucial to keeping cars off the streets. Making rules that punish car ownership and use without offering realistic transportation alternatives puts the cart before the horse. Please don't institutionalize dysfunction by codifying it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                | <b>Date</b> | <b>Issue</b>      | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| 858                 | C               | Larry Werner Comments                                      | 9/15/2014   | parking - general | How many parking spaces to require shouldn't be a difficult decision at all. Almost everyone can agree that there are not enough on-street parking spaces for existing City and commuter vehicles. While I can't provide specifics, it seems very clear that the number of on-street spaces -- especially in areas of shortage -- actually is decreasing for many reasons. Many of us (although in public statements not the Office of Planning) understand that the number of Vehicles registered in Our City is INCREASING at roughly the same rate as the population is increasing. Many of us also have noticed that the DC government (DDOT) has dramatically increased the number of on-street parking spaces reserved for some (albeit sort of local) residents to the exclusion of the majority of residents. Block after block has been reserved in one way or another for those able to get the City to grant an RPP (and willing to pay just \$35 per year). And more and more blocks now are reserved 16 hours a day, seven days a week. All -- repeat ALL -- of these spaces reserved for the privileged few are in what OP used to refer to as Transit Zones. By definition, every RPP space is supposed to protect "local" residents from those terrible commuters. On RPP result is that some are able to travel through substantial parts of the City without paying for parking. Another result is that more and more can't enjoy the amenities of our City even if they're willing to pay to park. An on-street parking space for which the City charges \$2 per hour from 7 AM - 10 PM six days per week and 50 weeks per year has a potential "value" of \$9.000 per year. (16 hours a day, seven days a week, no holidays increases that cost to \$11,748 a year.) Those are the cost that are shifted from developers to City taxpayers and residents for EACH parking space you permit developers not to provide. And I'm unaware of ANY evidence that developers will pass on to housing renters or purchasers possible savings from not having to provide parking. At least in the current system developers have to negotiate with residents. That's not good, but it's better than changing the rules to give developers a supposedly huge benefit at absolutely no cost. Put simply, we need MORE required parking, not less.                                                                                                                                                                                                                                                        | Thank you for your comments. OP will forward your comments regarding on-street parking to DDOT.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 839                 | C               | Sandy Shapiro Comments                                     | 9/14/2014   | parking - general | I am concerned about many of the proposed changes in the zoning regulations included in the text advertised in September 2013 and the alternative text advertised in June 2014. I do not think that either of the changes will lessen traffic and subsequently, it will discourage local patronage (due to the increased traffic and because of the lack of parking spaces). I am particularly concerned about the proposed changes in the zoning regulations, which would reduce our already low minimum parking requirements citywide, and the impact of those changes on many DC neighborhoods, including my own neighborhood of Chevy Chase/ Friendship Heights. The current minimum parking requirement along much of Wisconsin Avenue is one space for every two units, and with the ZRR, this would be reduced to less than one space for every six units. New development in this area with one off-street space for every two units will result in spillover parking, making our currently tight parking situation even worse. The number of cars per household in DC has been constant at about 0.9 per household for decades. For some neighborhoods, like mine, the number of cars per household is even higher. The proposal to cut the minimum parking requirement by 66% makes the spillover problem even worse. This proposal is not supported by any empirical evidence. DDOT's proposed solution is to raise the price of parking permits for residents of neighborhoods that are impacted by this unjustified change in the zoning regulations. This is an unreasonable way to handle the impact of allowing the developer to build inadequate parking and does not address the basic problem: New developments are increasing demand for parking at a higher rate than they are providing additional off-street parking. I am also concerned about proposal for mitigating excess parking, where a developer who provides more than one space for every two units (September 2013 text) or two spaces for every three units (June 2014 text) will be assessed a penalty. As drafted, the penalty will be assessed even if the developer is providing less parking that the tenants are likely to need. This does not make any sense. I ask that you drop the proposed changes to the parking regulations, and that any changes in the parking regulations be deferred until after the Zoning Commission has been presented with recommendations that can be supported with empirical data. The recommendations in the ZRR text under consideration now cannot be supported by empirical data. | Thank you for your comments. OP is not proposing to reduce the supply of parking. OP is proposing to change - in many cases lessen - the minimum number of required parking spaces for new developments. OP will also pass on your comments regarding on-street parking to DDOT.                                                                                                                                                                                                                                         |
| 774                 | C               | Marilyn Simon Friendship Neighborhood Association Comments | 9/4/2014    | parking - general | The alternative language fails to address the fundamental concerns about OP's failure to map transit zones consistent with the Comprehensive Plan. Both the setdown and alternative proposals are inconsistent with ZC 08-06-C, where the Zoning Commission required OP to explain its mapping and demonstrate consistency with the specific Comprehensive Plan policies listed in the FNA comments on the NPRM. In closing, we urge you to review the entire record, including substantive filings from earlier phases of this process, to note what is in the record and what is missing from the record. After careful review, we expect that you will find that support for many of the more controversial policy changes is absent. You are being asked to adopt policy changes which have no Comprehensive Plan mandate, and where, in many situations, the Comp Plan language explicitly embraces a different goal. These drastic reductions in minimum parking requirements should be dropped, as recommended by Councilmember Cheh, Councilmember Evans, and former ZC Commissioner John Parsons, we ask that the parking recommendations be deferred until the ZC is presented with recommendations that can be supported by empirical evidence. We have similar concerns about other sections of the document, as evidenced by our earlier testimony.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | The parking proposal is fully consistent with, and furthers the objectives and the goals of the Comprehensive Plan and District objectives for providing a more balanced and sustainable approach to transportation issues, as discussed in many OP reports available on the OP ZRR website. The parking proposal does not set policy for the District, rather it supports and helps to implement current, established District policies, although OP understands that not everyone is in agreement with those policies. |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                  | <b>Date</b> | <b>Issue</b>          | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| 864                 | C               | Coalition for Smarter Growth Comments        | 9/15/2014   | parking - general     | We would like to offer additional evidence regarding how the added cost from parking minimums raises housing costs and discourages new housing. Attached please find a construction cost feasibility assessment submitted in support of a variance to build fewer parking spaces than the required 1 space per 2 unit ratio under current zoning. The developer proposed a 1:3 parking ratio for a small apartment building located close to major transit services (local bus service, Bus Priority Corridor, future streetcar), and local amenities (grocery stores, restaurants, shops). The 1:3 ratio could be achieved by excavating one level below grade. To meet the higher 1:2 parking requirement, the project would need to excavate another level below grade, incurring significantly higher costs. The estimated cost per space is \$35,000 for one level below grade, and \$52,000 per space for 2 levels below grade. The developer determined the proposed 1:3 parking ratio would satisfy demand for parking at the building. Further, the developer determined that future tenants would not be willing to pay for the additional cost of the additional spaces required by the zoning code. To offset these added costs, rents would need to be raised by \$168/unit for each of the 45 units in the building to recoup the loss. Give these costs, the developer determined that the added costs would make the project infeasible. We note that the 45-unit project planned to provide 3 IZ units at 50% of AMI and 3 units at 80% of AMI. Thus the high cost of the parking requirements are raising housing prices, constricting housing supply, and reducing the number of affordable units that could otherwise be built in a highly accessible neighborhood. Given this evidence, we reiterate our support for the reduction of parking minimums to 1:3 for multifamily housing, and a 50% reduction in areas within 1/4 mile of Priority Bus Corridors, streetcar, and 1/2 mile of Metrorail stations. | Thank you for your comments and your analysis.                                                                                                                                                                                                                                                                                                                                                                                              |
| 779                 | C               | Mary Buckley Testimony                       | 9/4/2014    | parking - landscaping | Scale back green space requirements for surface parking lots for religious institutions. This requirement should be less stringent for nonprofit religious institutions by scaling back on some of the green space requirements in the ZRR that are required for profit commercial businesses. Worshipers are already supporting their residences and such stringent requirements for shrubs and trees to maintain in landscaping requires a large budget for nonprofit religious institutions. Recommend revert to existing standards for religious institutions. Tree canopy of 30% and landscaping of 10%.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your comment. The proposal would apply only to new construction, not to existing churches. However, OP feels it is important for churches to fit in with residential neighborhoods, including minimizing visual impacts of surface parking lots, which has been a concern in many neighborhoods.                                                                                                                              |
| 779                 | C               | Mary Buckley Testimony                       | 9/4/2014    | parking - low density | Eliminate from the ZRR the requirement that parking be eliminated from R-2's when there is no alley access. Many newly built R-2's in SE do not have alley access and with this requirement, homes would be without garages.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Thank you for the comment - OP continues to support not requiring an on-site parking space if there is no alley, to minimize detrimental impacts on street parking and streetscape.                                                                                                                                                                                                                                                         |
| 779                 | C               | Mary Buckley Testimony                       | 9/4/2014    | parking - low density | Since all R-2s are not within a 1/4 or 1/2 mile of public transportation, the ZRR should require developers to have on-site covered parking. Residents want to be mobile outside of DC city limits - to places that are not metro accessible. Also, some residents cannot afford "Car 2 Go" and car share rentals (that will permit parking almost anywhere in the city) and without 24-hour parking and without cars, residents are restricted in their travels. The not required garages for R-2s is equivalent to living in apartments and purchasers of R-2's are seeking a more convenient and less restrictive movement for out of town travels.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | You are correct that most R-2 is not close to transit. OP is not proposing that the 50% transit reduction apply in the R-1 through R-4 zones. OP is proposing to retain the requirement for one parking space for each R-2 property, unless there is no alley in which case the parking could be provided, but would not be required.                                                                                                       |
| 820                 | C               | Hazel Rebold Comments                        | 9/9/2014    | parking - low density | The fantasy that somehow public transportation now supplants the need for parking is contradicted by reality. I have lived in my single-family house in Friendship Heights for over 29 years, and the lack of sufficient parking has grown significantly worse over time. Even though I do not own a car, my one private parking space is absolutely essential. When I have workmen here for maintenance, or visitors for an afternoon, or house guests for the week, there is simply no place on the street for them to park anywhere in the vicinity of my house. What will happen to the workmen's trucks, delivery trucks, visitors' cars, and house guests' cars of the current and future residents? Not to mention the cars of their nannies, their housekeepers, and their spouses who don't work near another metro? Even people without a car need some parking space. The situation is already very bad, and the proposed changes just make things even worse. The currently available parking is grossly inadequate, and if changes are to be made, the required spaces should be increased.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for your comment. The proposed transit reduction would not apply in low density residential zones, and there is no proposal to remove anyone's private parking space.                                                                                                                                                                                                                                                             |
| 864                 | C               | Coalition for Smarter Growth Comments        | 9/15/2014   | parking - low density | We would like to offer additional support for the proposed "1 per principal dwelling when alley available" for one family dwellings. We agree that this is a reasonable compromise between advocates who want to require off-street parking, and the many harms of a new curb cut which would remove a shared street parking space, disrupt continuous sidewalks, and degrade historic streetscapes. To require a curb cut on a public street guarantees that an on-street parking space that is currently shared by the residents and visitors of the block would be privatized for the exclusive use by an individual property. This is a net loss to the public of available street parking. The new curb cut and driveway not only negatively affect the availability of parking not he street for neighbors, but also interrupt the sidewalk with a new conflict point with pedestrians, and undermine the historic fabric of continuous sidewalks and grass panels along the street. We want to restate our support for the reasonable compromise proposal to require a parking space if an alley is available, but not force a curb cut and driveway into the public street and sidewalk if an alley is not available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                |
| 760                 | C               | Benedicte Aubrun Comments (11-12-13 hearing) | 8/25/2014   | parking - minimums    | 1901.5 should be changed to keep the current R4 and R5 requirement with at least one per owner occupied dwelling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | The requirement in R-4 is not proposed to change, other than to increase the requirement for an apartment conversion from 1 space / 3 units to 1 space / 2 units. OP has also not proposed to change the requirement in R-5-A for single family dwellings or flats (1 / principal building), but it would change for apartments from 1 / unit to 1 / 3 units over 4 units, and the 50% parking reduction for transit proximity would apply. |

| ZC Exhibit # | Subtitle | Name                                                              | Date      | Issue              | Comment/Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| 822          | C        | Marilyn Simon<br>Comments                                         | 9/10/2014 | parking - minimums | A single paper was the basis for the Office of Planning’s claim that minimum parking requirements increase housing costs in its November 5, 2010 Hearing Report on its proposed parking regulations. The paper was seriously flawed and the underlying assumptions in this paper do not apply to DC’s current zoning regulations. The cited paper provides no support for the claim that our current, low minimum parking requirements increase housing costs or that OP’s proposed reductions in the minimum parking requirements would increase the supply of affordable housing. The paper (Allen Greenberg, “How New Parking Spaces May Effectively Increase Typical U.S. Urban Housing Total Unit Costs by \$52,000 to \$117,000,” November 15, 2004, unpublished) cited by OP has been introduced into the record as Exhibit No. 327. The analysis in only paper cited by OP to support its claim that minimum parking requirements raise housing costs does not apply to DC’s current zoning regulations and does not support OP’s position. The Office of Planning has not provided any reasonable support for their claim that our minimum parking requirements of 0.25 to 0.5 spaces per unit for multi-family housing increase housing costs, other than the cost of a parking space paid for by households that require parking. Given DC’s current minimum parking requirements, which are far below vehicle ownership rates in DC, and far below the minimum parking requirements in neighboring Arlington, which requires at least 1.125 spaces per unit (providing adequate parking for Arlington’s residents and shared parking for their visitors), our parking requirements would not be a cause DC residents to be unable to find housing where they were not required to also buy or rent a parking space.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | OP proposals were based on multiple sources, DC-based research, and Zoning Commission guidance, available on the OP and DCOZ ZRR websites and discussed in the many OP reports.                                                                                                                                                                                                                                                                                                                        |
| 809          | C        | Tenleytown Neighbors<br>Association David P.<br>Frankel Testimony | 9/8/2014  | parking - minimums | Despite the fact that vehicle ownership in DC is holding steady at 0.9 vehicles per household and continued population growth is projected, it seems to be the vogue to require no new parking in projects. Urban renewal was once the fashion and all the "bright minds" and urban planners embraced it with passion. Now reducing the supply of parking is all the fad. The existing requirement of one space for every two units along Wisconsin in Tenleytown is already well below the consistent demand of 0.9 vehicles per household. TNA is therefore disappointed and perplexed that OP's solution to increased motor vehicle ownership is to provide fewer places to park. Many of us have lived in DC a long time. I've lived in the District for more than 30 years and in my upper NW DC house for 28 years. We are required to pay income and real property taxes, keep the tree boxes neat, and shovel the snow and ice off the sidewalk in front of our houses. We come in many configurations, elderly, disables, families with children. We need to purchase our groceries, get to the doctor, and take our kids to soccer practice. It is not unreasonable for us to be able to park near our homes. We ask that you require that all new projects provide sufficient on-site parking to meet the demands of their commercial and residential uses. In TNA's view, the ZC should be <u>increasing</u> on-site parking requirements for new projects, not decreasing or eliminating parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for your comments. OP is not proposing to reduce the supply of parking. OP is proposing to change - in many cases lessen - the required number of parking spaces for new developments.                                                                                                                                                                                                                                                                                                       |
| 821          | C        | Susan MacKnight<br>Testimony                                      | 9/10/2014 | parking - minimums | I want to revisit the issue of minimum parking requirements in the context of the alternative language to the draft zoning update text. At the February Ward 3/Ward 4 hearing on the Zoning Regulations Review, I criticized the advertised text proposal to slash the District’s already low minimum onsite parking requirements for new multifamily residential projects close to public transportation. This idea, I argued, ignores the reality that a majority of Washington households own a vehicle – a proportion unlikely to change even as more condo and apartment buildings go up near mass transit. It is an exceedingly blunt tool for regulating off-street parking in these developments, I maintained. The proposed alternative of freeing new multi-household residential buildings near WMATA Priority Bus Corridors from the requirement of deep cuts in onsite parking spaces is a small step toward a more rational policy. The Office of Planning says this suggested change would extend to 10 name neighborhoods and portions of six heavily traveled D.C. roads. However, condo and apartment projects still could be developed with inadequate or no onsite parking on land along upper Wisconsin Avenue, home to two Metro stations, and on property around the city’s many other subway stops. Going from one required off-street parking space for every two housing units now to one space for every six units – a whopping two-thirds reduction – in my neighborhood and at other similarly zoned locations close to Metro without any analysis of prospective demand for parking is not how sound public policy is achieved. I urge the Zoning Commission to direct OP to rework the advertised text’s one-size-fits-all approach to minimum onsite parking requirements for projects near Metro. Scaling base parking numbers to estimates, however rough, of future demand in the targeted areas is necessary to prevent spillover parking in adjacent low-density neighborhoods and other unintended consequences of a poorly conceived initiative. Those figures might be the current requirements or levels in-between what the advertised text provides and the present minimums. I also would add to OP’s review agenda the trigger for penalizing developers that provide “excess” onsite parking. The amended document proposal to raise the threshold for mitigation to twice the required amount is progress. Additional research no doubt would show that the trigger should be even higher around certain Metro stations. | The proposal for parking is much less "one size fits all" than the current regulations, which have no direct relationship to the physical character or development patterns of the city, or to where parking is demanded. The proposal for parking would relate less to zone, which can be and are geographically located anywhere in the city (for example either close to or far from transit) and more based on relationship to proximity to transit and downtown, where parking is less in demand. |
| 885          | C        | Deborah Kavruck<br>Comments                                       | 9/15/2014 | parking - minimums | Leave parking minimums as is or increase parking minimums. Do not decrease parking minimums. People then crowd the streets to park their vehicles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 760          | C        | Benedicte Aubrun<br>Comments (11-12-13<br>hearing)                | 8/25/2014 | parking - minimums | Maintain existing minimum parking standards. Remove penalties for providing in excess of the minimum number of parking spaces. Celebrate the provision of a scarce resource, i.e. parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 868          | C        | Paulette Tilghman<br>Comments                                     | 9/15/2014 | parking - minimums | New developments should be required to provide parking. Do not allow them to avoid that responsibility. Please, no reductions in parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                | <b>Date</b> | <b>Issue</b>         | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 819                 | C               | Ellen Bass Comments                                        | 9/9/2014    | parking - minimums   | OP already cut back its proposal on off-street parking requirements from no parking minimums in transit zones to a mere 50 percent reduction near transit. This was unfortunate, for the reasons given in my previous testimony. Now OP would further erode this reform, which seeks to encourage use of public transit (without prohibiting anyone from driving), by proposing to remove the priority bus corridor from areas in which reduced parking space minimums would apply. I support retaining the bus corridors as part of the area where reduced parking minimums would apply, as the alternative states. It is apparent that buses are going to be increasingly important for public transit, because the expense of building new subways and light rail makes them difficult to expand (as we have seen in the case of the metro Silver Line and proposed purple line in Maryland). It therefore makes sense to include such bus corridors in the transit/parking equation.                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 876                 | C               | Kalorama Citizens Association Comments                     | 9/15/2014   | parking - minimums   | OP's ideas with regard to eliminating minimum parking requirements for new construction or construction that significantly alters existing properties is not compatible with the built environment of Adams Morgan. Resolution approved February 21, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 848                 | C               | The Committee of 100 on the Federal City Comments          | 9/15/2014   | parking - minimums   | Parking and Loading – don't approve. OP has not presented data that shows its proposal won't transfer parking and loading demand to public streets. This is another example of OP promoting its agenda and giving a waiver to developers at the expense of DC residents. The DDOT Curbside Management Study report makes it clear that our city transportation experts think that commercial loading and parking on public streets is untenable and not meeting the expressed needs of the industry so how can OP propose to reduce the responsibility of private developers to provide for the demand they create? The Zoning Commission should not accept OP's agenda of reducing private resources to handle vehicular demand in light of the inconvenient truth recently stated by DDOT. These proposals should be tabled or rejected until DDOT completes its study which should include a comprehensive evaluation of public and private parking and loading resources.                                                                                                                                                                                                                                                                                                                                                                                                 | OP welcomes, and coordinated with DDOT on, the Curbside Management Study. Although it addresses on-street parking, it is, as noted by DDOT, the parking proposals in the ZRR are sensitive to context and set a framework for the continued evolution of off-street parking provision, but do not preclude any of the approaches we outlined in our study. DDOT has indicated support for the ZRR proposals, to provide minimum parking requirements based on proximity to transit and geographically defined need, rather than the current regulations which have no rationale OP will continue to work with DDOT to ensure continued coordination of on and off site parking standards and programs. OP's proposals are consistent with and further District transportation policies. |
| 811                 | C               | Allen Seeber Testimony                                     | 9/8/2014    | parking - minimums   | Some zoning commissioners would allow WMATA to alter parking regulations in our neighborhoods without public comment at the time changes are made. The provision asserts that WMATA's mere designation of a High Frequency Local or Regional Bus Corridor automatically effects a 50 percent reduction in already slashed minimum off-street parking requirements a quarter-mile in any direction from the designated bus route. Where there is actual bus service is irrelevant. As a practical matter, addressing DC zoning concerns to WMATA in any discussion of bus corridors will result in a blank stare. More importantly, such regulatory relegation to WMATA is likely illegal and is most certainly terrible public policy. The Commission's manipulation of minimum parking regulations in the context of DC traffic problems in confusing. There are four sources of DC traffic congestion, in order of severity: commuters, service personnel, visitors, and local residents. The latter own cars, however much they drive. The logical approach would be to store those cars underground, relieving roadways of storage demand at the curb. Instead, some commissioners want to make car ownership onerous - in a city with a marginal mass transit system that mandates automobile usage - by relieving developers of the need to produce off-street parking. | Thank you for your comment - the alternate proposal would not include Priority Bus Corridors within the area where a 50% reduction in parking would be permitted. OP will also raise with the Zoning Commission the concept of requiring a separate Zoning Commission action, through a zoning text amendment, to add or remove a PBC, which OP would support.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 760                 | C               | Benedicte Aubrun Comments (11-12-13 hearing)               | 8/25/2014   | parking - minimums   | The Comp Plan asks that each are be individually analyzed; we don't want "one-size fits all." Planning and zoning should meet the needs of the surrounding community. There is zero evidence that there are fewer vehicles in DC now than in the past. In fact the number of registered vehicles, according to the DMV, increases every year. The minimums should not be changed and developers should not be penalized for creating parking spaces in excess of the minimum, there is already a major deficit in city parking and the idea of penalizing a developer for doing a good thing is very wrong.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | OP's ZRR proposals are consistent with the policies and objectives of the Comprehensive Plan, as described in detail in multiple OP reports available on the ZZR website. The proposal for parking is much less "one size fits all" than the current regulations, which have no direct relationship to the physical character or development patterns of the city, or to where parking is demanded. The proposal for parking would relate less to zone, which can be and are geographically located anywhere in the city (for example either close to or far from transit) and more based on relationship to proximity to transit and downtown, where parking is less in demand.                                                                                                        |
| 774                 | C               | Marilyn Simon Friendship Neighborhood Association Comments | 9/4/2014    | parking - mitigation | Increasing the trigger to twice the required parking begins to address this concern. However, given the very low basic requirement of less than one space for every three units, a responsible developer will still face a penalty for providing adequate parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 779                 | C               | Mary Buckley Testimony                                     | 9/4/2014    | parking - mitigation | Religious institutions should be exempted from mitigation from parking 1907.3 (a) - (d) from property that it currently owns or wants to expand, develop or remove a building and make a surface lot for their institution. However, for religious institutions that purchases property after the ZRR takes effect for the sole purpose of making a parking lot, the mitigation might apply.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for this comment - OP will raise this with the Commission, although OP notes that other provisions - such as the provision that facilitates the sharing of parking between uses - may also help places of worship provide sufficient parking without the expense of <u>constructing new parking</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 760                 | C               | Benedicte Aubrun Comments (11-12-13 hearing)               | 8/25/2014   | parking - off-site   | 1902.1 reduces the minimum by 50% for units within 1/2 mile of a metro stop or transit corridor. But the ordinance says that off site parking must be within 400 feet of a structure. If 400 feet is good enough walking distance for off site parking, then it is good enough for transit uses. Either reduce the transit requirement to 400 feet or increase the off site parking distance to 1.2 mile to be consistent. By the way, the 400-foot rule should be to the pedestrian entrance of any building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for your comment. Although these are very separate issues, OP will raise the idea of increasing the shared parking distance to 1/2 mile. The current proposal is that the distance be established at 600 feet (about 1/8 mile), with a larger separation permitted by special exception.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                | <b>Date</b> | <b>Issue</b>       | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------|-----------------|------------------------------------------------------------|-------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 774                 | C               | Marilyn Simon Friendship Neighborhood Association Comments | 9/4/2014    | parking - off-site | The alternative language proposes to increase the allowable distance for off-site vehicle parking from 400 feet to 600 feet, measured as the distance between the two property lines. In my earlier testimony, I pointed out that, for other jurisdictions, the distance for off-site parking is measured to the pedestrian entrance of the building (as is proposed for the bicycle parking) and that it is measured along the route that a pedestrian would actually take. I provided language based on the Arlington regulations. Yet OP's new language did not correct the method of measurement and an increase in distance was proposed. It wasn't clear to us why bicyclists could be expected to walk only 120 feet to the entrance, while people who arrive by car are expected to walk a distance that might far exceed 600 feet from entrance to entrance. I also highlighted how the regulations did not include necessary monitoring and enforcement mechanisms for off-site parking.                                                                                                                                                                                                                                                                                                   | As most multi-family buildings have more than one point of entry for residents (who would be served by off-site parking), and OP feels it provides more certainty to measure in the manner proposed. However, if the Zoning Commission wished to measure to the front entrance, OP would re-examine this provision and adjust the proximity distance accordingly. The conditions of enforcement and monitoring are provided in 1901.9; similar requirements are intended to be applied to 1901.8 and will be added. |
| 865                 | C               | ANC 6B Comments                                            | 9/15/2014   | parking - transit  | ANC 6B opposes OP's alternative amendment to remove Priority Bus Corridors from the areas within which required parking may be reduced up to 50% as a MOR. We continue to strongly support OP's original proposal that would have fully removed parking minimums from 1) single-family homes or residential development of less than 10-units and 2) apartment or commercial mixed-use zones within 1/2 mile of Metro or 1/4 mile of Priority Bus Corridors. OP's alternative amendment represents a further watering down of this original proposal and also send an unhelpful signal that bus transit should be treated differently than other forms of transit for purposes of zoning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 778                 | C               | Elizabeth Zgoda Testimony                                  | 9/4/2014    | parking - transit  | Express strong support for the proposed update to the DC zoning code proposed September 9, 2013. I especially support updating DC's outdated parking requirements to reduce parking minimums along all transit lines, including bus routes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for this comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 803                 | C               | Steve Beller Testimony                                     | 9/8/2014    | parking - transit  | I am in favor of the attempts of OP to modernize the ZRR, but I think that the current draft of OP is not progressive enough, and I am in favor of adopting the alternative language proposed by the Commission members, especially restoring the reduction of parking minimums 1/4 mile either side of bus routes, as in OPs earlier version of the ZRR. The ZRR should empower residents to live in DC without paying for parking they do not need. Preferably, there should not be parking minimums near transit nodes, but as least, as in the ZRR compromise, they should be halved. OP's latest draft ZRR took away this recognition from bus corridors, and in Northwest, along Wisconsin, this dramatically reduced the area where parking minimum reductions could be implemented. This should be restored. Why should high-volume bus routes be disregarded as effective public transit? The ZRR is not taking anyone's car away - the ZRR simply makes more attractive a car-free option to some, and a lower car-to-resident ratio is good for DC.                                                                                                                                                                                                                                       | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 805                 | C               | Susan Kimmel Testimony                                     | 9/8/2014    | parking - transit  | I support restoring the provision which reduces the required parking by 50% along priority bus corridors. If metro or other light rail transit doesn't reach all sections of the city, then we need to encourage more use of buses by discouraging private cars. Similarly, there is no reason to overbuild excess, expensive parking. It make most sense to set the threshold for mitigation at the lower 1.5 times the required amount rather than at double the number of spaces. Likewise, as the city grows and downtown spreads outward toward Georgetown, it makes sense to include the D-5 zone with the parking standards as proposed in the September 9th draft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 833                 | C               | Jeffrey Norman Comments                                    | 9/13/2014   | parking - transit  | I support the parking provisions of OP's proposed revisions to the DC Zoning Code. It should be legal for owners of property to build apartment houses near Metrorail or major Metrobus routes without parking requirements when they wish to build apartments for tenants who do not own cars. If builders are required to build more parking spaces than they need, those parking spaces are likely to remain unused and will do nothing to alleviate any parking shortages in the neighborhoods where these buildings are.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                     | C               | Judi Gold                                                  | 7/30/2014   | parking - transit  | If WMATA terms a route a high priority bus corridor does this automatically make it a high priority bus corridor under the alternative new proposal before zoning. I had thought (?) when OP originally wrote the draft on minimum parking and these corridors it was the city (OP or DDOT) that had to make the designation regardless of how WMATA uses the corridor. They believe that if WMATA makes the designation and it becomes fact, there is no accountability. WMATA being a step removed from the city and at least if OP/ZC makes the designation, individuals, ANCs, etc. can comment more easily and hold their elected officials accountable. And then of course all the officials would be from DC not the entire metro area. This becomes important because of the parking issue. Even out there in Chevy Chase they are very concerned that parking requirements would be limited even more than the proposal OP made. This is especially true for Military, but perhaps others. I'm sure you all know that this emanates from the MoveDC document and then from the new proposal. I did attempt to explain what Sam and I had discussed earlier about Military being Tier II and all, but it didn't matter. They want to know what makes a High Bus Priority designation a fact. | Thank you for your comment. OP agrees that any addition or deletion of a Priority Bus Corridor should require separate Zoning Commission action as a text amendment to the regulations.                                                                                                                                                                                                                                                                                                                             |
| 771                 | C               | David Alpert Greater Greater Washington Comments           | 9/3/2014    | parking - transit  | Priority Bus Corridors parking minimum: Retain previous language as advertised in the alternative. D-5 zone (West End) parking minimum: Retain previous language as advertised in the alternative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for your comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 776                 | C               | Judi Jones ANC/SMD 4B07 Testimony                          | 9/4/2014    | parking - transit  | Public transportation is ineffective in my SMD. Having a car is a necessity to access regular transportation. Parking is a premium in the community. Increasing the area for commercial parking on residential streets is not the answer for helping business profitability and definitely not helping voters who live near the commercial areas. Again, neighborhoods affected by industrial and/or commercial areas should not be subjected to increased parking for businesses while being penalized for having and driving a car. Let the business be vetted by the affected community by variance and not just a blanket intrusion on the neighborhood.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for your comments. OP is not proposing to convert residential street parking to commercial parking.                                                                                                                                                                                                                                                                                                                                                                                                       |

| ZC Exhibit # | Subtitle | Name                                                                    | Date      | Issue             | Comment/Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | OP Response                                                                                                                                                                                                                 |
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| 807          | C        | William P. Gallagher, Jr.<br>KGP Design Studio<br>Testimony             | 9/8/2014  | parking - transit | Reduction of parking along bus corridors: allows more public space for pedestrians and encourages a more walkable city. Pedestrians use the bus - cars don't create walking pedestrians. Allows more public space for bicycle transportation and storage within the public realm. Buses help reduce traffic congestion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comments.                                                                                                                                                                                                |
| 876          | C        | Kalorama Citizens<br>Association Comments                               | 9/15/2014 | parking - transit | The transit zone policy should not be applied to Adams Morgan due to our longstanding deficit of available street parking and Adams Morgan would benefit from not having the parking minimums removed within its boundaries. Resolution approved May 16, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Thank you for your comments. OP has proposed in the alternative that the reduction for proximity to Priority Bus Corridors not be applied; this covers much of Adams Morgan.                                                |
| 850          | C        | ANC 7B Executive<br>Committee (Patricia<br>Howard-Chittams)<br>Comments | 9/15/2014 | parking - transit | We acknowledge that the draft document no longer calls for reduced parking minimums along major busways. Unfortunately, this does not go far enough for some neighborhoods. One is failing to take into consideration that persons living in the vicinity of METRO stations will primarily commute via METRO. This assumption fails to consider that: Many Southeast residents hold low-wage jobs that are located outside of the central business district. In addition, many individuals holding low wage jobs work very late or very early shifts or how down more than one position which could be widely separated. For such individuals, proximity to a Metro station does not obviate the need for a car. If you drive a car to work, you need to be able to park it when you come home. This proposal also fails to take into consideration that Metro is cutting service to significant areas of South East. One recent reduction in service has caused former METRO riders to now return to driving their vehicles. This is because the trip used to take one hour from the Naylor Road Metro Station, and has now become a two hour commute, jeopardizing the employment of many of the riders. As a Registered Nurse, I would never rely on Metro to get me to my place of employment on time. Reduced minimum parking requirements is not the answer for southeast.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for your comments.                                                                                                                                                                                                |
| 770          | C        | Coalition for Smarter<br>Growth Comments                                | 9/3/2014  | parking - transit | We support most of the proposed changes in the hearing notice for subtitle C, but specifically want to express opposition to the DC Office of Planning proposal to: "Remove the Priority Bus Corridor from the areas within which required parking may be reduced by up to 50% as a matter of right as originally advertised." Instead, we support the alternative language: "In the Alternative: Retain the Priority Bus Corridor as an area within which required parking may be reduced by up to 50% as a matter of right, as originally setdown on September 9, 2013." We oppose the OP proposed language to "require parking in the D-5 zone west of 20th Street, NW." We support the alternative: "retain the parking standards for the D-5 zone west of 20th Street NW as originally setdown on September 9, 2013."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for your comments.                                                                                                                                                                                                |
| 797          | C        | Cheryl Cort Coalition for<br>Smarter Growth<br>Testimony                | 9/8/2014  | parking - transit | We support most of the proposed changes in the hearing notice for subtitle C, but specifically want to express opposition to the DC Office of Planning proposal to: "Remove the Priority Bus Corridor from the areas within which required parking may be reduced by up to 50% as a matter of right as originally advertised." Instead, we support the alternative language "Retain the Priority Bus Corridor as area within which required parking may be reduced by up to 50% as a matter of right, as originally setdown on September 9, 2013."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments.                                                                                                                                                                                                |
| 885          | C        | Deborah Kavruck<br>Comments                                             | 9/15/2014 | roof structures   | Do not increase height allowance. This includes the "penthouse" provision which seems to be excluded from the height limit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your comment. OP is not proposing, in ZRR, to raise the permitted height from 18.5 to 20 feet but is proposing this and additional changes to penthouse regulations in separate Zoning Commission case 14-13. |
| 756          | C        | AIA DC Comments                                                         | 8/19/2014 | roof structures   | GAR requirements make the current height of penthouses problematic. Traction elevators bump up against the height limit with a planted roof. A similar increase in height is proposed for residential buildings. Enclosing walls of varying height could improve the design of many buildings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <a href="#">Thank you for your comments.</a>                                                                                                                                                                                |
| 854          | C        | ANC 4C Resolution                                                       | 9/15/2014 | solar             | Whereas, on Wednesday, January 16, 2013 the District of Columbia enacted the Sustainability Act of 2012 into law; Whereas, as encouraged by the Sustainability Act of 2012 many residents have made considerable financial investments in installing solar panels on their rooftops (i.e. roof upgrades and long-term solar contracts with DC Energy Companies); Whereas, the Department of Consumer and Regulatory Affairs (DCRA) has permitting authority over solar installation; Whereas, solar homes are contributing to the District of Columbia's priority of investing in renewable energy; Whereas, residents have solar rights (rights to install solar panels) but, solar easement laws are not existent in the District of Columbia; Whereas, solar panels are not currently protected under utilities systems such as Miss Utility; Whereas, current construction and zoning codes are in direct conflict with the success of solar homes and in turn with the District of Columbia's established environmental priorities; THEREFORE BE IT RESOLVED, that ANC 4C asks the Department of Consumer and Regulatory Affairs (DCRA), DC Zoning Commission (ZC), DC Office of Planning, Board of Zoning Affairs (BZA) and the Executive Office of the Mayor (EOM) to: 1. Suitably resolve the permitting conflicts that are jeopardizing sun access to existing solar homes, recognizing the priority set forth by the DC Sustainability Act of 2012. 2. Require solar homes to be incorporated into the Miss Utility system, whereby new construction can be alerted to the existence of established solar homes. 3. Adopt sensible, solar easement laws that require the protection of solar homes from sun obstruction, specifically proposed conversions of single family homes in R-4 zones that change the height of the existing skyline. 4. Require a variance application for conversion of single family homes to more than two (2) separate dwelling units, as is allowable under current zoning regulations in R-4 zones, whereby owners seeking variance must present construction plans, environmental assessments and hear community input before ANCs at a public meeting. | Solar protection is being reviewed as a separate case from the draft text.                                                                                                                                                  |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                  | <b>Date</b> | <b>Issue</b>         | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                       |
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| 851, 852            | C               | Restore Mass Ave Comments    | 9/15/2014   | tree protection      | To make the District of Columbia's Zoning Regulations support the broad city goal of preserving and expanding urban tree canopy, Restore Mass Ave recommends that these eight Tree Protection Provisions be integrated into the regulations. 1. Definitions – Zoning Regulations should require a uniform set of definitions approved by the Urban Forestry Administration (UFA); such definitions should apply to residential, diplomatic, institutional, commercial and government new construction projects and throughout the permitting process. 2. Applications for new construction – Zoning Regulations should require plans to depict accurately all trees at risk from construction activity, prior to permit review and approval. Plans should show accurately trees' size and Critical Root Zones according to the uniform definitions. 3. Trees on adjacent land – Zoning Regulations should require that plans for new construction show trees on all adjacent private and public land whose Critical Root Zones and/or crowns would be impacted by construction activity and the completed projects. 4. Tree protection process - The UFA should be required to review final plans before the Zoning Administrator approves them. Tree Protection Plans (TPPs) submitted with plans for new construction should be completed by an International Society of Arboriculture-certified arborist. They should include plans for maintaining the trees for a period of time as determined by the UFA to ensure the trees' long-term health. A new "Miss Roots" service should be required to paint outlines of the Critical Root Zones of trees likely to be affected by a project in advance of permit review and approval. "Miss Roots" could be modeled on "Miss Utility," the service required for marking underground lines. 5. UFA Expertise - The Zoning Administrator should rely on the expertise of the UFA in interpreting regulations, as they apply to residential, commercial, institutional, diplomatic and government construction projects, to ensure timely protection of endangered trees. 6. Modifications to plans – The UFA should be required to review any modifications to plans after initial approval. 7. Penalties - The period for delay for granting a permit for new construction, following the removal or cutting of trees that would have been prohibited by the regulations, should remain 7 years as an incentive to abide by the regulations. 8. Regulations for protecting trees should be located in a Tree Protection Chapter of the Zoning Regulations rather than being scattered throughout, as they are currently. | Thank you for your comments. OP will provide clarifying language requiring site plans submissions for review processes include existing tree sizes and locations, for trees on the property or adjacent public or private land. OP will also pass on your comments to the UFA, and to the Department of Consumer and Regulatory Affairs. |
| 829                 | C               | ANC 3B resolution            | 9/12/2014   | tree protection      | Whereas, ANC 3B recognizes the importance of tree canopy to preserving the residential, commercial, and cultural vitality of the District of Columbia; whereas, the zoning regulations governing new development are crucial to preserving the health of the tree canopy but are insufficient as currently written; therefore be it resolved: ANC 3B endorses the following recommendations for improving the zoning code: 1. Definitions - Use of a uniform set of definitions so that the UFA guidelines and definitions apply to residential, institutional, commercial, and DC government new construction projects and throughout the entire permitting process. 2. Applications for new construction - Zoning regulations should require plans to depict accurately all trees at risk from construction activity prior to permit review and approval. Plans should show accurately each tree's size and Critical Root Zone according to the uniform set definitions. 3. Trees on adjacent land - Plans for new construction must show trees on all adjacent private and public land whose Critical Root Zones and/or crowns would be impacted by construction activity and the completed project. 4. Tree protection process - UFA should be required to renew final plans before the ZA approves them Tree Protection Plans submitted with plans for new construction should be competed by an ISA-certified arborist. They should include plans for maintaining the trees for a period of time as determined by the UFA to ensure the trees long term health. 5. The ZA should reply on the expertise of the UFA in interpreting regulations as they apply to residential, commercial, institutional, diplomatic and government construction projects to ensure timely protection of endangered trees. 6. Modifications to plans - the UFA should be required to review any modifications to plans after initial approval. 7. Penalties - the period of delay for the granting of a permit for new construction following the removal or cutting of trees that would have been prohibited by the current regulations should remain 7 years as incentive to abide by the regulations. 8. Regulations applicable to tree protections should be located in a Tree Protection Chapter of the Zoning Code Regulations.                                                                                                                                                                                                                                                                                                                                                | Thank you for your comments. OP will provide clarifying language requiring site plans submissions for review processes include existing tree sizes and locations, for trees on the property or adjacent public or private land.                                                                                                          |
| 787                 | C, D            | John Wheeler Testimony       | 9/8/2014    | accessory apartments | Generally support the proposed changes recommended by the Office of Planning, object to the positions it has taken on vehicle parking and accessory apartments. The alternative language using OP's September 2013 language is the better position.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for the comments.                                                                                                                                                                                                                                                                                                              |
| 794                 | C, D            | Rosalyn P. Doggett Testimony | 9/8/2014    | accessory apartments | Support the "In the Alternative" language that restores language in the zoning text originally set down by the Zoning Commission on September 9, 2013 and therefore better meets city objectives by reducing parking minimums on Priority Bus Corridors and allowing Accessory Apartments in garage by right. My neighbors with whom I have spoken informally have not indicated discomfort with the conversion of garages to accessory units. We bought our house 40 years ago to accommodate an aging parent who could not drive, who needed buses for transportation and neighborhood retail stores within walking distance. Little did we know that we were at the forefront of what is now called a sustainable, walkable community. I'd like to extend my privileges to others rather than make it more difficult and expensive for others to enjoy my lifestyle. Urge your support of the "In the Alternative" language in Subtitle C and D in the Summary of Alternative Amendments table for Case No. 08-06A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for the comments.                                                                                                                                                                                                                                                                                                              |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                    | <b>Date</b> | <b>Issue</b>          | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                    |
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| 791                 | C, D            | Alex Posorske Testimony        | 9/8/2014    | accessory apartments  | Testify in favor of the alternate language proposed by the Zoning Commission in response to the Office of Planning's changes from earlier in the summer. Specifically, I want to encourage the Zoning Commission to go with the alternate language on accessory dwelling units (ADUs) and reducing unnecessary parking minimums near major bus priority corridors. Priority bus corridors are regular, reliable transit. Creating more flexible housing options by easing restrictions on ADUs allowed by right in carriage houses can help maintain a diverse city with a range of incomes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for the comments.                                                                                                                                                                                                                                                                                                           |
| 795                 | C, D            | Ryan Donahue Testimony         | 9/8/2014    | accessory apartments  | Voice support for the "alternative text" that reduces parking requirements in areas well-served by transit, and which also makes it easier for homeowners to build and rent accessory apartments. Accessory apartments will offer more housing options in more neighborhoods for DC residents of all income levels. They will allow current homeowners to offset some of their own high housing costs. And they will allow families the freedom to live near aging parents while providing them a measure of independence. And they will do all of this in a way that does not fundamentally alter the character of neighborhoods, especially given the restrictions on lot size and number of occupants. The city's continued growth and the inability to build upwards means that DC's zoning code must embrace creative ways to make better use of the existing housing stock. Accessory apartments are a perfect way to do that, and making it more difficult to build them would be a major step <u>backwards</u> .                                                                                                                                                                                                                                                                                                                                                    | Thank you for the comments.                                                                                                                                                                                                                                                                                                           |
| 869                 | C, D            | Richard B. Nash Comments       | 9/15/2014   | general               | I respectfully ask that the ZC reject the alternative language proposals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comment.                                                                                                                                                                                                                                                                                                            |
| 759                 | C, D            | Mary Buckley Comments (ward 8) | 8/25/2014   | parking - car share   | D 1601.2(a)(3) permits up to 2 car share spaces in an R-2, which, if provided, would be in addition to the required parking space for the house. In order to have ample parking for visitors in such a residential community, and to avoid the appearance of a parking lot, I suggest and recommend a minimum lot size for the R-2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for this comment - OP will propose adding a minimum lot width requirement to the new text.                                                                                                                                                                                                                                  |
| 787                 | C, D            | John Wheeler Testimony         | 9/8/2014    | parking - general     | Generally support the proposed changes recommended by the Office of Planning, object to the positions it has taken on vehicle parking and accessory apartments. The alternative language using OP's September 2013 language is the better position.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for your comment.                                                                                                                                                                                                                                                                                                           |
| 759                 | C, D            | Mary Buckley Comments (ward 8) | 8/25/2014   | parking - low density | Since all R-2s are not within a 1/4 or 1/2 mile of public transportation, the ZRR should require developers to have on-site parking.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | You are correct that most R-2 is not close to transit. OP is not proposing that the 50% transit reduction apply in the R-1 through R-4 zones. OP is proposing to retain the requirement for one parking space for each R-2 property, unless there is no alley in which case the parking could be provided, but would not be required. |
| 772                 | C, D            | Steve Seelig Comments          | 9/3/2014    | parking - transit     | I support the "alternative language" that matches the September version of zoning update on parking around bus corridors and accessory apartments in carriage houses. This is of particular concern to me living within 3 blocks of a Metro stop and a bus corridor in Ward 3, where we need fewer cars and more people using these transit options.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your supportive comment.                                                                                                                                                                                                                                                                                                |
| 794                 | C, D            | Rosalyn P. Doggett Testimony   | 9/8/2014    | parking - transit     | Support the "In the Alternative" language that restores language in the zoning text originally set down by the Zoning Commission on September 9, 2013 and therefore better meets city objectives by reducing parking minimums on Priority Bus Corridors and allowing Accessory Apartments in garage by right.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Thank you for your comments.                                                                                                                                                                                                                                                                                                          |
| 791                 | C, D            | Alex Posorske Testimony        | 9/8/2014    | parking - transit     | Testify in favor of the alternate language proposed by the Zoning Commission in response to the Office of Planning's changes from earlier in the summer. Priority bus corridors are regular, reliable transit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comments.                                                                                                                                                                                                                                                                                                          |
| 795                 | C, D            | Ryan Donahue Testimony         | 9/8/2014    | parking - transit     | Voice support for the "alternative text" that reduces parking requirements in areas well-served by transit, and which also makes it easier for homeowners to build and rent accessory apartments. Adding unnecessary parking is a self-fulfilling prophecy: it makes transit slower, it dramatically reduces walkability, and it makes it harder to building housing - thus generating more driving and even more pressure on parking. I hope the zoning code recognizes this and reduces parking requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for your comments.                                                                                                                                                                                                                                                                                                          |
| 790                 | C, D, E         | Donna Rosen Testimony          | 9/8/2014    | accessory apartments  | Express strong support for the adoption of an updated modernized DC zoning code. The Zoning code has needed changes for many years and the process and effort to do this have dragged on too long. I support changes to the current regulations that will make the city more walkable and overall more environmentally friendly. I also support changes that will make it easier to increase the affordable/moderately priced housing stock. Specifically: better options for creating an accessory dwelling unit; re-evaluating parking minimums; creating reasonable allowances for corner stores and accessory apartments; simplifying the zoning code to make it more accessible; and modernize the zoning code to better accommodate the needs of current and future DC residents. I support the "alternative language" that matches the September version of the zoning update on parking around bus corridors and accessory apartments in carriage houses. I support better options for homeowners to create an accessory dwelling unit without a long and burdensome process. This would enable more residents to rent out a basement or garage to help pay the mortgage, give a young person the opportunity to find housing and let seniors age in place in their own homes. This would result in increasing the stock of affordable housing options in the City. | Thank you for the comments.                                                                                                                                                                                                                                                                                                           |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                           | <b>Date</b> | <b>Issue</b>         | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>OP Response</b>                     |
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| 796                 | C, D, E         | Steven D. Cook Testimony                                              | 9/8/2014    | accessory apartments | Speak in support of the proposed revision to DC's badly outdated and ill-conceived zoning regulations to make this city into an even more vibrant, walkable, and inclusive place that is a model for the nation. Provisions in the proposal to make it easier to create an accessory dwelling unit, reduce parking minimums, create more reasonable procedures for corner stores, and simplifying the zoning code will improve life in the city and help to preserve our social and economic diversity. The zoning code update must reflect and support the priority for abundant affordable housing. To that end, I strongly support the "alternative language" that matches the September version of the zoning update around bus corridors and accessory apartments in carriage houses. I advocate eliminating the parking minimum for any new affordable unit. This will encourage the construction of more affordable units. Whole new apartments could be constructed in transit corridors without the expense of deeply excavated parking garages. In the same way, better options for homeowners to create an accessory dwelling unit without a long and burdensome process will create more options for affordable housing and enable more people to own homes. In August, according to the Washington Post, fewer than 6,000 officially affordable units existed in the District. With workforce housing disappearing, the District is becoming a playground for the rich. The zoning code should help reverse this trend.                                                                                                                                                                                                                                                                                                                               | Thank you for the comments.            |
| 806                 | C, D, E         | Sierra Club DC Chapter's Smart Growth Committee Alex Hanson Testimony | 9/8/2014    | accessory apartments | Testify in support of the original proposal in Subtitle C to reduce or eliminate parking requirements in transit-oriented locations throughout the city, including near priority bus lines. I also strongly support the provisions in the zoning code update that seek to permit the creation of accessory dwellings and corner stores, both measures which will improve quality of life by adding new housing and retail options for residents of neighborhoods throughout the District. T                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for the comments.            |
| 806                 | C, D, E         | Sierra Club DC Chapter's Smart Growth Committee Alex Hanson Testimony | 9/8/2014    | corner stores        | Testify in support of the original proposal in Subtitle C to reduce or eliminate parking requirements in transit-oriented locations throughout the city, including near priority bus lines. I also strongly support the provisions in the zoning code update that seek to permit the creation of accessory dwellings and corner stores, both measures which will improve quality of life by adding new housing and retail options for residents of neighborhoods throughout the District.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for your comment             |
| 790                 | C, D, E         | Donna Rosen Testimony                                                 | 9/8/2014    | parking - transit    | Easing parking requirements along busy transit corridors will help to create and preserve walkable, vibrant neighborhoods by increasing the use of transit and not mandating more parking than is actually needed by new residents. It will also provide accessible housing options for more people by making buildings less expensive to build. I have observed drastic changes in the City. More young people are seeking affordable housing and many do not have or want cars. They use public transit, ride bikes and rent ZipCars or Car2Go. The nation's Capital should not be operating under an antiquated Zoning Code that does not take into account changes that have already occurred in our City as well as changes we can anticipate will occur in the future in such an important City. I urge the Zoning Commission to take quick action to adopt a modern, forward looking zoning code that is worthy of Washington DC and its residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for your supportive comment. |
| 796                 | C, D, E         | Steven D. Cook Testimony                                              | 9/8/2014    | parking - transit    | Speak in support of the proposed revision to DC's badly outdated and ill-conceived zoning regulations to make this city into an even more vibrant, walkable, and inclusive place that is a model for the nation. Provisions in the proposal to make it easier to create an accessory dwelling unit, reduce parking minimums, create more reasonable procedures for corner stores, and simplifying the zoning code will improve life in the city and help to preserve our social and economic diversity. The zoning code update must reflect and support the priority for abundant affordable housing. To that end, I strongly support the "alternative language" that matches the September version of the zoning update around bus corridors and accessory apartments in carriage houses. Easing parking requirements along busy transit corridors will help to create and preserve affordable housing. My building is about 1 year old with two levels of parking under it. Only about a quarter of that parking is in use at any time. This excess parking increases the cost of housing and is unnecessary. In fact, I advocate eliminating the parking minimum for any new affordable unit. This will encourage the construction of more affordable units. Whole new apartments could be constructed in transit corridors without the expense of deeply excavated parking garages. In the same way, better options for homeowners to create an accessory dwelling unit without a long and burdensome process will create more options for affordable housing and enable more people to own homes. In August, according to the Washington Post, fewer than 6,000 officially affordable units existed in the District. With workforce housing disappearing, the District is becoming a playground for the rich. The zoning code should help reverse this trend. | Thank you for your comments.           |
| 806                 | C, D, E         | Sierra Club DC Chapter's Smart Growth Committee Alex Hanson Testimony | 9/8/2014    | parking - transit    | Testify in support of the original proposal in Subtitle C to reduce or eliminate parking requirements in transit-oriented locations throughout the city, including near priority bus lines. The District offers a wealth of transportation options that connect neighborhoods and communities, preserve the environment, and improve the health of the city's residents. The single most important environmental decision most Americans make on a daily basis is whether or not to drive a car - and the single largest determinant of whether someone chooses to drive is whether or not they have a place to park. By reducing or eliminating parking minimums, the District can enable environmentally friendly, car-free and car-light, lifestyles, and reduce its collective ecological footprint immensely - as the Sustainable DC plan requires. As such, the Sierra Club supported the original proposal to eliminate parking minimums citywide. OP's update will help set our city on a part towards greater sustainability, a healthier environment, and stronger communities. I urge the ZC to adopt a progressive zoning update that will help make the nation's capital a better city for future generations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your comments.           |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                       | <b>Date</b> | <b>Issue</b>         | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>OP Response</b>           |
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| 773                 | C, D, F         | 5000 Block Fulton Street Residents Comments       | 9/4/2014    | accessory apartments | We oppose any changes that would permit short-term rental units, more than two households in the homes on our block, more than three tenants, or tenants parking on the streets. We ask you to amend the proposed regulations to require leases of at least 3 months, to reduce the maximum number of tenants to three, and require that only one of the tenants can be unrelated to the others. The homeowner who wishes to rent should be required to obtain the written permission of the co-owner of the easement for the tenant to use it. Further, that permission should be revocable at will, so that the co-owner's property can be sold without encumbrance. Tenants should be required to park in the driveways that do exist. They should <b>not be permitted to park on the streets.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comments.  |
| 788, 789            | C, I            | Thomas Hutcheson Testimony                        | 9/8/2014    | parking - transit    | Bus Priority Corridors should be retained in the zoning update as a resource that reduces by half the required amount of parking, and that West End's parking requirement should be that of downtown - that is none. Strongly support the general thrust of the proposal to relax parking minimums in the District of Columbia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for your comments. |
| 877                 | D               | ANC 5D Resolution                                 | 9/15/2014   | accessory apartments | 1. ANC 5D opposes accessory dwelling units (ADU's) as a matter of right.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for the comments.  |
| 877                 | D               | ANC 5D Resolution                                 | 9/15/2014   | accessory apartments | 2. ADU's should be considered as a special exception only if the applicant can demonstrate no adverse impact on neighbors; an application for special exception must be considered at a public meeting of the ANC, in which the affected property is located.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for the comments.  |
| 768                 | D               | Alma Gates Neighbors United Trust Comments        | 9/2/2014    | accessory apartments | Accessory apartments have been one of the most controversial and contested elements of the ZRR. Not only does the current text remove major protections, which were included in earlier ZRR text, such as a five year waiting period for conversion of an accessory building; but, there is no requirement for a C of O for internal rental apartments. Roof decks, balconies and projecting windows have been reintroduced - §1606 9(c) (1), despite the fact these elements were strongly opposed when initially introduced and were removed. It is difficult to maintain consistency and purpose in regulations when an accessory dwelling unit would be permitted to occupy the same lot with a single family dwelling. In the R-1-A and R-1-B zones, the most likely zones for these accessory units, a two-story residential accessory unit on the same lot with a main dwelling unit would be allowed. These zones are designated single-family, low density and would become two-unit residential lots. It is also noteworthy that the term "single family" has been replaced with "household."                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for the comments.  |
| 884                 | D               | Richard Layman Comments                           | 9/15/2014   | accessory apartments | Accessory dwellings. The most recent submissions by the Office of Planning with regard to accessory dwellings are overly restrictive. The number of units allowed (one on lot and one within the house) should be determined by objective criteria concerning lot size, house size, proximity to Metrorail and proximity to other transit (streetcar/bus). Criteria offered by the Office of Planning is idiosyncratic. And the requirement of additional review processes (special exception/variances) beyond what was originally proffered will increase the complexity and cost of approval. One of the reasons that OP keeps dialing back recommendations is because of opposition expressed in some quarters of the city, even though the complaints, generally are spurious. One alternative to consider would be a pilot program where various alternatives could be demonstrated. Seattle did this for a period of time in West Seattle.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Thank you for the comments.  |
| 865                 | D               | ANC 6B Comments                                   | 9/15/2014   | accessory apartments | ANC 6B opposes OP's alternative amendment that would require any accessory apartment in an accessory building to be permitted as a special exception. The ZC should approve OP's original language and retain the MOR provision for accessory apartments. With the city facing a housing crisis, accessory apartment provide a much needed affordable housing alternative. While this proposal would not directly impact our commission area (most of ANC 6B consists of the proposed RF zones), we feel strongly that the zoning code should make it easier, not harder, for homeowners in all residential zones to provide accessory units.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for the comments.  |
| 812                 | D               | Linda Schmitt Neighbors 4 Neighborhoods Testimony | 9/8/2014    | accessory apartments | As a solution for shrinking household size, external ADUs are nonsensical. Some policymakers say houses are "too big" for the empty-nesters or the widow or couple. How does adding another 900 SF in the backyard solve that "problem"?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for the comments.  |
| 812                 | D               | Linda Schmitt Neighbors 4 Neighborhoods Testimony | 9/8/2014    | accessory apartments | As an approach to aging in place, an apartment above the garage - or a unit that requires a second story to provide more than 450 SF of living space - is not a space that is likely to be or remain senior-friendly. If the goal is an on-site caregiver, housing the at-risk senior and caregiver in separate buildings on the same lot doesn't make sense.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for the comments.  |
| 812                 | D               | Linda Schmitt Neighbors 4 Neighborhoods Testimony | 9/8/2014    | accessory apartments | As for external ads, we're opposed to allowing them citywide. Not only do they have a significantly greater impact on neighborhood character than internal ADUs, it seems anything an external accessory apartment can do, some other apartment or shares housing arrangement could do better. External units don't make sense from an affordability perspective - they're significantly more expensive to create and, as a result, are most likely to get built in high rent areas and/or by speculators trying to raise market prices in an area. Not only are accessory apartments unlikely to be rented at below market rates (they are a substantial investment designed to yield income), they also have an adverse impact on the affordability on the single-family homes on the lot. Judging from experience in Vancouver, if the most lucrative use of a large lot is two separate residential units rather than one, the price of the property increases far above that of a single-family home. External ADUs don't make sense from a sustainability perspective - seriously, why make tiny single-family detached homes when they could be incorporated either into existing homes or created as part of a larger multifamily building? If we want to increase our tree canopy and retain our pervious surfaces, we shouldn't be encouraging the construction of more and larger accessory buildings on single-family lots. We see no reason to allow two-story accessory buildings as MOR. | Thank you for the comments.  |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                       | <b>Date</b> | <b>Issue</b>         | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>OP Response</b>          |
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| 747                 | D               | Alex Held Comments                                | 7/31/2014   | accessory apartments | Consider supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for the comments. |
| 848                 | D               | The Committee of 100 on the Federal City Comments | 9/15/2014   | accessory apartments | External ADUs – don't approve. It is still ludicrous to assume that this is no change when existing code requires a 5000 or larger sf lot in R1 zone, garage 8 ft. from side lot line, living only on second floor, and resident must be part of family's staff. That is a very narrow reg that intentionally limits implementation to a small group of households with particular needs and strictly protects neighbors from potential negative impacts. That is completely different than creating a reg that allows ADU on lots as small as 3000 sf in multiple residential zones, garage apartment with no setback, living on 2-floors, and residents are a separate household with no relationship to household in principle residence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for the comments. |
| 871                 | D               | Lorrie Scally Comments                            | 9/15/2014   | accessory apartments | I believe the current zoning laws concerning ADUs should not be altered. With permission, aging parents or relatives already may live in them. People with household help may use their "carriage houses" to supply living quarters for these employees. However, rentals should be denied. They turn our neighborhoods into business zones.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for the comments. |
| 808                 | D               | Brian Levy Testimony                              | 9/8/2014    | accessory apartments | I support stronger language to allow the widespread development of ADUs. There is tremendous potential for backyard ADUs in DC, and I feel that expanding ADUs in all forms is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. I support the majority of the latest changes to the ADU language developed over the summer - eliminating minimum lot areas, reduction in minimum house square footage, etc. However I believe the latest zoning rules on ADUs should keep 1606.2, so residents can develop ADUs by right without going through a costly and time intensive special exemption process. Specifically, I support retaining the matter of right provision for accessory apartments to be located in existing accessory buildings as originally setdown on September 9, 2013. In addition, I support deleting the six person aggregate maximum for the principal and accessory apartment and establishment of a limit only on the number of residents in the accessory apartment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for the comments. |
| 805                 | D               | Susan Kimmel Testimony                            | 9/8/2014    | accessory apartments | I support those rules which encourage the creation of this form of housing which fills a tremendous need for more housing options at a wider range of prices. Not only do accessory apartments provide some affordable housing, but having income generating property within or adjacent to their homes, enables seniors to age in place. An additional benefit is that it fosters diversity within the community - multi-generational, varying economic strata - living side-by-side. The increased density may also help some neighborhoods support a greater diversity of retail and other commercial ventures nearby. Some of the amendments ease the ability to provide Accessory Apartments in less affluent parts of the city by not requiring a minimum lot size and reducing the minimum size of the primary house to 1,200 GSF. But other make it more difficult to provide a realistic housing option as a MOR by disallowing the conversion of an existing garage into an Accessory Apartment. The ZC should reject the July amendment and restore allowing pre-existing accessory buildings to be used as apartments. Having an accessory dwelling in a separate building is ideal by offering residents of each structure greater privacy. Yet, because there may be unanticipated impacts, it makes sense for new construction or additions to an existing garage to be required to go through the special exception process. My only gripe would be to change the cut-off date for the existing structure to be a year later, to September 9, 2014. Likewise, limiting the total number of residents for both the principal and accessory apartment to 6 is detrimental to large families and the less affluent. It does make sense to limit the number of residents in the rental accessory unit, but the definition of family (which can include extended family members) for the primary residence should be consistent with other sections of the code. Again, the Zoning Commission should reject the July amendment to increase the availability of affordable housing options. | Thank you for the comments. |
| 812                 | D               | Linda Schmitt Neighbors 4 Neighborhoods Testimony | 9/8/2014    | accessory apartments | If the goal is to provide small starter homes, then external ADUs don't fill that need. They don't allow ownership opportunities for their residents. The owner of an external unit is, by definition someone who can afford that unit and an entirely separate single family home as well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for the comments. |
| 812                 | D               | Linda Schmitt Neighbors 4 Neighborhoods Testimony | 9/8/2014    | accessory apartments | In general, we respect the diversity within the R zones, which enables DC to provide a range of different neighborhoods and housing types. We don't see the purpose of essentially eliminating single-family neighborhoods by allowing two households on every lot. With respect to internal ADUs, we see no reason to reduce the required house area standard to 1200 SF. Given owners of smaller homes have the option of sharing expenses with either roommates or boarders, we see no public policy rationale for turning already small single-family homes into 2 apartment-sized units (840 and 360 SF respectively), doubling the number of major appliances. The R-4 zone exists to accommodate flats and does not force one unit to be significantly smaller than another or an occupant of one unit to be the owner of the other.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for the comments. |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                 | <b>Date</b> | <b>Issue</b>         | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>OP Response</b>          |
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| 812                 | D               | Linda Schmitt Neighbors<br>4 Neighborhoods<br>Testimony     | 9/8/2014    | accessory apartments | Let me begin with two rules that we think should apply to any ADUs, internal or external. First, these units must require certificates of occupancy. C of Os will assure renters that a unit is legal and has passed inspection. They enable DC government to enforce tax compliance and manage its housing stock with accurate data about locations, rents, numbers of units, etc. Second, we believe occupancy in ADUs should be limited to no more than two adults and one minor child (related to one of the adults). Again, this limit should apply to both internal and external.                                                                                                                                                                                                                                                    | Thank you for the comments. |
| 782                 | D               | Robert T. Richards<br>Testimony                             | 9/4/2014    | accessory apartments | No accessory dwelling outside the principal dwelling should touch a side or rear lot line, except for a rear line abutting an alley. In many neighborhoods, lots share a rear lot line – no alley divides them. To allow an accessory dwelling to abut such a rear lot line – or any side lot line – eviscerates privacy-protecting rear- and side-yard setbacks. The Zoning Commission no doubt remembers that at the beginning of the ZRR process, the OP proposed to reduce side yards to 3 feet. Faced with widespread protests, OP increased side yards to 5 feet, then back to the current 8 feet. Given this history demonstrating the sanctity of setbacks, it makes no sense to allow accessory dwellings not to comply with setbacks. Retention of setbacks should be a nonwaivable element of any special exception proceeding. | Thank you for the comments. |
| 885                 | D               | Deborah Kavruck<br>Comments                                 | 9/15/2014   | accessory apartments | No MOR for ADUs. Do not take away current resident rights to contest or question external ADUs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comment. |
| 768                 | D               | Alma Gates Neighbors<br>United Trust Comments               | 9/2/2014    | accessory apartments | Omit external ADUs as proposed in the ZRR text and maintain the current regulations in § 2505.5 for use by household staff.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for the comments. |
| 728                 | D               | David Alpert Greater<br>Greater Washington<br>Comments      | 7/3/2014    | accessory apartments | OP's recommendation to require a special exception for all accessory apartments in accessory buildings will hamper DC's ability to reduce the number of people being priced out of the city, and I urge you to reject that change.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for the comments. |
| 807                 | D               | William P. Gallagher, Jr.<br>KGP Design Studio<br>Testimony | 9/8/2014    | accessory apartments | Provide simple regulations for renting out carriage houses: Creates more affordable units in the city. Provides a variety of housing types (small for young, single or elderly). Creates a safer pedestrian environment. Establishes a more "compact" city which in turn creates a community where walking is the main mode of travel. Is a great social way to mix people and income levels - which long term makes a much more livable city. Create a more walkable and inclusive future for DC. Creates a place where the elderly can "age in place." The Mellon's of the National Gallery of Art - moved out of the main house into a smaller "cottage" which was more comfortable for them in their old age!                                                                                                                          | Thank you for the comments. |
| 782                 | D               | Robert T. Richards<br>Testimony                             | 9/4/2014    | accessory apartments | Requirement for special exception in all R zones. The June 2014 amendments to the draft code requiring accessory dwellings separate from the principal dwelling to obtain a special exception in all R zones go a long way toward allaying concerns about the loss of neighborhood character and density through the unfettered proliferation of backyard cabins. This amendment <u>should be adopted</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for the comments. |
| 782                 | D               | Robert T. Richards<br>Testimony                             | 9/4/2014    | accessory apartments | Retain minimum lot sizes. If a lot is too small for a single dwelling unit, it certainly is too small for a principal unit <u>and</u> an accessory dwelling, whether that accessory unit is located inside or outside the principal unit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for the comments. |
| 768                 | D               | Alma Gates Neighbors<br>United Trust Comments               | 9/2/2014    | accessory apartments | Section 1606 (b) the term “lot” is replaced with “property.” This change in terminology, while subtle, appears to promote the subdivision of residential lots to allow the creation of individual lots for ADUs. As long as external ADUs are proposed for lots in residential zones, the term lot should be used consistently throughout the entire Subtitle. The Zoning Commission needs to be clear that under no circumstances would external ADUs be permitted on a lot without a principle dwelling unit, i.e., lot subdivision for an accessory dwelling unit would not be permitted under any circumstance either by special exception or <u>variance</u> .                                                                                                                                                                        | Thank you for the comments. |
| 768                 | D               | Alma Gates Neighbors<br>United Trust Comments               | 9/2/2014    | accessory apartments | Section 1606.5 (d) (8) – the five-year waiting period for conversion to an accessory dwelling unit has been eliminated in the July 16 text. This is a mistake and may encourage teardowns in neighborhoods where there is older building stock on larger lots to allow construction of both principle dwelling unit and ADU.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Thank you for the comments. |
| 768                 | D               | Alma Gates Neighbors<br>United Trust Comments               | 9/2/2014    | accessory apartments | Section 1606.8. Without a C of O requirement for internal ADUs, the inspection requirement is basically meaningless -- no penalties or enforcement mechanism. As the Commission is aware, these illegal units exist across the city. They lack any assurance they are safe, the wiring is up to code, there aren't bars on doors and windows, as we the case in the Georgetown tragedy that took the life of a student. Is there a problem with the Zoning Commission ensuring “safety” is integral to the <u>regulations by requiring a C of O for internal ADUs?</u>                                                                                                                                                                                                                                                                     | Thank you for the comments. |
| 782                 | D               | Robert T. Richards<br>Testimony                             | 9/4/2014    | accessory apartments | The minimum square footage for an interior accessory unit has been reduced in R-3 and R-4 zones from 2,000 to 1,200 gross floor area. Coupled with the requirement that an accessory unit can occupy no more than 30% of the gross floor area of the entire house, this reduction allows a 360 sq. ft. micro-unit. While a unit of this size is permissible under DC law - which allows units as small as 220 sq. ft. - the encouragement of micro-units in small houses is incompatible with the zoning code's "intent to maintain a single household residential appearance and character in the R zones."                                                                                                                                                                                                                               | Thank you for the comments. |

| ZC Exhibit # | Subtitle | Name                                              | Date      | Issue                | Comment/Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | OP Response                 |
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| 819          | D        | Ellen Bass Comments                               | 9/9/2014  | accessory apartments | The OP revised proposal would go back to requiring residents to incur the inconvenience and expense of getting a special exception for all detached accessory apartments, even where such units merely replace an existing garage, along with other limitations, as OP earlier proposed be allowed as a matter of right. This is contrary to what makes sense in an urban environment where there is a critical shortage of affordable housing, even for modestly affluent people, especially in Ward 3 where many large and expensive houses on generous lots often contain smaller families than in the past. I stand by my earlier testimony that the original OP proposal will have no materially negative effect on neighborhoods. To the contrary, having some apartments in alleys may well enliven what are now often unattractive, dead, dreary and underused urban spaces. Indeed, the Washington Post recently published an article about how residents are starting to use alleys for activities to improve their neighborhoods ("Once Dreaded, DC Alleys Become Fun, Even Chic," August 27, 2014). As an example of what is unfortunately more common, I attach some photographs of the alley behind my house, between Chesapeake and Cumberland Streets, NW, in the 3600 block. It is now a weed-choked, debris-strewn, fence-enclosed wasteland for garbage pails. None of the garages or driveways on the Chesapeake St. side is used for parking. Some are neglected, for example as depicted in the picture of the garage which is covered in peeling paint and weeds; the entrance is cloaked by two dirty oilcloths held down with rocks. This is hardly an asset to the neighborhood. Is this superior to what is proposed in the original OP submission and in the zoning commission alternative language? I submit that it is not and that the latter should be adopted (including changing the six person aggregate maximum occupancy to a limit only on the number of residents in the accessory apartment). | Thank you for the comments. |
| 868          | D        | Paulette Tilghman Comments                        | 9/15/2014 | accessory apartments | The owner-occupant requirement is commendable. Please stipulate that it cannot be waived. Additionally, adopt the amendment that requires non-principal dwellings to obtain a special exception in all residential zones. Retain minimum lot sizes. Do not allow an accessory dwelling to touch a side or rear lot line.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for the comments. |
| 782          | D        | Robert T. Richards Testimony                      | 9/4/2014  | accessory apartments | The owner-occupant requirement is good and should be nonwaivable. This speaks for itself. In addition, we support the requirements for the fire and water/sewer authorities to review a special exception application for exterior accessory units.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comments. |
| 814          | D        | Alma Gates Neighbors United Trust Testimony       | 9/8/2014  | accessory apartments | The proposal to eliminate minimum lot sizes because the requirement is too restrictive is a step in the wrong direction. This proposal also appears to be the prelude to lot subdivision for external accessory units, which is further indicated by the use of the term "property" instead of "lot." This proposed change has the potential for real unintended consequences. Current minimum lot standard requirements s should be maintained consistently throughout all Subtitles of the proposed zoning regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for the comments. |
| 768          | D        | Alma Gates Neighbors United Trust Comments        | 9/2/2014  | accessory apartments | The proposal to permit accessory units has the potential to change zone definitions, create objectionable conditions, increase lot density, create more off-street parking demand; impact the environment and failing infrastructure; but, the proposal has the real potential to create conflict with the Comprehensive Plan by undermining neighborhood character and scale.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for the comments. |
| 811          | D        | Allen Seeber Testimony                            | 9/8/2014  | accessory apartments | There is a serious problem with proposed Subtitle D MOR treatment of ADUs in accessory buildings, as distinguished from ADUs interior to the main structure. Special exception treatment allows for neighborhood notice and comment. I bought into an R-1 zone for single-family residences. MOR ADUs in accessory buildings alters that regulatory status: it is no longer R-1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for the comments. |
| 768          | D        | Alma Gates Neighbors United Trust Comments        | 9/2/2014  | accessory apartments | There really isn't any way around § 309.10 of the Comprehensive Plan's Land Use Element which provides overarching direction for the use of land throughout the city and specifically in low density residential zones. It rules. An action by the Zoning Commission that makes zoning inconsistent or in conflict with the Comprehensive Plan needs to be avoided. Maintaining low density character and scale must be a priority for the Zoning Commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for the comments. |
| 873          | D        | DC Association of Realtors Comments               | 9/15/2014 | accessory apartments | These comments aim to express our membership's support of less restrictive conditions for accessory dwelling units ("ADUs"). In particular, we support the proposals for by-right accessory apartments in the principal dwelling or an existing accessory building, as well as allowing certain new or expanded accessory structures as a matter of right. DCAR supports easing restrictions on ADUs across the board so long as there are adequate checks and balances for safety and neighborhood preservation. We believe this will not only reduce onerous administrative burdens faced by homeowners, but increase a specific category of much needed affordable housing in the District.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for the comments. |
| 812          | D        | Linda Schmitt Neighbors 4 Neighborhoods Testimony | 9/8/2014  | accessory apartments | These units aren't green, they aren't affordable, they don't help people age in price or buy an inexpensive first home. They aren't a best practice, they're an intriguing project for architects and a potential boon for speculators. OP hasn't presented you with data on experience elsewhere. There is no Comp Plan mandate for these units. OP has not done the planning work to offer a convincing case that these units would be beneficial. External ADUs aren't a "best practice." They're starting to look more like a failed experiment. The special exception requirement for all external ADUs does not address our concerns. In fact, since it is accompanied by a decrease in required access (from 10 feet to 8 feet) for firefighters and an elimination of the moratorium on conversion of newly constructed accessory building to rental apartment use, it actually makes things worse. The bottom line: Don't create incentives to intensify the development of our single-family lots. The end result will be teardowns and rising house prices as well as a change in the character of our neighborhoods. Don't try to fix what isn't broken                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comments. |

| ZC Exhibit # | Subtitle | Name                                                           | Date      | Issue                | Comment/Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP Response                 |
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| 840          | D        | Suzette Hemberger Comments                                     | 9/15/2014 | accessory apartments | Vancouver's Laneway Housing program is the poster child for external ADUs. More such units have been constructed there than anywhere else in North America. But a closer look at Vancouver's experience suggests that, if increased housing affordability is the goal, the program is a failure. Basically, external ADUs function as a kind of price support for inflated real estate values. They don't decrease median rents and they do drive up the price of single-family homes that include (or whose lots could accommodate) such units.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for the comments. |
| 801          | D        | William Spence Spencer Testimony                               | 9/8/2014  | accessory apartments | We appreciate the low density of our neighborhood, and not that the current text removes significant protections, including elimination of a five-year waiting period for conversion of an accessory building, and the addition of provisions for roof decks, balconies and projecting windows. In R-1-A and R-1-B zones, which would likely be where these accessory apartments would be located, a two-story unit would be allowed on the same lot as the main dwelling, effectively turning single family lots into two residential lots. The Comprehensive Plan sets the directive of "protect[in] and conserve[in] the District's stable, low density neighborhoods," and instructs the ZC and OP to "ensure that their zoning reflects their established low density character." The Comprehensive Plan directs that the ZC and OP "carefully manage the development of vacant land and the alteration of existing structures adjacent to single family neighborhoods in order to protect low density character, preserve open space, and maintain neighborhood scale." The current proposed language is at odds with the Comprehensive Plan and would potentially change the character of the Palisades and other primarily residential neighborhoods in our city, while increasing lot density. It would increase parking problems, and hit our community infrastructure. We recommend that the proposed text be removed and current regulations remain in place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Thank you for the comments. |
| 797          | D        | Cheryl Cort Coalition for Smarter Growth Testimony             | 9/8/2014  | accessory apartments | We are concerned that the modest provisions to allow accessory apartments are being further constrained with the DC Office of Planning proposal to: "Require any accessory apartment in an accessory building (i.e. detached) to be permitted as a special exception in all cases." We urge the Zoning Commission to reject this proposal, and support the alternative language in the hearing notice: "1) Retain the matter of right provision for accessory apartments to be located in existing accessory buildings as originally setdown on September 9, 2013."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Thank you for the comments. |
| 850          | D        | ANC 7B Executive Committee (Patricia Howard-Chittams) Comments | 9/15/2014 | accessory apartments | We request the retention of minimum lot sizes. In the 2013 draft, the minimum lot sizes required for lots with a principal dwelling and an accessory unit were the same as the lot sizes required for a lot with only a principal dwelling, i.e., 7500 sq. ft. for R-1-A, 5000 sq. ft. for R-1-B, etc. Lots smaller than the proposed minimums would be substandard. If a lot is too small for a single dwelling unit, it certainly is too small for a principal unit and an accessory dwelling, whether that accessory unit is located inside or outside the principal unit. No accessory dwelling outside the principal dwelling should touch a side or rear lot line. In many neighborhoods, lots share a rear lot line no alley divides them. To allow an accessory dwelling to abut such a rear lot-line or any side-lot line – eviscerates privacy-protecting rear- and side-yard setbacks. The Zoning Commission no doubt remembers that at the beginning of the ZRR process, the OP proposed to reduce side yards to 3 feet. Faced with widespread protests, OP increased side yards to 5 feet, then back to the current 8 feet. Given this history demonstrating the sanctity of setbacks, it makes no sense to allow accessory dwellings not to comply with setbacks. In addition, as one who works in the health care field, I am concerned about the Accessory Dwellings in general. Those who do not know their history are doomed to repeat it. In the 1880's the Alley Dwelling Authority was a government program that sought to regulate the alley dwellings within Washington, DC. The issue with these units was over-population which caused a public health issue. As late as 1944, these dwellings existed within the confines of the District of Columbia. The Alley Dwelling Authority then began to remove these dwellings by removing entire alleys and rebuilt the homes in many areas. I am concerned that we are turning the clock back and rebuilding what was removed in the last century. We may well face the same issues as a result. | Thank you for the comments. |
| 797          | D        | Cheryl Cort Coalition for Smarter Growth Testimony             | 9/8/2014  | accessory apartments | We support the alternative text to: "2) Delete the six person aggregate maximum for the principal and accessory apartment and establish a limit only on the number of residents in the accessory apartment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for the comments. |
| 797          | D        | Cheryl Cort Coalition for Smarter Growth Testimony             | 9/8/2014  | accessory apartments | We support the proposed amendments to eliminate lot size, reduce minimum square feet for R-2 and R3 zones. The earlier proposal was too restrictive, as evidenced by testimony.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for the comments. |
| 770          | D        | Coalition for Smarter Growth Comments                          | 9/3/2014  | accessory apartments | We support the proposed amendments to eliminate lot size, reduce minimum square feet for R-2 and R3 zones. We oppose the DC Office of Planning proposal to: "Require any accessory apartment in an accessory building (i.e. detached) to be permitted as a special exception in all cases." We support the alternative language in the hearing notice: "In the Alternative: 1) Retain the matter of right provision for accessory apartments to be located in existing accessory buildings as originally setdown on September 9, 2013. 2) Delete the six person aggregate maximum for the principal and accessory apartment and establish a limit only on the number of residents in the accessory apartment."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for the comments. |
| 768          | D        | Alma Gates Neighbors United Trust Comments                     | 9/2/2014  | accessory apartments | When initially introduced into the zoning regulations in 1958, living quarters for household staff were permitted as a second story over the garage - § 2500.5. These accessory housing units were not intended for the paper boy as OP has asserted, but for live-in household staff. What is being proposed in the ZRR in terms of "housing" in external accessory dwelling units is a very different concept than what was envisioned in 1958, as the individuals to be housed may have no relationship to the owners of the lot other than a rent check.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for the comments. |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                       | <b>Date</b> | <b>Issue</b>          | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                               |
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| 784                 | D               | Citizens Association of Georgetown Comments       | 9/5/2014    | accessory apartments  | While CAG supports the proposed deletion of the minimum lot size requirement for accessory apartments within a principal dwelling CAG disagrees with the proposed reduction in R-20 of the minimum house area from 2,000 to 1,200 sq. ft. and recommends a minimum of 1,750 sq. ft. CAG strongly supports the requirement in existing law and in the proposed regulations that the maximum aggregate number of persons that may occupy the principal dwelling and accessory apartment combined shall not exceed 6. CAG supports the reuse for dwelling purposes of existing two story buildings that meet standards in § 1606.7. The proposed deletion of the requirement that the accessory building be in existence on January 1, 2013 would conflict with CAG's efforts to preserve green space and the historic setting of houses in Georgetown, in conflict with the goals of the Historic Landmark and Historic District Protection Act. Accordingly, CAG requests that this requirement be added to the Georgetown accessory apartment provisions in § 1606.7. However CAG support the reuse of all floors of a two story accessory building for dwelling purposes not just the second floor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for the comments.                                                                                                                                                                                                                                                                                                                                                                                      |
| 862                 | D               | ANC SMD 8A01 Holly Muhammad Comments              | 9/15/2014   | corner stores         | 9/9/14 - Ward 8 already has many corner stores in residential areas that we would like to have shut down. Ward 8 needs meaningful commercial development along our commercial corridors that would bring grocery stores, hardware stores and other neighborhood types of commercial development that is much needed and already in existence in other parts of the city. We do not need additional corner stores that are havocs for loitering, drug distribution, alcohol sales and the like that reduce the property values in the adjacent neighborhoods and cause a nuisance in our communities. It is the corner stores that we are currently fighting for the distribution of scoobys and K2. This is what corner stores have produced in Ward 8. We have an over abundance of corner stores that sell sub-standard merchandise and only exist under the guise of a corner store in order to make money from selling alcohol in our community. We don't want corner stores. We want our commercial corridors to be used for commercial development. Once we have Good Hope Road SE and MLK Avenue SE and the small areas of Minnesota Avenue SE developed with national brand stores and reputable small businesses, we will be provided the services in Ward 8 that are needed without the potential for additional nuisances and blight that come along with the corner store character. Allowing the increase of corner stores in residential neighborhoods will increase commercial activity in our residential neighborhoods. We want our residential neighborhoods for residential living. We want our commercial corridors for commercial activity. There should always be a variance required to turn residential property into commercial property. A variance will require ANC review, which in effect, is the peoples review | Thank you for your comment                                                                                                                                                                                                                                                                                                                                                                                       |
| 768                 | D               | Alma Gates Neighbors United Trust Comments        | 9/2/2014    | corner stores         | Propose new language for § 1605.13(b) An applicant for a corner store liquor license for on-site consumption of alcohol shall sign an ABRA approved Voluntary Agreement with the presiding ANC to ensure compliance with the provisions of 1605.13(a).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your comment                                                                                                                                                                                                                                                                                                                                                                                       |
| 848                 | D               | The Committee of 100 on the Federal City Comments | 9/15/2014   | height                | Two-story garages – don't approve. This is an example of OP seeking ways to increase density in residential neighborhoods when no one is seeking this. Developers however will surely take advantage of it if it is approved. As proposed, this reg will change neighborhoods. The built environment will now have more structure, privacy will be reduced, air and light will be reduced, and the comity that neighborhoods strive to create will be challenged. As an ANC commissioner, I have experienced the upset that even a new one-story garage can create due to privacy, air and light concerns. There is no persuasive reason to <u>permit two-story garages, except by variance.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comment. Two story garages are currently permitted as matter of right for domestic living quarters in the R-1-A and R-1-B zones.                                                                                                                                                                                                                                                              |
| 782                 | D               | Robert T. Richards Testimony                      | 9/4/2014    | overlays              | At various times in the process various residents of ANC 7B have requested an overlay or customized zone that embodies in enforceable code language the provisions of our Small Area Plan. We also have inquired about a tree and slope overlay for those portions of the neighborhood adjacent to Fort Dupont Park. We have been rebuffed and told to come back later, after the new code is adopted. We also have been given to understand that the customized zones allow only upzoning and reduced restrictions. That obviously is inconsistent with the manner in which more affluent neighborhood have been treated during the ZRR process. According, this is a formal request to designate a reserved section in Subtitle K for a Pennsylvania Avenue SE Overlay Zone, with the provision that greater restrictions may be applied subject to notice and comment. We view this as important to maintain the shrinking affordability of our neighborhood (affordability in this instance meaning the lower than average home purchase price, which helps maintain income diversity and retards the displacement of young families.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for your comment.                                                                                                                                                                                                                                                                                                                                                                                      |
| 759                 | D               | Mary Buckley Comments (ward 8)                    | 8/25/2014   | parking - low density | Where ZRR does not require on-site parking space in R-2s, due to lack of alley access, that home occupations not be permitted to have vehicle traffic. Recommend the customers' hours of operations be limited. Home occupations should not be allowed in gated communities where customers, businesses with two or more employees and client parking is required unless with approval of 90% of owner occupied units.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The home occupation provisions were carried forward from the current regulations for home based businesses (Chapter 2, Section 203.4). Home based businesses are an important source of livelihood for many DC residents, and OP would not propose to restrict this. The limitations in the zoning, such as the limits on size, number of employees, and vehicle trips are intended to lessen potential impacts. |
| 876                 | D               | Kalorama Citizens Association Comments            | 9/15/2014   | RF                    | KCA calls on the ZC to: limit the height of roof structures in the A and M zones to 10 feet, and apply the side-wall setback formula provided in C 505.2(e) in place of the corresponding setback formula in the roof structure provisions for the A and M zones. Resolution approved November 14, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | OP is proposing to limit roof structures to 10 feet in the R and RF zones, but is not proposing such a limit in the A zones. The limit in the A zones would remain at 18.5 feet, which is consistent with the existing code.                                                                                                                                                                                     |
| 876                 | D               | Kalorama Citizens Association Comments            | 9/15/2014   | roof structures       | KCA calls on the ZC to: limit the height of roof structures in the A and M zones to 10 feet, and apply the side-wall setback formula provided in C 505.2(e) in place of the corresponding setback formula in the roof structure provisions for the A and M zones. Resolution approved November 14, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | OP is proposing to limit roof structures to 10 feet in the R and RF zones, but is not proposing such a limit in the A zones which would mak, for example, elevator over-runs not possible. The limit in the A zones would remain at 18.5 feet, which is consistent with the existing code.                                                                                                                       |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>     | <b>Date</b> | <b>Issue</b>    | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                       |
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| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 1) Zoning Regulations should require a uniform set of standards and definitions that apply to the protection of trees which are consistent with UFA standard and definitions Subtitle D Chapter 17 the UFA to maintain a clear set of standards and definitions to which applicants can refer in preparing their plans and which may be used by the ZA in assessing applications. The International Society of Arboriculture (ISA) and well respected Academic Institutions such as the Mississippi State University among others describe uniform and accepted definitions of such terms as: Critical Root Zone which is an area 1.5 feet /inch diameter of tree from the center of the tree which contains the root system critical to the survival of the tree. Tree survival is close to 100% when the entire critical root zone can be protected. Root Plate (That portion of the root zone where damage to any roots is likely to be fatal). Trenching or linear excavation, which can damage the root plate. Grade change. Canopy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your comments. OP will provide clarifying language requiring site plans submissions for review processes include existing tree sizes and locations, for trees on the property or adjacent public or private land. OP will also pass on your comments to the UFA, and to the Department of Consumer and Regulatory Affairs. |
| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 2) Zoning Regulations should clearly state that UFA definitions and standards apply to residential, as well as commercial, diplomatic and institutional projects. Significant confusion exists about whether or not UFA standards or opinion can apply to residential property and this has become the subject of tree conflicts and court cases. The Zoning Regulations should clearly state that UFA definitions, standards and expertise apply to residential as well as commercial, diplomatic and institutional properties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |
| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 3) UFA standards should apply to construction projects in all zones. A significant portion of the tree canopy is located on private property and is a community asset. The removal of any tree that does not meet the criteria for removal as a matter of right as spelled out in Subtitle D 309.1 should be subjected to the application for special exception under more specific criteria than are currently described in the ZRR.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |
| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 4) Zoning Regulations should contain a clear statement that all standards and guidelines shall apply to trees on neighboring properties, whether private or public lands, whose roots cross the property lines and whose Critical Root Zone (CRZ) will be affected by the construction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |
| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 5) UFA review of applications per Subtitle D section 1704.2. The UFA should review all plans submitted for permitting and sign off on all final plans before construction begins. Often plans are modified after submission and requiring UFA sign off on the final plans would ensure that the TPP is appropriate to the project as implemented. UFA review should also be required for any add on applications to a project resulting in an additional application. Because DCRA has no arborist on staff or any particular expertise, ZA should be required to rely on the guidance of UFA in assessing relative risk to a tree even if that risk is not quantifiable and the measure of risk is necessarily subjective.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |
| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 6) Content of Application Subtitle D section 1704.3. Plans should be required to use a uniform set of definitions that are consistent with those used by UFA and must at a minimum: Identify all trees on the property and adjoining properties, either public or private. All standards that apply to trees on the property should also apply to trees on neighboring properties. Identify the type of tree because the capacity for a tree to sustain damage from construction will differ by tree and UFA can maintain a list of trees, which may tolerate greater or lesser risk. Accurately reflect the diameter at breast height (DBH) and Critical Root Zone (CRZ) of each tree. Frequently ANC reviews plans, which inaccurately depict both the size of the tree and the size of the CRZ. This can be an attempt to minimize apparent danger and be misleading and result in approval of projects, which should be disallowed. Accurately reflect all structures and impermeable surfaces, which might affect the CRZ both on the property and on neighboring properties. Identify previous construction on the property or adjacent property or loss of critical root zone within the past five years. Trees need several years to regrow their root zones and regain health before being subjected to additional CRZ loss. Depending on the type of tree, any construction within the past five years could have a bearing on whether or not the tree could withstand further damage to the CRZ. Accurately depict damage to the canopy of a tree caused by proposed construction. For example, the damage to the canopy of the tree should not exceed 25% in a given year. This could be part of a set of standards maintained by UFA, which could be used to evaluate applications. | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |
| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 7) A Tree Protection Plan (TPP) shall be created by International Society of Arboriculture (ISA) certified arborist and should contain provisions for maintaining the trees for a period of at least three years post construction. The Commission should require a Tree Protection Plan that specifies tree protection practices under Subtitle D section 1704.1 not only during the period of construction, but also for a three year period following construction. This three year period is critical to the recovery of the tree and its capacity to grow a new root system. Practices to avoid soil compaction and provide adequate watering and pruning should be specified in the Tree Protection Plan. The Regulations should require that the TPP be created by an arborist certified by the ISA to ensure the adequacy and appropriateness of the measures. Currently a TPP may be created by an applicant or a landscape architect and may not contain adequate measures. Plans created by certified arborist would place less demand on UFA for review and monitoring. The TPP should contain some provision for intermittent monitoring the construction site to ensure compliance with the TPP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |
| 842                 | D               | ANC 3C Comments | 9/15/2014   | tree protection | 8) The period for delay for the granting of a permit following the removal or cutting of trees that would have been prohibited by D\$309.1 should remain seven (7) years. The period of delay for the granting of a permit following the prohibited removal or cutting of trees has been reduced from seven (7) to five (5) years without explanation. (Subtitle D section 408.2, 509.3, 608.2) The penalty should remain seven years. Without substantial deterrence there is reduced incentive to abide by the requirements of the Zoning Regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>           | <b>Date</b> | <b>Issue</b>              | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                       |
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| 842                 | D               | ANC 3C Comments       | 9/15/2014   | tree protection           | 9) Zoning Regulations should contain a separate Chapter describing the regulations applicable to trees. In the ZRR regulations governing trees are spread throughout the regulations. A separate Chapter dedicated to trees (such as Subtitle X Chapter 2 which sets out the requirements for Chancery applications) would reduce the potential for errors in interpretation and make the requirements for applications and TPP more clear and unequivocal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comments.                                                                                                                                                                                                                                                                                                             |
| 842                 | D               | ANC 3C Comments       | 9/15/2014   | tree protection           | ANC3C supports the preservation of the Tree and Slope Protection Overlays. ANC3C also supports maintaining the minimum standard criteria for work to be performed by matter of right without a special exception, which are well described in Subtitle D section 309.1. However, we are greatly concerned about the special exception process. The current Zoning Regulations relating to tree protection in the special exception process are vague and the proposed regulations are not an improvement. This presents significant dangers to the preservation of the tree canopy and is counter to the goal of the Special Tree Act of 2002. The lack of clarity and specificity also invites disputes as parties advance different interpretations that must be considered and resolved by the Zoning Administrator. This problem is exacerbated by the lack of in house expertise. The DCRA has no forestry expert on staff and the Zoning Administrator (ZA) himself has no particular expertise in arboriculture. The District of Columbia Urban Forestry Administration (UFA) does possess the necessary expertise, but the ZA is currently not required to use it. By providing clarity of criteria and bringing UFA expertise to bear, the ZRR could significantly contribute to the protection of the trees and their long term health and safety and the integrity of the tree canopy which is the goal of the TSPO and the Tree Protection Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comments. OP will provide clarifying language requiring site plans submissions for review processes include existing tree sizes and locations, for trees on the property or adjacent public or private land. OP will also pass on your comments to the UFA, and to the Department of Consumer and Regulatory Affairs. |
| 886                 | D               | ANC 2D Resolution     | 9/15/2014   | tree protection           | To make the District of Columbia's Zoning Regulations support the broad city goal of preserving and expanding urban tree canopy, Restore Mass Ave recommends that these eight Tree Protection Provisions be integrated into the regulations. 1. Definitions – Zoning Regulations should require a uniform set of definitions approved by the Urban Forestry Administration (UFA); such definitions should apply to residential, diplomatic, institutional, commercial and government new construction projects and throughout the permitting process. 2. Applications for new construction – Zoning Regulations should require plans to depict accurately all trees at risk from construction activity, prior to permit review and approval. Plans should show accurately trees' size and Critical Root Zones according to the uniform definitions. 3. Trees on adjacent land – Zoning Regulations should require that plans for new construction show trees on all adjacent private and public land whose Critical Root Zones and/or crowns would be impacted by construction activity and the completed projects. 4. Tree protection process – The UFA should be required to review final plans before the Zoning Administrator approves them. Tree Protection Plans (TPPs) submitted with plans for new construction should be completed by an International Society of Arboriculture-certified arborist. They should include plans for maintaining the trees for a period of time as determined by the UFA to ensure the trees' long-term health. A new "Miss Roots" service should be required to paint outlines of the Critical Root Zones of trees likely to be affected by a project in advance of permit review and approval. "Miss Roots" could be modeled on "Miss Utility," the service required for marking underground lines. 5. UFA Expertise - The Zoning Administrator should rely on the expertise of the UFA in interpreting regulations, as they apply to residential, commercial, institutional, diplomatic and government construction projects, to ensure timely protection of endangered trees. 6. Modifications to plans – The UFA should be required to review any modifications to plans after initial approval. 7. Penalties - The period for delay for granting a permit for new construction, following the removal or cutting of trees that would have been prohibited by the regulations, should remain 7 years as an incentive to abide by the regulations. 8. Regulations for protecting trees should be located in a Tree Protection Chapter of the Zoning Regulations rather than being scattered throughout, as they are currently. | Thank you for your comments. OP will provide clarifying language requiring site plans submissions for review processes include existing tree sizes and locations, for trees on the property or adjacent public or private land. OP will also pass on your comments to the UFA, and to the Department of Consumer and Regulatory Affairs. |
| 877                 | D               | ANC 5D Resolution     | 9/15/2014   | use, accessory apartments | 3. The existing list of home occupations should continue to be restricted and not allowed in ADU's.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your comment. The list of home occupations and corresponding conditions is identified in Sub D section 1610.                                                                                                                                                                                                               |
| 798                 | D, E            | Sonia Conly Testimony | 9/8/2014    | accessory apartments      | There are additional reasons for removing the proposal requiring a special (and costly) exemption for accessory apartments in R4. Families are able to convert spaces such as English basements to separate housing units by right. Equity means that families who have potential space in an accessory building be allowed the same right. Equity also means that families who have potential space in an accessory building be allowed the same right. Equity also means that limits on the total number of persons in the main building not restrict the right to an accessory unit. Zoning rules are a desirable way to protect individuals from the negative externalities that private markets can impose on individuals. However, a few vocal individuals should not be allowed to use decades old zoning rules to frustrate good public policy made in light of current conditions. Requiring zoning exemptions for the conversion of garages and carriage houses in historically dense housing markets is neither good policy nor consistent restoring the positive diverse historic character of these areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for the comments.                                                                                                                                                                                                                                                                                                              |

| ZC Exhibit # | Subtitle | Name                     | Date      | Issue                | Comment/Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | OP Response                                                                                                                                                                                                              |
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| 798          | D, E     | Sonia Conly Testimony    | 9/8/2014  | accessory apartments | There is an urgent need for additional housing on Capitol Hill (affordable and otherwise) as evidenced by rising prices. Capitol Hill worked who only a few years ago could have afforded to live near their jobs can no longer do so. For some seniors who for reasons of health or finance need additional help an accessory apartment could make the difference between continuing to live in the community and not. Accessory apartments can make it possible for families to afford a home on Capitol Hill. Accessory apartments also make it possible for families to change a unit to or from a dwelling unit for rent to a unit for household staff such as an au pair to a home office or studio as needs change. In the last decades density on many Capitol Hill blocks and certainly on mine has <u>decreased</u> . On the north facing block of North Carolina on which we live my English basement and the English basement of the home to the west have been converted to owner use as our incomes and rising property values enabled us to do so. To the east on our block a four unit rental property was converted to a two unit condominium. Allowing accessory apartments by right on Capitol Hill would in a small way help to restore the density and economic diversity that were a feature of historic Capitol Hill. | Thank you for the comments.                                                                                                                                                                                              |
| 737          | D, E     | Brian Levy Comments      | 7/24/2014 | alley                | I would ask you to please consider: 1608.1: Alley lot uses. I support allowing residential use of alleys in R-1, R-2, and R-3, not just R-3. There are over 600 alley lots across the city, and the majority of them could support residential dwellings, even if some are quite small. This is a question of using every tool to allow greater density and more housing options in a city that is losing affordable housing every day. 1608.2(c): Residential conditions for alley lots. For residential uses, I believe there should be no limits on R zones, and minimum alley width should be 15 feet, or less than 24 feet. The current 24 foot standard effectively precludes the vast majority of alleys in the District. 1609.1: Alley Lot Special Exception Uses; I believe alley lots in R-1, R-2, and R-3 zones should be afforded residential use by right, not by special exception. 1609.2: Alley Lot Special Exceptions. I believe alley width should be 15 feet, or less than 24 feet, not 24 feet. I understand that fire codes concerns resulted in the 24 foot language, but believe this code is excessive. I also support the development of ADU's on alley lots if the size of the lot is appropriate. This is not addressed in the current zoning changes.                                                            | Thank you for your comments.                                                                                                                                                                                             |
| 865          | D, E     | ANC 6B Comments          | 9/15/2014 | alley lots           | ANC 6B supports OP's alternative amendment that would permit camping on alley lots only by special exception and subject to certain conditions, including a time restriction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for your supportive comment.                                                                                                                                                                                   |
| 747          | D, E     | Alex Held Comments       | 7/31/2014 | alley lots           | Consider eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 808          | D, E     | Brian Levy Testimony     | 9/8/2014  | alley lots           | I support eliminating the proposed camping in alleys zoning rule. It appears this rule was made in an nontransparent fashion (with no public demand, at the last minute over the summer), appears unjustified (given the current lack of alley squatter camps), and is unequally applied to private property (solely alley lots) in the District. It also appears to target a single individual, violating a commonly held principle of law. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working together to develop further.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 735          | D, E     | Keya Chatterjee Comments | 7/24/2014 | CIA                  | I would ask you to please consider: a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                        | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 736          | D, E     | Brian Levy Comments      | 7/24/2014 | CIA                  | I would ask you to please consider: a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                        | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                           | <b>Date</b> | <b>Issue</b>                 | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>OP Response</b>                                                                                                                                                                                                       |
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| 738                 | D, E            | Michael Forster<br>Comments (Ward 2)  | 7/25/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. c) Affordable housing is so hard to find right now, and so difficult for the government to achieve. Please don't go so overboard in regulations. I would love to see innovative concepts like ADU's thrive and provide additional housing stock. The benefit so outweighs any potential harms. We don't want to become San Francisco, a city that has such strict regulation that new housing is not built and home prices skyrocket. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 739                 | D, E            | Roseann Mueller<br>Comments (Ward 5)  | 7/26/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 740                 | D, E            | Kellu Nusz Comments                   | 7/30/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 741                 | D, E            | Sara Thurman<br>Comments (Ward 5)     | 7/30/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 742                 | D, E            | Kate Gallery Comments<br>(Ward 6)     | 7/30/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 743                 | D, E            | Maxime Devlliers<br>Comments (Ward 6) | 7/31/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 744                 | D, E            | Nick Vilelle Comments<br>(Ward 4)     | 7/31/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |

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| 745                 | D, E            | Caitlin Ellsworth<br>Comments (ward 4)   | 7/31/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 746                 | D, E            | Nina Sherburne<br>Comments (Ward 1)      | 7/31/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 747                 | D, E            | Alex Held Comments<br>(Ward 6)           | 7/31/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 748                 | D, E            | Lia Johnson Comments                     | 7/31/2014   | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 749                 | D, E            | Jackie Cook Comments<br>(ward 6)         | 8/1/2014    | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 750                 | D, E            | Andrew O'Bar<br>Comments (Ward 1)        | 8/2/2014    | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 751                 | D, E            | Elizabeth Koprowski<br>Comments (Ward 1) | 8/3/2014    | CIA, accessory<br>apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |

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| 752                 | D, E            | Alex Pio Comments (Ward 6)                                                                                                                                                 | 8/5/2014    | CIA, accessory apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                            | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 752                 | D, E            | Alex Held Comments (Ward 6)                                                                                                                                                | 8/6/2014    | CIA, accessory apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                            | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 753                 | D, E            | Maurice Cook Comments (Ward 6)                                                                                                                                             | 8/6/2014    | CIA, accessory apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                            | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 755                 | D, E            | Brian Levy Comments (47 individual letters from 8 Ward 1 residents, 5 Ward 2 residents, 8 Ward 3 residents, 4 Ward 4 residents, 9 Ward 5 residents and 8 Ward 6 residents) | 8/18/2014   | CIA, accessory apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                            | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 757                 | D, E            | Sophie Fely Comments (Ward 5)                                                                                                                                              | 8/19/2014   | CIA, accessory apartments | a) Eliminating the proposed CIA (Camping in Alleys) zoning rule introduced by the Office of Planning. It appears this rule was made in an nontransparent fashion, appears unjustified, unequally restricts private property in the District, and is inconsistent with existing code. More importantly, it eliminates a potential source of affordable micro housing in DC we should be working to develop further. b) Supporting stronger language that allow the widespread development of ADU's. Specifically, the latest zoning rules on ADU's should keep 1602.2, so residents can develop accessory apartments without going through a costly and time intensive special exemption process. I feel that expanding ADU (accessory dwelling units) is essential to increasing DC's housing supply, expanding affordable housing, and allowing aging in place for DC residents.                                                                                                                                                                                            | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 754                 | D, E            | AIA DC Comments                                                                                                                                                            | 8/4/2014    | CIA, accessory apartments | Express opposition to a proposed change that would have a negative effect on trailer-based micro housing. Believe micro housing can be a great resource in expanding access to affordable housing in the city. With the Zoning Commission taking such a positive approach to accessory dwelling units and strongly supporting affordable housing, we are at a loss as to why regulations are proposed that would curb the use of micro housing. Just because a micro home can be built using a trailer as its foundation does not mean it is an eyesore or bother to the neighbors. OP has recently opined that 'we need some level of controls so people aren't setting up squatter camps in alleys.' There have been no reports of such activity and so in trying to anticipate a problem that does not yet exist, regulations are proposed that will prevent law-abiding, tax-paying property owners from using their property in an affordable way. We do not believe the public interest is served by forcing property owners to get special exceptions to build small. | OP supports micro housing as a permanent residential option; camping is a temporary use. How uses on alley lots interact with public health and safety is important and is proposed to be reviewed by special exception. |
| 884                 | D, E            | Richard Layman Comments                                                                                                                                                    | 9/15/2014   | conversions               | In some quarters of the city, opposition has been expressed to the dividing up of larger rowhouses to flats. This should be allowed, depending on the size of the building, because increased property prices means that fewer households are able to purchase and use in its entirety such properties because of the cost and size. Flats allow more households to participate as owners in DC's residential housing market.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for your comment                                                                                                                                                                                               |
| 877                 | D, E            | ANC 5D Resolution                                                                                                                                                          | 9/15/2014   | corner stores             | 4. Corner food stores should continue to be restricted unless built and in operation prior to 1958. The Commission has received no testimony from any 5D resident reflecting an expressed need or desire for additional corner stores anywhere within its boundaries.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your comment                                                                                                                                                                                               |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                       | <b>Date</b> | <b>Issue</b>  | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                       |
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| 865                 | D, E            | ANC 6B Comments                                   | 9/15/2014   | corner stores | ANC 6B opposes OP's alternative amendment that would make beer and wine sales a use that can only be approved as a special exception, a change that will make corner stores less viable. ANC 6B feels that the 15 percent of gross floor area cap, coupled with the public ABC Board process that any corner store would have to go through to get a liquor license provides ample protection for residents living near such stores.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for your comment                                                                                                                                                                                                                                                                                                               |
| 865                 | D, E            | ANC 6B Comments                                   | 9/15/2014   | corner stores | ANC 6B supports OP's alternative amendment that more fully defines the "grocery" aspect of corner store provisions. Since "grocery" corner stores would be allowed as a matter of right, we feel that the more specific definition and requirements are appropriate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for your comment                                                                                                                                                                                                                                                                                                               |
| 848                 | D, E            | The Committee of 100 on the Federal City Comments | 9/15/2014   | corner stores | Corner stores – don't approve. This is perhaps the most foolish proposal in ZRR. It is ripe for abuse. None of the Ward 8 ANC chairs support it. They need grocery stores but they don't want corner stores and markets. They know that they have potential to become nuisances. Ward 4 ANC commissioners with experience with corner stores testified in detail about the problems with these stores in their neighborhoods. Other large cities have experienced significant problems related to corner stores, including obesity. It is not reasonable for the Zoning Commission to assume that a commissioner's experience in his or her neighborhood will be the universal experience, especially when witnesses are describing very different experiences. Converting housing to this use is taking a needed resource and replacing it with something not many people want. This is a concept that should be part of customization.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Thank you for your comment                                                                                                                                                                                                                                                                                                               |
| 798                 | D, E            | Sonia Conly Testimony                             | 9/8/2014    | corner stores | Object to the amendments to Subtitle E that further restrict the expansion of Corner Stores. The amendments impose restrictions and proscriptions that are contrary to the community supportive purpose of the corner market and may make it impossible to open a new corner store. The corner store developed to serve the needs of specific neighborhoods. Corner markets make it possible for residents of a specific neighborhood to meet some or many of their household needs walking or biking and meeting neighbors along the way reducing the need for motor vehicle use. Walking to and shopping in small markets in my neighborhood has created the opportunity for my husband and I to develop neighborhood bonds sharing information and services. Requiring that 40% of consumer accessible sales and display area be dedicated to food products for home preparation may not be what a particular neighborhood market wants or can support. The proposed amendment regarding food intended for preparation will require yet another set of regulations to define home preparation etc. As I get older I can envision the day that our continued stay in the community will require pre-prepared meals, aka meals on wheels. A neighborhood store selling frozen meals within a few blocks might be just what I need to keep me independent a bit longer. Currently I shop at a small corner store that sells no fresh produce but is a wonderful place to buy condiments, wine, candy bars, milk and cheese and has some of the best baguettes in town. The store is much too small to carry fresh produce. This store contributes to personal security as well. Located at an otherwise dark corner of Lincoln Park, the store provides a beacon of light in the evening. A large portion of this store is devoted to beer and wine. I have yet to see a person exit the store drinking from his opened bottle of \$30 wine. Limiting beer and wine sales to a small portion of a small store is likely to make the enterprise uneconomic. Requiring an extensive and expensive review process to sell wine and beer quite possible eliminates any hope of corner store expansion. Corner stores with their front plazas provide an opportunity for a CSA food drop. Combined with double stamps for persons receiving food stamps and WIC/Senior stamps a CSA drop could be an effective way to increase the availability of fresh food in a way that a small neighborhood market on its own probably cannot. | Thank you for your comment                                                                                                                                                                                                                                                                                                               |
| 775                 | D, E            | Khadijah Watson ANC/SMD 8B01 Testimony            | 9/4/2014    | corner stores | Strongly urge Office of Planning and Zoning Commission to only permit corner food stores based on a small plan requesting them be approved by the Council with the support of the ANCs. If our neighborhoods decide that they need commercial we would like to work with our residents to determine what that would mean and then approach you about permitting it. Please reject or eliminate the proposed by right or by Special Exception corner store proposal. This includes providing Commercial businesses should not be permitted in our neighborhood as well. We foresee the same problems and issues as stated regarding corner stores.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comment                                                                                                                                                                                                                                                                                                               |
| 805                 | D, E            | Susan Kimmel Testimony                            | 9/8/2014    | corner stores | The provisions proposed to govern corner stores have evolved into micro-managing that will be next to impossible to enforce. Although we may wish these small markets to carry perishables and healthful fruits and vegetables, rather than just snack food, that may not be economically viable. The mix of items may depend of demand and volume of business. I agree with the regulation requiring a special exception process for sale of beer or wine and for limiting the amount of shelf space allowed for these items -- though based on my observations of a deli in Potomac, MD, 15% may be too low.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comment                                                                                                                                                                                                                                                                                                               |
| 865                 | D, E            | ANC 6B Comments                                   | 9/15/2014   | corner stores | While we appreciate OP's clarification that residential use is permitted above a corner store, ANC 6B opposes OP's alternative amendment language that continues to prohibit corner stores in buildings with more than one dwelling unit. We do not agree that a corner store in a small apartment building on a residentially zoned lot should be prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comment                                                                                                                                                                                                                                                                                                               |
| 877                 | D, E            | ANC 5D Resolution                                 | 9/15/2014   | pop ups       | 6. Requests for variances and special exceptions for exceeding the established height limit should not be considered unless the property owner can ably demonstrate a hardship; if a waiver or variance is granted the height request may not exceed 5 feet. The Commission supports ongoing protections to historic views and neighbor's access to and enjoyment of light and air. The residents of ANC 5D opposes the granting of "pop-ups". The Commission recommends that stringent requirements for adding additions to residential property within historic districts apply and should be added to areas that are not officially designated historic, yet are believed to possess historic value.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The draft text includes some measures that could help, including how building height is measured and reducing the permitted height for roof structures to 10 feet. A separate case addressing changes to the R-4 zone (ZC 14-11) is not part of the comprehensive zoning revisions and will be heard as a separate case in January 2015. |

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| 844                        | D, E                   | Matthew Singerman<br>Comments | 9/15/2014          | pop ups             | I am writing to address concerns I have regarding the proliferation of "pop-up" housing in neighborhoods which have traditionally been single-family rowhouses. The increase of these housing types (and conversion of houses into condo units) has been increasing in my neighborhood, and it is a worrying trend for several reasons. Firstly, there is little if any neighborhood involvement or notice about the work being done, to the point where people have woken up to construction equipment next door with no idea that work we being done. In addition, because of this, there has been minimal neighborhood input into the process or end results. Because of this lack of input, much of the work being done is substandard and has in fact done damage to neighboring properties. As these dwellings are converted from single-family houses to multi-unit condos, public amenities which are typically used on a per-household basis will be strained. I am specifically thinking of on-street parking - a single family will only use one or two cars, but a four-unit condo building will almost certainly have more, potentially having many more depending on the number of people residing in them. I wholeheartedly support finding ways to increase the amount of housing in DC by increasing density around transit hubs and even by allowing accessory dwelling units, but allowing new condo buildings to be built as a matter of right is not the way to go. Protect our houses and allow us to have input in our community. | The draft text includes some measures that could help, including how building height is measured and reducing the permitted height for roof structures to 10 feet. A separate case addressing changes to the R-4 zone (ZC 14-11) is not part of the comprehensive zoning revisions and will be heard as a separate case in January 2015. |
| 834                        | D, E                   | Robert Hildum<br>Comments     | 9/14/2014          | pop ups             | I am writing to urge that the Commission reject so called "pop ups" where a single family row house is converted into multiple apartments or condos. These pop ups destroy the character of our neighborhoods and infringe on the rights of the adjoining row houses. If the ZC somehow decides to allow these pop ups then there should be transparency and the rights of adjoining homeowners should be protected-someone has to be named who will be responsible for any issues related to the construction, they should provide the homeowners with a construction schedule and weekly progress updates, and the developer should be required to post a bond equal to the value of the adjoining rowhouses that can be used to pay for any damage caused in the construction. Many of these row houses are nearly 100 years old - mine was built in 1915 and have historical worth. Pop ups are an affront to historical preservation and change the character of the neighborhood. Moreover, parking will be severely impacted. Please don't allow pop ups but if you must make sure that adjoining homeowners are protected.                                                                                                                                                                                                                                                                                                                                                                                                                       | The draft text includes some measures that could help, including how building height is measured and reducing the permitted height for roof structures to 10 feet. A separate case addressing changes to the R-4 zone (ZC 14-11) is not part of the comprehensive zoning revisions and will be heard as a separate case in January 2015. |
| 847                        | D, E                   | Lewis Getzinger<br>Comments   | 9/15/2014          | pop ups             | I would like to see strong language prohibiting the conversion of single family homes into multi-unit building through the use of "pop-up" floors on top of existing structures. Converting single family homes to multi-family ones creates many problems, such as parking difficulties, increase in trash, rodents, and noise, etc. I'd also like to limit the by-right height of single family homes in our neighborhoods to not exceed 35 feet so new construction does not tower over existing homes breaking up the continuity and flow of homes of similar heights. The new higher buildings are eyesores, but also block essential light for roof solar panels and airflow. Also, please change the regulation language so as to include mezzanines as floors or stories. Many of us purchased our homes b/c of the single family homes that make up our neighborhood and surrounding neighborhoods such as Petworth, with ample space, light and yards, and chose not to live in high density neighborhoods.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | The draft text includes some measures that could help, including how building height is measured and reducing the permitted height for roof structures to 10 feet. A separate case addressing changes to the R-4 zone (ZC 14-11) is not part of the comprehensive zoning revisions and will be heard as a separate case in January 2015. |
| 884                        | D, E                   | Richard Layman<br>Comments    | 9/15/2014          | pop ups             | Recently, in response to direction from the Zoning Commission and the testimony of Councilmember Graham, the Office of Planning submitted text amendments to address "pop ups." Generally I am supportive of these recommendations and I have argued with OP about this for many years. It is only because Councilmember Graham testified before the Commission that OP changed their position. The problem with popups is twofold. The current allowable zoning height and bulk for residential zoned property is greater than was typical when DC's pre-1940s neighborhoods were constructed. This is particularly problematic with rowhouses. However, there are many examples of attractive extant three and four story rowhouses, even in the city. But there is not a design review process or streamlined process that works with property owners to develop compatible additions. Most popups are “ugly” and discordant with the prevailing architectural character of pre-1940 neighborhoods. A special exception process with a design development process should be created to promote compatibility while simultaneously allowing for property expansions when the proposals are judicious.                                                                                                                                                                                                                                                                                                                                                  | The draft text includes some measures that could help, including how building height is measured and reducing the permitted height for roof structures to 10 feet. A separate case addressing changes to the R-4 zone (ZC 14-11) is not part of the comprehensive zoning revisions and will be heard as a separate case in January 2015. |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                      | <b>Date</b> | <b>Issue</b>              | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>OP Response</b>                                                                                                                |
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| 846                 | D, E            | Lance Salonia Comments                           | 9/15/2014   | use                       | Having recently had a theater set up in institutional space adjacent to my house, I wish to convey the effects a performing arts venue can have on the immediate neighbors' peace, order, and quiet, and to suggest actions that can be taken to mitigate such effects. A theater setting up in an institutional space in a residential neighborhood involves much more than just the number of performances it will make available to the public. It is an intensive use which involves daily rehearsals, theater workshops, meetings, and other activities ancillary to a non-profit such as fundraising via yard sales, fashion shows, etc. And, at least in the case of the theater operating in the basement of the church across a 10 foot alley from my home, it also can include subletting of the space to performance festivals such as the Capital Fringe Festival - where we had 4 performances a day, 6 days a week, for a 4 week period - and even subletting to commercial activities such as photo shoots and the filming of commercial advertisements and the pre-requisite auditions. I.e., Unless strictly controlled in terms of specific uses, access means, hours of operation/performances, and a complete prohibition on subletting, the permitting of an intensive use such as a performing arts venue in a residential neighborhood can easily overwhelm the neighborhood's peace, order and quite. The proposed text in this section doesn't appear to address any of the issues I am raising. Lacking any zoning restrictions/controls, the situation next door to me was successfully addressed via a Zoning Variance action which resulted in the theater being allowed to continue operating BUT with restrictions, AND with a requirement that the Church (i.e., the space owner and the applicant) return in 3 years to apply for another variance after reporting on the effects on the immediate neighbors during the 3 year period the variance runs. It's been 2 years now, and I can say that the restrictions incorporated into the zoning variance order AS WELL AS the requirement that this will come up for review a year from now, have resulted in an acceptable balance between the immediate neighbors' To that end, I am enclosing my testimony presented orally at the variance hearing detailing the problems I was dealing with prior to intervention by the Board of Zoning Adjustment, as well as the zoning order that resulted from this action and has been working. I ask that you review both in light of 'lessons' learned and how the text you are proposing can and should be augmented to account for all these other uses associated with a theater in addition to the actual performances. Additionally, I'll include a photograph of one of the many crowds I experienced right outside my kitchen and bedroom windows prior to the zoning order which restricted the theater's access means to the front, main door of the church ... something the theater and the church had not been willing to do prior to my reporting this illegal use of the space to the District. Includes attachments A, B, and C. | This is very helpful and will be incorporated into the proposed conditions for consideration and approval of a special exception. |
| 884                 | D, E            | Richard Layman Comments                          | 9/15/2014   | use                       | Separately the OP has discussed within the rewrite project legalizing poultry and other small animals in the context of promoting urban agriculture and sustainability. Although such provisions have not yet been submitted. Many major cities, including NYC, Seattle, San Francisco, and Salt Lake City, have already legalized poultry and the maintenance of other small animals in residential zones. We request that the ZC consider the legalization of poultry and other small animals within the context of Subtitle D and E, rather than wait for a separate process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Poultry is permitted and regulated by the District Department of Health.                                                          |
| 771                 | D, E, F         | David Alpert Greater Greater Washington Comments | 9/3/2014    | accessory apartments, use | Minimum lot size and house size: Accept OP amendment. Accessory apartments in accessory buildings: Retain previous language as advertised in the alternative. Alley width: Accept OP amendment. Further, ensure that relief from 24-foot alley width is available in RF zones (subtitle E) as well as R zones (subtitle D). Side yard width for access to accessory apartments: Accept the OP amendment to reduce the required width to 8 feet (or, ideally, fewer). Also, make the same change in RF zones (subtitle E) as was made in R zones (subtitle D). Maximum number of persons: Accept the alternative of a cap only on the number of persons in the accessory apartment, or alternatively, make the limit 6 persons total OR 2 in the accessory apartment. Theaters in residential zones: Further modify OP amendment to delete new 1602(a) and further make this applicable in A zones (subtitle F) as well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for the comments.                                                                                                       |
| 877                 | D, E, F         | ANC 5D Resolution                                | 9/15/2014   | development standards     | 9. More explanation is needed to determine why R3, R4 and R5 designation should be altered. How will the affected communities benefit by any changes?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | There is no substantial changes to these zones.                                                                                   |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                            | <b>Date</b> | <b>Issue</b> | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                       |
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| 882                 | E               | Jackie Ostfield Comments               | 9/15/2014   | pop ups      | I am a resident in the Petworth neighborhood of Washington, DC and have lived here for more than seven years. I moved to Petworth specifically for its quaint and quiet neighborhood feel. There are many older families who have been here for generations as well as younger couples who moved here to start a family because of that same neighborhood feel. I am deeply concerned about the quick development that is happening in the neighborhood. Just recently a developer purchased a rowhouse behind my house and expanded it substantially both up and back. It now blocks my entire view of the neighborhood and the lovely skyline we once had to the west. We could see the Washington Cathedral from our back yard and would regularly sit outside to watch the sunset over the horizon. I would like to raise my voice in opposition to the conversion of rowhouses to large multi-unit condos/rental units. The large multi-unit condos/rental units are not only unsightly and out of place on our quaint street but they are raising the population density of the neighborhood which will inevitably lead to greater traffic, difficulty in parking, more noise and more trash. Additionally, these structures are blocking sunlight to our backyards and rooftops. My husband and I just spent \$17K on home solar panels to reduce our energy costs and to lighten our carbon footprint (good for our bills, good for the planet). The new building behind our house is already blocking a few hours of light from the sun onto our solar panels. I expect this problem to worsen in the winter when the sun spends less time overhead. Additionally, my garden will suffer a reduction of sunlight. There are many older couples in this neighborhood who have been here for generations and take great pride in their yards and gardens. If pop-ups continue to be erected, they will also suffer a loss of sunlight to their yards and to their homes. This problem will only be exacerbated if more and more of these structures are permitted. We did not move to Petworth for the skyscrapers. There are plenty of condos being built up along the Georgia Ave Metro stop which seems to me a more appropriate place to build multi-family units. I urge you to put proper zoning rules in place to prevent the construction of these large units on our smaller and historic streets. At the same time, I would like to voice my objection to pop ups. While I understand the desire for homeowners to have more space, I believe that popups are making our neighborhood unsightly. We have beautiful homes here, some more than one hundred years old. We have beautiful churches on grant circle, and many homes that merit historic preservation. When quick pop ups are allowed to be erected without regard for the neighborhood's history and potential to be one of the most desirable places to live in Washington, DC, we all lose. There are big houses in many parts of the city, and if people would like to live in them, I think they should make the investment and live in those neighborhoods. Thank you for the opportunity to comment. In addition to | The draft text includes some measures that could help, including how building height is measured and reducing the permitted height for roof structures to 10 feet. A separate case addressing changes to the R-4 zone (ZC 14-11) is not part of the comprehensive zoning revisions and will be heard as a separate case in January 2015. |
| 883                 | E               | Kyle Ash Comments                      | 9/15/2014   | pop ups      | I ask that you place a moratorium on any new permits for pop-ups and for converting rowhouses to multi-family units until the community has had sufficient opportunities to weigh in and a decision has been made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | The Zoning Commission does not have the legal authority to issue a moratorium.                                                                                                                                                                                                                                                           |
| 775                 | E               | Khadijah Watson ANC/SMD 8B01 Testimony | 9/4/2014    | pop ups      | There must be a moratorium regarding Pop-ups immediately, it is out of character and disrespects the residents in the communities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | The Zoning Commission does not have the legal authority to issue a moratorium.                                                                                                                                                                                                                                                           |
| 853                 | E               | ANC 4C Resolution                      | 9/15/2014   | pop ups      | Whereas, for purposes of this Resolution, a “pop-up” is an upward conversion of an existing rowhouse to 3 or more separate units, are allowed as a ‘matter of right,’ in residential R-4 zones; Whereas, existing regulations to rowhouses in R-4 zones is limited to two units which is defined as a ‘flat’ in contrast to ‘apartments’ which are defined as three or more units; Whereas, the Office of Planning has documented “OP has always read the code to mean that R-4 is not intended to be an apartment zone; Whereas, R-4 zoning does not expressly prohibit any one property owner from converting their single family home into a multiple dwelling unit, Whereas, residents consistently advise that required notice of “pop-ups” are not currently occurring, per DC building regulations, Whereas, residents have misinterpreted liability notices from the appropriate governing agencies, Whereas, "pop-ups" can be interpreted as changing the existing character of neighborhood blocks, creating apartment zones on traditionally single family home residential streets, Whereas, the zoning commission is currently considering changes to the regulations which allows for “matter-of-right” “pop-ups”, Whereas, the Department of Consumer and Regulatory Affairs is responsible for overseeing the District’s building codes, THEREFORE BE IT RESOLVED, that ANC 4C asks the Board of Zoning Affairs (BZA): 1). Adopt the Office of Planning’s (OP) proposed 35’ limit on “pop-up” development in R-4 zone, 2). Require a variance application for conversion of single family homes to more than two (2) separate dwelling units, whereby owners seeking variance must present plans and hear community input before ANCs at a public meeting. Furthermore, ANC 4C asks the Department of Consumer and Regulatory Affairs (DCRA): 1). Strengthen existing rules and oversight for notification to nearby residents affected by “pop-ups”, per DCRA’s existing 200’ notification radius, 2). Clearly articulate liability for adjoining structure damage that may result from individual “pop-ups” to a neighbor’s property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The draft text includes some measures that could help, including how building height is measured and reducing the permitted height for roof structures to 10 feet. A separate case addressing changes to the R-4 zone (ZC 14-11) is not part of the comprehensive zoning revisions and will be heard as a separate case in January 2015. |
| 876                 | E               | Kalorama Citizens Association Comments | 9/15/2014   | RF           | KCA welcomes the proposed two new rowhouse zones RF-4 and RF-5, calls on the ZC to: eliminate the "corner store" uses and non-profit office use from the two new rowhouse zones, strike E 504.4, which is rendered without legal effect by E 600 and in any event would negate the purpose of the two new row house zones to limit the number of permissible units per building; and strike E 600. Resolution approved November 14, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | OP agrees that the corner store provision is not intended to be brought forward into the new RF zones.                                                                                                                                                                                                                                   |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                           | <b>Date</b> | <b>Issue</b>  | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>OP Response</b>                                                                                                                                                                                                          |
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| 843                 | E               | Sandra Lesesne and Thaddina and Edward Floyd Comments | 9/15/2014   | RF            | There is construction of a 3 unit condo between our homes. Due to the lack of knowledge and withholding of information from the new property owner, we are now in fear of soil erosion, contamination from air born issues such as the accumulation of dust still on our windows /property and possible asbestos exposure. These homes are 100 years old. If the building is constructed as planned, this would prohibit us from modernizing and making certain environmental and other home improvements, specifically installing solar panels and other energy saving work due to lack of light. Another issue of concern is my home has a side window and the property owner told me that I should get siding placed on that side because they will be building and extending their property up and out which will cause it to be very close to mine. I would like to know if there is any protection of mold and mildew for our property due to lack of air and light because of the close proximity of the planned building. Also this construction will prevent me from doing any work on their side of my home because I will not have access to my property. We feel that construction of this magnitude should not be done between row houses. These homes were built as a neighboring community and construction of this type destroys the harmony and appeal of our homes. The greed and disregard of residents (especially senior citizens) by developers has caused us hardship both personally and financially. | Thank you for the comments. The issues about construction are beyond the scope of the zoning revisions and are regulated by the Dept. of Consumer and Regulatory Affairs, through the building code and permitting process. |
| 861                 | E               | Neighbors Against Downzoning Comments                 | 9/15/2014   | RF            | Thirty-one District residents or business owners, most of whom live in Lanier Heights, have signed the online petition opposing downzoning in Lanier Heights. We oppose efforts to downzone residential neighborhoods in our city, particularly the Lanier Heights neighborhood in Adams Morgan, where most of our petition supporters reside. Downzoning reduces the city's potential for residential growth and takes existing property rights away from home owners. The negative economic impact of downzoning on individual homeowners, residential neighborhoods and the entire city could be enormous, as discussed in The Cost of Downzoning (see exhibit pages 5 - 8). We urge the ZC to revise DC's 1950s-era zoning regulations for today's 21st century residents. We urge the ZC to resist proposals for residential downzoning. Better options for creating an accessory dwelling unit, reducing or eliminating parking minimums, allowing corner stores, and simplifying the zoning code will help make Washington, DC, a better place to live for current and future residents. Retaining (or expanding) home owners' development rights for multi-dwelling conversions provides the potential for neighborhood growth, more affordable housing options and may help long-time home owners and residents age in place.                                                                                                                                                                                        | Thank you for the comments. There is no proposal to down zone the area as part of this case. Any action to rezone would require a separate case.                                                                            |
| 786                 | E               | Neighbors Against Downzoning Comments                 | 9/8/2014    | RF            | Urge the Zoning Commission to revise DC's 1950s-era zoning regulations for today's 21st century residents. We urge the Zoning Commission to resist proposals for residential downzoning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for the comments. There is no proposal to down zone the area as part of this case. Any action to rezone would require a separate case.                                                                            |
| 837                 | E, F            | Larry and Ann Hargrove Comments                       | 9/14/2014   | corner stores | Purely as a matter of intelligible drafting, not policy, we suggest that the concept of “corner store” as it has evolved in the ZRR has become something of a muddle, and needs some further work.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | OP agrees and will reorganize the text.                                                                                                                                                                                     |
| 837                 | E, F            | Larry and Ann Hargrove Comments                       | 9/14/2014   | RF            | 2. We welcome the proposal for the two new rowhouse zones – RF-4 and -5, which are intended principally to make it possible for areas like Adams Morgan to replace R-5-B and higher zoning with zoning more compatible with the physical character and general ambience of their neighborhoods. Another drafting correction: E- 504.4, on conversion of a house to an apartment house in RF-4 and -5, is rendered without legal effect by another provision (E-600) and should be deleted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for the comment; OAG will review the proposals for legal sufficiency.                                                                                                                                             |
| 727                 | E, F            | Kathryn A. Eckles Comments                            | 7/2/2014    | RF            | Proposals would encourage people to expand the backs of their houses considerably for an extra apartment. The shadows resulting would be disastrous. The proposal is completely contrary to the city's campaign to promote ground water absorption.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Lot occupancy, set back, and pervious surface requirements would apply and would ensure that light and air is not negatively impacted.                                                                                      |
| 837                 | E, F            | Larry and Ann Hargrove Comments                       | 9/14/2014   | RF            | Special problem for row-house neighborhoods: height and setback of roof structures. Roof structure height. Maximum roof structure height for all districts under Subtitle F should be reduced from 18.5 feet to 10 feet, as is already provided for the Capitol Hill RA district and for Subtitle E districts. Roof structure setback. The general rule on roof structure setback from side walls, found in C - §505(e), should replace the corresponding rule found in subtitles D, E, F and M, to effectively mitigate their visual impact on rowhouses and to implement the relevant provision of the Comprehensive Plan. Action LU-2.1.B: Amendment of Exterior Wall Definition Amend the city's procedures for roof structure review so that the division on-line wall or part wall of a row house or semi-detached house is seated as an exterior wall for the purposes of applying zoning regulations and height requirements. The problem would be effectively solved by applying the different formula found in the “general rules” in subtitle (C - §505(e)) that requires a setback from a lot line wall that is “higher than the greater of the adjacent property's existing or by-right height.” That provision is more nearly faithful to the Comprehensive Plan and should be made applicable in all Subtitle D, E and F districts.                                                                                                                                                                            | Thank you for your comment; OP is proposing a 10 foot limit for roof structures in R zones, and to clarify setback requirements generally.                                                                                  |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                               | <b>Date</b> | <b>Issue</b>    | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| 837                 | E, F            | Larry and Ann Hargrove<br>Comments        | 9/14/2014   | roof structures | Special problem for row-house neighborhoods: height and setback of roof structures. Roof structure height. Maximum roof structure height for all districts under Subtitle F should be reduced from 18.5 feet to 10 feet, as is already provided for the Capitol Hill RA district and for Subtitle E districts. Roof structure setback. The general rule on roof structure setback from side walls, found in C - §505(e), should replace the corresponding rule found in subtitles D, E, F and M, to effectively mitigate their visual impact on rowhouses and to implement the relevant provision of the Comprehensive Plan. Action LU-2.1.B: Amendment of Exterior Wall Definition Amend the city's procedures for roof structure review so that the division on-line wall or part wall of a row house or semi-detached house is seated as an exterior wall for the purposes of applying zoning regulations and height requirements. The problem would be effectively solved by applying the different formula found in the "general rules" in subtitle (C - §505(e)) that requires a setback from a lot line wall that is "higher than the greater of the adjacent property's existing or by-right height." That provision is more nearly faithful to the Comprehensive Plan and should be made applicable in all Subtitle D, E and F districts.                                                         | Thank you for your comment; OP is proposing a 10 foot limit for roof structures in R zones, and to clarify setback requirements generally.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 837                 | E, F            | Larry and Ann Hargrove<br>Comments        | 9/14/2014   | use             | 1. We welcome OP's having dropped the proposal to permit the intrusion of a wide range of commercial, office and other non-residential uses into Subtitle F residential neighborhoods such as Adams Morgan. Note a needed drafting correction: In earlier drafts an anachronistic provision allowing large historic buildings to be converted to non-profit office use was carried forward from the existing code into what is now subtitle F. That use, which would constitute a threat to residential occupancy of large apartment buildings, was wisely dropped along with other newly proposed non-residential uses, but "office" still appears on the use table in F- §1403, and should be deleted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for identifying this issue. The table in F 1403 will be corrected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 863                 | F               | Neighbors United Trust<br>Comments        | 9/15/2014   | apartment zones | The purpose of this submission is to remind the Commission of the vulnerability of single family homes in the Apartment Zones. The current R-5-A zones need your attention to ensure they do not fall victim to condo or apartment conversions by being placed in this new zone. The goal of the zoning review should be to maintain the rich housing mix that currently exists in the R-5-A zones, not to have them become homogenized and consumed into a much denser zone. The single family dwellings mixed in with row houses and low rise apartment provide a rich mix of housing choices. Open space sets off these structures rather than making them a uniform mix of housing type. Unfortunately this proposed grouping of R-5-A zones in the apartment zones is another example of planning by imposition rather than choice. Most of the current R-5-A communities have not been consulted or informed of the proposed changes which are in conflict with the Comprehensive Plan that directs zoning should not change neighborhood character. One option would be to move them into the appropriate residential zones with which they share a predominance of zone characteristics. The ZC needs to consider the fate of the R-5-A zones carefully to ensure these special residential areas do not fall prey to predatory developers who care little for maintaining neighborhood character. | The R-5-A zone is an apartment zones and has been placed accordingly within Subtitle F. Currently Title 11 Zoning states: "The R-5 Districts are General Residence Districts designed to permit flexibility of design by permitting in a single district" "In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under § 3104 in accordance with the standards and requirements in this section." The BZA review for multifamily development is preserved in the draft text for the ZRR. |
| 884                 | F               | Richard Layman<br>Comments                | 9/15/2014   | pop ups         | The current approval process does not provide for design review in areas not zoned as historic districts, even though design approval and guidelines would be a logical extension of provisions within the Urban Design Element of the Comprehensive Plan. There should be more rigorous design requirements for mixed use/residential multiunit buildings more generally in the city, because of the long term importance of design quality to urban design and quality of life in the city, and to maintenance of property values. Such provisions should be applied to both rental and owner occupied housing because over time some rental housing is converted to residential household ownership.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for the comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 876                 | F               | Kalorama Citizens<br>Association Comments | 9/15/2014   | use             | OP's final ZRR draft omits the provisions that would have allowed new commercial and other non-residential uses, and that allowing non-profit office use of large historic apartment buildings, in Adams Morgan and other "Apartment" areas, the Kalorama Citizens Association commends OP for having dropped these provisions, and calls on the ZC to reject any suggestion that they be reinstated in whole or in part. Resolution approved November 14, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for your comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 876                 | F               | Kalorama Citizens<br>Association Comments | 9/15/2014   | use             | The Kalorama Citizens Association opposes the proposal to revise the Zoning Regulations so as to allow commercial and other non-residential uses in Adams Morgan's residential neighborhoods, by special exception or otherwise; Calls on Mayor Vincent Gray and the Office of Planning to either (a) drop the proposal to allow commercial and other non-residential uses in R-5 neighborhoods, or (b) exempt Adams Morgan from any such proposal that may be sent forward to the Zoning Commission for consideration. Resolution approved July 16, 2012.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Commercial uses are only allowed as adjunct space to apartment buildings as the uses are currently allowed under the existing regulations. There has been no proposed expansion of the uses.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                            | <b>Date</b> | <b>Issue</b>          | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>OP Response</b>                                                                                                                                                                                                    |
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| 818                 | F               | ANC 3D resolution                      | 9/9/2014    | use                   | Whereas, the current R-5 districts are residence districts designed to permit flexibility of design by permitting in a single district all types of urban residential development provided it conforms to the height, density, and area requirements established for these districts; Whereas, in the R-5-A residential districts only a low height and density shall be permitted; Whereas, Subtitle F, Chapter 2: Apartment Zone-Group 1 of the ZRR draft regulations proposes to change R-5-A zone districts into an apartment zone (A-1); and Whereas, an objective of the ZRR is to simplify and better organize the city's zoning code; Whereas, the low density residential housing that would be allowed under A-1 is more compatible and consistent with the low density housing in R-2 through R-4 districts; and Whereas, ANC 3D is concerned with the loss of historical diverse older R-5-A single family residential neighborhoods, which offer a diversity of housing mix, give the city's neighborhoods unique architectural identity, and preserve neighborhood character; and Whereas, ANC 3D is concerned that categorizing this housing in the A-1 zone may upset the balance of housing in what are now R-5-A districts by indirectly or unintentionally encouraging transformation of single family housing units into multi-family dwelling structures; Therefore, be it resolved, that ANC 3D recommends that R-5-A zone districts be removed from Subtitle F and placed instead in the subtitle addressing residential zones, as an R-5 residential zone. Be it further resolved, the ANC 3D chair or the Commission's alternative designee shall testify before the Zoning Commission on behalf of ANC 3D on this matter and that this resolution be circulated broadly within DC government, including the Office of Planning, the Zoning Commission, and members of the DC Council, and other individuals and agencies as considered appropriate by the Chair.                                                                                                                                                                                      | The R-5-A zone is an general residential zone that allows single family detached, semi-detached as a matter of right and apartments by special exception. There is no proposal to change the zone or its intent.      |
| 876                 | G               | Kalorama Citizens Association Comments | 9/15/2014   | development standards | KCA calls on the ZC, as regard at least zones M-4, M-5, M-33 and M-34, to restore the 60% lot occupancy maximum, provide for rear setback from the rear lot line for all portions of a building, and eliminate any increase in permissible non-residential FAR. Resolution approved November 14, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | The Lot occupancy will be restored.                                                                                                                                                                                   |
| 836                 | G               | Larry and Ann Hargrove Comments        | 9/14/2014   | overlays              | In Subtitle G of the proposed regulations as amended by OP's Alternate Text proposed on June 16, 2014, C2-A and C2-B become MU-4 and MU-5 respectively. The special Reed-Cooke mixed use zones, C2-A/RC and C2-B/RC were to become M-33 and M-34 respectively, although OP has now proposed that the Reed-Cooke overlay be incorporated into Subtitle K and those zones renamed RC-2 and RC-3 respectively. It appears that Subtitle G by and large continues the existing development standards and use permissions in these zones, with at least two significant exceptions that would have the effect of downgrading and diminishing the residential component of these mixed use areas: First, in both zones they do away with the existing 60% maximum lot occupancy limitation, a principal function of which is to ensure light and air to residential apartments located on upper floors. G-301 and 901. We see no good reason for this shift, which would mean that a building could occupy the entire lot except for a narrow setback at the rear. Second, the new regulations would give an automatic increase of permitted non-residential FAR, from 1.5 to 2, based on lot size of 10,000 square feet or less, to the great majority of mixed-use buildings in Adams Morgan. G-303.2 and 903.2. This again is a gratuitous creep toward straight commercialization of our mixed-use areas, which we believe is unwarranted and harmful to Adams Morgan's special diverse character. We oppose these changes, and urge that they be stricken. The present configuration of these zones is a result of three citizen-initiated cases case before this Commission, emanating from Adams Morgan, that lowered the C-2-B height limit from 90 to 65 feet, eliminated the possibility of straight commercialization of individual buildings (in the "Article 54" case), and replaced the grossly inappropriate industrial zoning that had been imposed on the Reed-Cooke neighborhood. Genuinely mixed-use zoning works in Adams Morgan, it is historically zoning by community choice and not fiat, and we oppose any move tending to dilute its residential component. | The Lot Occupancy levels were inadvertently omitted. They have been reinstated.                                                                                                                                       |
| 884                 | G, I            | Richard Layman Comments                | 9/15/2014   | large format retail   | DC lacks adequate regulations concerning approval of large retail (so-called "big boxes). The recent "Walmart process" made very clear that the Large Tract Review process is inadequate, and currently the OP does not believe that "economic impact" on existing retail is one of the elements that should be mitigated as part of the coordination process--the LTR process is a coordination process that presupposes approval. California's environmental assessment process has better and more detailed requirements for evaluating such proposals, and would be a better model for DC than exists currently. Even better is a proposed ordinance in San Diego, which was overturned as the result of a high profile opposition campaign by Walmart. Note that Laguna Beach, California has a "neighborhood-serving retail" use category and special exception process. This should be considered by the Zoning Commission as an addition to these titles. Note that many cities have zoning regulations concerning design elements of "formula retail" designed to protect historic character of original buildings. (This was an issue in Georgetown with the Apple Store.) DC should adopt similar regulations, in order to discourage the demolition of properties for "architecture of nowhere and no place." I am not against "chain stores" in DC commercial districts, given that increasingly chain stores are the only option. But by restricting corporate design requirements the impact on a traditional commercial district can be better mitigated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Thank you for your comment. OP has proposed text that requires a special exception for large format retail, which incorporates design-related review criteria and includes an opportunity for ANC review and comment. |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                           | <b>Date</b> | <b>Issue</b>        | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                          |
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| 826                 | G, J, H, K      | Law Office of G. Macy Nelson Comments | 9/11/2014   | large format retail | Applaud OP's proposal to include a special exception requirement for large format retail stores in the alternative language it submitted to the Zoning Commission this past June. However, we also identify shortcomings in OP's proposal and make recommendations to correct these shortcomings. We strongly urge the ZC to adopt OP's proposal, albeit with the additional changes we recommend. OP's proposal exempts all proposed large format retail stores subject to LTR from needing to secure a special exception prior to proceeding with the development. Without removing this exemption, OP's proposal would not apply to nearly all the stores for which the proposal was designed. A second problem is with the definition of large format retail stores. The definition does not define what "grocery sales as a secondary use" means. Consequently, a large format retail store with grocery sales as a component could argue that this component was not a secondary use, even if grocery sales did not constitute a project's predominant use. To remedy this problem, the ZC could provide a specific definition for "secondary use," such as any particular use that does not exceed 50% of a store's sales or square footage. Section 206.1 should be amended such that it identifies the special exception requirement as applying to either Subtitle K or the zones specified in Subtitle K. | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception. OP will review the definitions. |
| 827                 | G, J, H, K      | Law Office of G. Macy Nelson Comments | 9/11/2014   | large format retail | Assessment and Recommendation of DC Zoning Update and its Application to Big Box Retail, Prepared for: Law Office of G. Macy Nelson, LLC Prepared by: Jennifer Cowley, PhD, AICP - Recommends removing the exemption for projects subject to LTR and clarifying the definition of "Large Format Retail."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |
| 865                 | G, J, K         | ANC 6B Comments                       | 9/15/2014   | large format retail | ANC 6B supports OP's alternative amendment requiring a special exception for all new large format retail establishments with single tenant space of 50,000 square feet or greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for your supportive comment.                                                                                                                                                                                                                                                                                                                                      |
| 799                 | G, J, K         | Andrea Rosen Testimony                | 9/8/2014    | large format retail | As proposed, the regulations would exempt Large Format Retail uses that would occupy projects approved under the Large Tract Review regulations for a development of 50,000 square feet or more. Since virtually all Large Format Retail projects qualify for LTR, this exemption, if allowed to remain in the text, would in practice nullify the special exception.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |
| 799                 | G, J, K         | Andrea Rosen Testimony                | 9/8/2014    | large format retail | Convey gratitude for your responsiveness. With the addition of the requirement that a developer or tenant secure a special exception for large format retail store uses, the District will join other jurisdictions in its metropolitan area in allowing the public to comment on big-box development and subjecting it to administrative review by the BZA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Thank you for the comment.                                                                                                                                                                                                                                                                                                                                                  |
| 799                 | G, J, K         | Andrea Rosen Testimony                | 9/8/2014    | large format retail | I urge the Zoning Commission to alter the text so that Large Format Retail is treated as a special exception in <u>all</u> zones.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Thank you for the comment.                                                                                                                                                                                                                                                                                                                                                  |
| 799                 | G, J, K         | Andrea Rosen Testimony                | 9/8/2014    | large format retail | Revise the definition of Large Format Retail as follows, "the use shall include, <u>but not be limited to</u> , warehouse club stores with or without paid memberships, discount retailers, and similar uses. A large format retailer may include grocery sales as a secondary use but a grocery store shall not be considered a large format retail use. <u>A Large Format Retailer receives not more than 50 percent of its receipts from, or devotes not more than 50 percent of its selling floor space to, the sale of produce, meat, poultry, fish, and other food products.</u> "                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for the comment. This is a good suggestion and the proposed text will be amended to include it.                                                                                                                                                                                                                                                                   |
| 823                 | G, J, K         | Alejandro Miranda Comments            | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |
| 823                 | G, J, K         | Guillermo Zelaya Comments             | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |
| 823                 | G, J, K         | Karina Rosado Comments                | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |
| 823                 | G, J, K         | Paula Robinson Comments               | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |
| 823                 | G, J, K         | Rocquel M. Brody Comments             | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |
| 823                 | G, J, K         | Rosa Lozano Comments                  | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                 |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                        | <b>Date</b> | <b>Issue</b>        | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                          |
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| 823                 | G, J, K         | Santino Garibay Comments                           | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception. |
| 823                 | G, J, K         | Willie L. Baker, Jr. Comments                      | 9/11/2014   | large format retail | The modifications' exemption for large format retail stores subject to Large Tract Review must be removed. The exemption would render the proposed special exception requirement moot since nearly all proposed large format retail stores would be subject to Large Tract Review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception. |
| 799                 | G, J, K         | Andrea Rosen Testimony                             | 9/8/2014    | large format retail | The special exception language as currently written is all about development standards and design guidelines of the physical buildings. These are crucial aspects of development, but the special exemption does not address the need, detailed by many people in their testimony last November, for our city, in its planning and zoning, to take into account the special <u>economic impacts of Large Format Retail</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for the comment.                                                                                                                                                                                                                                                                                                                  |
| 797                 | G, J, K         | Cheryl Cort Coalition for Smarter Growth Testimony | 9/8/2014    | large format retail | We support overall the proposed text to permit large format retailers of more than 50,000 square feet through a special exception. We recognize that grocery stores are exempt from this regulation. While we are supportive of the review guidelines in general, we have some concerns regarding parking and transportation. We recommend deleting section 206.4: "Sufficient automobile parking, but not less than required by Subtitle C, Chapter 19, shall be provided to accommodate the employees and customers." With a robust TDM plan, parking demand could be reduced, thus this added statement that goes beyond what is already in the code undermines an alternative way to provide sufficient parking through reduced demand. Ask that the guidelines encourage the creation of a TDM plan to reduce the amount of traffic and parking demand generated by use. This would be beneficial to the surrounding neighbors with less vehicular traffic unnecessarily generated, and could reduce unnecessary impervious surface and polluted stormwater runoff.                                                                                                                                                | Thank you for your comment. OP will look at incorporating the TDM requirement for large format retail.                                                                                                                                                                                                                                      |
| 881                 | I               | Wilkes Company Comments                            | 9/15/2014   | DD                  | 807.4 - As currently proposed, under this subsection, requests to convert CLD credits may only be requested by owners of a residential development. This language could bar a number of conversions where CLD rights have been included as part of a property sale in order to be utilized in a subsequent development. This provision should be reconciled with, and strictly follow, the language of 807.2 regarding TDRs which allows conversions by persons/entities owning the rights to the TDRs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                                            |
| 860                 | I               | NCPC Comments                                      | 9/15/2014   | DD                  | Building heights and mass on major streets and avenues and near national resources within the monumental core. Staff's analysis identified three areas where MOR building height in the proposed zoning update will the views and settings of prominent national resources: North Capitol Street (see Appendix B). On lands subject to zoning and not subject to any other height restrictions: require a 1:1 step back at 110' within the proposed D-5-B-1 zone from Louisiana Avenue to K Street, NW. This step-back will ensure that the Capitol dome is not diminished by the proposed MOR building heights and will also encourage a consistent cornice line in the blocks immediately adjacent to the Capitol. NCPC staff seeks to clarify the status of the D-3-B-1 zone, which has a proposed MOR height of 110'. However, this is also identified as a receiving zone area. If, as a receiving zone, the maximum allowed height is 130', staff recommends a 1:1 step-back at 110'. Over the longer-term, NCPC staff recommends that the urban design framework for North Capitol Street corridor within the L'Enfant City be addressed through the Comprehensive Plan or a more specific study as appropriate. | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                                            |
| 860                 | I               | NCPC Comments                                      | 9/15/2014   | DD                  | Building heights and mass on major streets and avenues and near national resources within the monumental core. Staff's analysis identified three areas where MOR building height in the proposed zoning update will the views and settings of prominent national resources: South Capitol Street. At a minimum on lands subject to zoning and not subject to any other height restrictions: require a 1:1 step back at 110' for the blocks between M Street, SW and the freeway. Similar to North Capitol Street, this step-back will ensure that the Capitol dome is not diminished by the proposed MOR building heights and will also encourage a consistent cornice line. As previously indicated in he NCPC's 2006 comments, the Commission recommended that the ZC consider extending the Capitol Gateway Overlay along South Capitol Street north of M Street. NCPC staff welcomes the opportunity to reengage with the South Capitol Street Task Force to consider additional urban design strategies for the entirety of South Capitol Street from the waterfront to the Capitol.                                                                                                                               | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                                            |
| 860                 | I               | NCPC Comments                                      | 9/15/2014   | DD                  | Building heights and mass on major streets and avenues and near national resources within the monumental core. Staff's analysis identified three areas where MOR building height in the proposed zoning update will the views and settings of prominent national resources: Independence Avenue (see Appendix A). Allow a maximum allowable building height of 110' (plus the 20' penthouse setback at a 1:1 ratio) for the area on the south side of Independence Avenue. While this would still result in new development being seen from the Mall (especially behind the Smithsonian Castle), it would lessen the impact of the proposed D-8-B-1 zone. Setback the buildings 88' from the ROW centerline on Independence Avenue to align with the corner of the USDA building at 12th and Independence. This would be similar to the setbacks of the Smithsonian buildings and help to mitigate the proposed height.                                                                                                                                                                                                                                                                                                 | OP will review the proposal in combination with the ZC feedback. OP has recommended that there be a 1:1 setback above 110 feet on Independence Avenue, and that there be an 88 foot setback from the centerline of Independence Avenue.                                                                                                     |
| 731                 | I               | Robin Eve-Jasper NoMa Comments                     | 7/11/2014   | DD                  | Credits to be made available for the development of public parks on private land in NoMa should not require that those spaces be open later than 8 PM.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for your comments.                                                                                                                                                                                                                                                                                                                |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                       | <b>Date</b> | <b>Issue</b> | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>OP Response</b>                                                                                                                                                                                                                                                                                                             |
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| 848                 | I               | The Committee of 100 on the Federal City Comments | 9/15/2014   | DD           | Downtown – these proposals should be tabled in order to more fully explore the impacts of them. OP has presented very complex proposals that are hard to unravel. OP should be required to present them in a clearer fashion – and the Zoning Commission should not accept that these are complex concepts and that only a few land use attorneys can comprehend them. If that is true, then the regs are ripe for being manipulated. Among the highly questionable proposals - extending the life and profit of expired TDRs in exchange for nothing; permitting maximum height and density in parts of the city where historic and protected viewsheds would be compromised; exchanging maximum height and density for market rate housing when workforce and low income housing is in short supply; and encouraging new office towers with no plan for repurposing the current downtown or responding to downward job creation trends. Among the gaps in the proposals – no set aside for parks or passive and active green space per the Comprehensive Plan; no design requirements that will prevent the creation of a concrete jungle; no real protection for historic resources; and no discernable plan for community building. These proposals are transparent gift to developers. The caution that NCPC staff, who testified at the September 8, 2014 hearing, urged when the Zoning Commission considers new height permissions in an expanded downtown are well placed. Where are the models showing how OP’s sweeping proposal will impact the L’Enfant City and our monuments? Its extraordinary that NCPC staff would testify at a Zoning Commission hearing and it reflects their serious concern that the Zoning Commission is not fully aware of the issues and might approve new regulations that could damage the federal interest.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Thank you for your comments                                                                                                                                                                                                                                                                                                    |
| 860                 | I               | NCPC Comments                                     | 9/15/2014   | DD           | Expand the ZC's Downtown Design Review to include the blocks likely for redevelopment and necessary to protect important national resources and balance local and national interests. Amend the existing design review criteria in Subtitle Z, Chapter 8 to include provisions that consider the character and setting of important national resources. Apply the design review criteria, Subtitle Z, Chapter 8 to the proposed ZC design review to the streets above. Lastly, NCPC respectfully requests that the ZC refer projects on the most important avenues/streets of national interest to NCPC for advisory review and comment at the time of application. These streets include: North Capitol Street, a major axial street and viewshed to the US Capitol (between Louisiana Avenue and K Street NW). South Capitol Street, a major axial street and viewshed to the US Capitol (between C Street SW and Virginia Avenue/the Freeway). 16th Street, a major axial street and viewshed to the White House (between H Street NW and I Street NW). The D-8-B-1 zone, including Independence Avenue (between 6th and 12th Streets SW), Maryland Avenue (between the circle and 6th Street SW), SW (between Independence Avenue and Banneker Park).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                               |
| 813                 | I               | Suzette M. Hemberger Testimony                    | 9/8/2014    | DD           | Extremely disappointed to see that OP has done almost nothing to improve the proposals for downtown. Among the issues I identified were: Undermining of historic preservation protections downtown. We still haven't seen an inventory listing potentially affected buildings; Significant up zoning with no quid pro quos - 40 additional feet and the elimination of restrictions on FAR doubles the buildable density on many lots in the new downtown. What do we get in return? Absolutely nothing. And as we're already seeing with communal recreation space, the things you give away now are thing you end up trying to buy back later. In general, getting rid of limit on FAR (in places where there is no lot occupancy requirement) is a really bad idea if you want public space and/or good design; Replacement of the PUD process with a developer-controlled market in density credits. So instead of providing public amenities, one developer cuts a check to another; Expansion of downtown exemptions from inclusionary zoning - both in the area south of the National Mall (D8) and in a few squares on the west side of South Capitol street that managed not only to get in on the upzoning from C-3-C but apparently to extricate themselves from IZ as well. Light, noise, parking, the provision of schools, parks, and grocery stores, stormwater management, and affordability are all significant issues that must be addressed if we want to build sustainable, diverse, attractive neighborhoods downtown. You're being asked to do significant upzoning without even the most basic infrastructure studies in front of you. The only thing OP found that needed to be fixed was the 3 year time limit on converting TDRs and CLDs to density credits. Apparently the speculative market in density won't be truly free unless developers are given the right to choose indefinitely between what they originally bargained for and whatever other new incentive scheme OP might develop over time. Why is our goal to build up every scrap of land in already thriving areas - and then to make even more room, by upzoning, adding penthouses, raising Height Act limits - when many parts of the city suffer from chronic disinvestment? To put this another way, why are we incentivizing development in the places where it would happen anyway? Nothing in the existing code is inhibiting development and nothing in the proposed code would raise our development standards. | Thank you for your comment                                                                                                                                                                                                                                                                                                     |
| 849                 | I               | Christy Shiker Holland & Knight Comments          | 9/15/2014   | DD           | Furthermore, this letter reiterates JBG's previous testimony at the November 14, 2013, public hearing relating to the preferred used requirement set forth in Section 602.2 for properties fronting on First Street (a Primary Designated Street Segment) in NoMA. The frontage on First Street for most of these development sites is limited as compared to the frontage on other streets, especially given the long squares on the west side of First Street. As a result, the use requirement of 0.5 FAR for the entire lot which is set forth in Section I 602.2(a) places an undue burden on these properties in complying with the FAR requirement and does not necessarily further the goal of providing preferred uses on First Street. We support the Office of Planning's recommendation in the alternate text, which was set down by the Zoning Commission on July 10, 2014. In that alternate text, Office of Planning has recommended that Subtitle I (Downtown) be revised to ensure that the retail requirements for NoMA are consistent with the retail requirements for other primary streets. We look forward to the specific proposal for such alternate text as the process moves forward.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Office of Planning has recommended that Subtitle I (Downtown) be revised to ensure that the retail requirements for NoMA apply to only the first 150 feet of ground floor depth from the property line on 1st Street. This would make the NoMA retail requirement comparable to retail requirements for other primary streets. |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                     | <b>Date</b> | <b>Issue</b> | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                      |
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| 777                 | I               | Elizabeth Miller NCPC Testimony | 9/4/2014    | DD           | Given the importance of this rewrite effort and the complexity and magnitude of work, NCPC respectfully requests additional time to review, prepare a report, and hold a hearing before our Commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comment                                                                                                                                                                                                                                                                                                                              |
| 832                 | I               | GSA Bill Dowd Comments          | 9/12/2014   | DD           | GSA commends the District in its vision to make monumental updates to the city's zoning regulations. The comments provided in this letter refer specifically to the most recent revisions of the D-8-B-1 zoning percent proposed for south of Independence Avenue SW. GSA is currently evaluating a unique opportunity to provide new housing solutions for some of our tenant agencies by leveraging the value of currently underutilized property in the area of the city south of Independence Avenue, commonly referred to as Federal Triangle South. Through this initiative, GSA will consider transferring title of some property from the Federal Government to the private sector. As such, the proposed D-8-B-1 zoning percent is an important consideration to this initiative. While also a critical opportunity for the City to realize its vision for the area. GSA respects and appreciates the shared vision articulated in the DCOP Maryland Avenue Small Area Plan, and the NCPC/CFA SW Ecodistrict Plan to transform the federally dominated percent south of Independence Avenue into a vibrant, mixed-use, sustainable neighborhood. We also respect the concept embodied in the zoning designation to provide additional non-commercial development capacity in exchange for the re-dedication of ROW for public streets. If crafted properly, the proposed D-8-B-1 zoning designation could incentivize mixed-use development, improve pedestrian and transportation connections; promote quality urban design; and encourage higher density and more sustainable development. However, GSA is concerned that this zoning designation, as currently drafted, will not achieve these goals because the development capacity of the identified street ROW actually exceeds the incremental development capacity made available as an incentive. Instead of encouraging the type of development envisioned in the SAP and the SW Ecodistrict Plan by increasing development capacity, the proposed language reduces development capacity and jeopardizes the potential opportunity for redevelopment of any kind. In order to achieve the type of development envisioned for this area, we encourage the city to reconsider and refine the street network needed to serve this precinct. The street ROW suggested in the draft zoning language generally exceeds the ROW needed for transportation purposes, and the current configuration of the 12th Street ramp severely impacts development opportunities between 11th and 12th streets. With a refined vision of what this zoning is intended to achieve, along with a modified street network, a revised D-8-B-1 zoning designation can contribute to the potential redevelopment and transformation of this important precinct. We remain hopeful that we can work together to identify a proposed street network to support this area, and refined zoning language that reflects our mutual goals. In addition to more clearly defining the ROW needed to support the transportation network for this precinct, we suggest that the language for A. Historic Preservation Consideration, be | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                                                        |
| 874                 | I               | National Park Service           | 9/15/2014   | DD           | Having reviewed NCPCs modeling study of the proposed D-8-B-1 zone south of Independence Avenue, we believe that the proposed amendments would fundamentally change the character of the National Mall. The NPS also concurs with NCPC's finding that the proposed zoning changes are inconsistent with the PADC Plan and Square Guidelines for the reasons stated in their June 22nd letter.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                                                        |
| 880                 | I               | NoMa Parks Foundation Comments  | 9/15/2014   | DD           | It is our understanding that the establishment of credits for the creation of publicly-accessible open spaces in the NoMa/Union Station area may possibly be at risk and we are writing to respectfully urge inclusion of the credits in the final text.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | OP will review the proposal in combination with the ZC feedback, but there is concern about the quantity of credits that will result from this proposal and the true nature of public park that would be generated.                                                                                                                                     |
| 777                 | I               | Elizabeth Miller NCPC Testimony | 9/4/2014    | DD           | NCPC staff has identified two approaches that may address our concerns regarding impacts to important national resources and would like to work with the Zoning Commission to address these in more detail. The first approach involves three modifications related to the Zoning Commission's design review authority (1) the applicability of the Zoning Commission's Downtown Design Review could be expanded to include the blocks necessary to protect important national resources; (2) these additional areas should be subject to the Zoning Commission's design review criteria; and (3) the design review criteria should include provisions to consider the character and setting of important national resources. The second approach involves establishing a Special Purpose Zone/Overlay Zone or similar mechanism for certain blocks adjacent to or approaching significant national resources. For example, an overlay zone along the blocks adjacent to Independence Avenue can provide the review process and massing guidance for proposed redevelopment to minimize height impacts on the Smithsonian Institutions and the National Mall.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank your for your comment. OP has proposed changes to the set-down text that would provide for 1:1 setbacks above 110 feet on portions of North Capitol Street, South Capitol Street and Independence Avenue. OP notes that these area are already within the review jurisdiction of the federal Commission of Fine Arts, per the Shipstead-Luce Act. |
| 777                 | I               | Elizabeth Miller NCPC Testimony | 9/4/2014    | DD           | NCPC's advisory authority has been removed in the special purpose/overlay zones such as the Capitol Gateway, SE Federal Center and Union Station. We understand that this was an oversight and respectfully request that our advisory review for these special purpose zones be retained to ensure that the city's development goals are supported and national interests are also protected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for your comment                                                                                                                                                                                                                                                                                                                              |
| 777                 | I               | Elizabeth Miller NCPC Testimony | 9/4/2014    | DD           | Our June 24th letter also outlines a few other items by subtitle, including inconsistencies between the proposed zoning provisions and the PADC Plan and Square Guidelines, the regulatory document for a defined area between 3rd and 15th Streets (13 of 29 blocks are inconsistent). Until the plan is modified (as part of the current Pennsylvania Avenue Initiative), the ZRR should be consistent with the PADC Plan by expanding the ZRR Pennsylvania Avenue subarea to cover all parcels contained within the plan and include reference to the square guidelines.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for your comment                                                                                                                                                                                                                                                                                                                              |
| 860                 | I               | NCPC Comments                   | 9/15/2014   | DD           | Please see prior comments submitted regarding NCPC advisory authority in existing overlay zones.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                                                        |
| 860                 | I               | NCPC Comments                   | 9/15/2014   | DD           | Please see prior comments submitted regarding zoning inconsistencies with the Pennsylvania Avenue Development Corporation Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                                                                                                                                                        |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                    | <b>Date</b> | <b>Issue</b> | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>OP Response</b>                                                                                                                                       |
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| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Section 1102.5 identifies when a parking lot, parking garage or parking space is permitted at or above grade. First, Section 1102.5(a) requires compliance with the requirements of Subtitle C, Chapter 19. Section 1910.2 of the Zoning Regulations requires that surface parking be at least 10 feet below grade at all points along the building frontage. This dimension is incorrect. Because a parking space is only required to have a clearance of 6 feet, 6 inches, 10 feet is not an appropriate dimension. Second, Sections 1102.5(b) through (d) differentiate between types of parking facilities with no indication of why one type of parking facility is more or less harmful. Third, if BZA approval is required for an all-day, commuter parking lot, the word "variance" should be struck in subsection (d) and replaces with "special exception" which is consistent with the reference to Subtitle Y, Chapter 8. Finally, we request that any property that has a certificate of occupancy for any of these uses as of the effective date of the ZRR be permitted to maintain such use as a conforming use.                                                                                                     | OP will review the proposal in combination with the ZC feedback.                                                                                         |
| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Section 308.3 limits the FAR of a historic landmark, a contributing building in a historic district or a building that received its first certificate of occupancy before 1936 to an FAR of 6.0 or less. We recommend that the phrase "or a building that received its first certificate of occupancy before 1936 be struck. By including this requirement, the Zoning Regulations are essentially creating a historic designation of a building through the Zoning Regulations based on a be with no consideration given to whether the structure should be (1) a historic landmark or (2) included within a historic district and identified as a contributing building. If a building should be preserved, this preservation should be based on the standards and procedures set forth for historic preservation, not based on the date of its first certificate of occupancy. In addition, Section 308.3 no longer includes the composite FAR provision contained in Section 1707.4 of the current regulations. In the Subtitle I Hearing Report, the Office of Planning proposes to reincorporate the language. We support reincorporating the language, with the technical correction to identify 6.0 FAR, instead of 5.0 FAR. | OP will review the proposal in combination with the ZC feedback.                                                                                         |
| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Section 500.3 of Subtitle I requires access through an improved and accessible alley, if one exists. This provision should be eliminated to provide greater flexibility of design and access, especially for larger projects that have multiple uses and multiple street frontages.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | OP will review the proposal in combination with the ZC feedback.                                                                                         |
| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Section 602.2 creates a preferred use requirement for properties fronting on First Street in NoMA. The frontage on First Street for most of these development sites is limited as compared to the frontage on other streets, especially given the long squares on the west side on First Street. As a result, the use requirement of 0.5 FAR for the entire lot which is set forth in Section I 602.2(a) places an undue burden on these properties in complying with the FAR requirement and does not necessarily further the goal of providing preferred uses on First Street. To address this issue, we would recommend adding a new Section I 615.3 to read as follows: (b) For purposes of calculating the 0.5 FAR requirement in Section 602.2(a), the lot area shall be calculated based not he length of frontage along First Street times 72 feet.                                                                                                                                                                                                                                                                                                                                                                          | OP will review the proposal in combination with the ZC feedback.                                                                                         |
| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Section 807.4 should be reconciled and follow the language of Section 807.2 regarding TDRs which allows conversions by persons/entities owning "rights" to the TDR. As currently proposed, under this subsection, requests to convert CLDs to "credits" may only be made by owners of a residential development. This language technically could bar a number of conversions where CLD "rights" have been reserved as part of a property sale and subsequent residential development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | OP will review the proposal in combination with the ZC feedback.                                                                                         |
| 881                 | I               | Wilkes Company Comments                        | 9/15/2014   | DD           | Section 807.6 OP previously proposed to place a 3 year time limit on the conversion of unused TDR and unallocated CLD to "credits." In response to concerns raise by the development community, OP has proposed alternate language to remove this subsection; however, a question has been raised by the ZC as to why this limit should be removed. There is no administrative justification for the time limit and it threatens to place at risk thousands of square feet of TDR and CLD, including those for which owners have already undertaken lengthy and costly covenants and transfer certificates.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | OP has recommended that the proposed three year time conversion time frame be removed, and will review the proposal in combination with the ZC feedback. |
| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Section 807.6 OP previously proposed to place a 3 year time limit on the conversion of unused TDR and unallocated CLD to "credits." In response to concerns raise by the development community, OP has proposed alternate language to remove this subsection; however, a question has been raised by the ZC as to why this limit should be removed. There is no administrative justification for the time limit and it threatens to place at risk thousands of square feet of TDR and CLD, including those for which owners have already undertaken lengthy and costly covenants and transfer certificates.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | OP will review the proposal in combination with the ZC feedback.                                                                                         |
| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Section 900.19 OP previously proposed that all credits (with the exception of those generated by plaza construction) once transferred to a site and non-residential construction completed, would expire and retain no further rights and value. This proposal creates an inequitable and unsustainable scenario in that in order for a non-residential building constructed with credits to later be razed and replaced, the property owner would have to return to the credits market in order to acquire new credits to replace the lost improvements. At the same time, the uses generating the credits would be perpetually obligated and not be available for future transfers. In response to concerns raised by the development community, OP has proposed alternative language to remove this subsection. It is imperative that this language remain removed in order to provide an incentive for renovation and new construction in the future.                                                                                                                                                                                                                                                                            | OP will review the proposal in combination with the ZC feedback.                                                                                         |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                    | <b>Date</b> | <b>Issue</b> | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>OP Response</b>                                                                                                                                    |
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| 881                 | I               | Wilkes Company Comments                        | 9/15/2014   | DD           | Section 900.19 OP previously proposed that all credits (with the exception of those generated by plaza construction) once transferred to a site and non-residential construction completed, would expire and retain no further rights and value. This proposal creates an inequitable and unsustainable scenario in that in order for a non-residential building constructed with credits to later be razed and replaced, the property owner would have to return to the credits market in order to acquire new credits to replace the lost improvements. At the same time, the uses generating the credits would be perpetually obligated and not be available for future transfers. In response to concerns raised by the development community, OP has proposed alternative language to remove this subsection. It is imperative that this language remain removed in order to provide an incentive for renovation and new construction in the future.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for your comments. OP has proposed that received Credits persist with the property as long as the Credit generating uses remain covenanted. |
| 881                 | I               | Wilkes Company Comments                        | 9/15/2014   | DD           | Sections 900.13 and 900.16 These section create a fairly onerous documentation requirement for the transfer of Credits among properties, essentially creating a dual-certificate process, which we anticipate will be confusing and cumbersome and not meet the goals of streamlining and transparency intended by OP. Recommend OP replace this proposed dual-certificate accounting process with one that more closely resembles the current Certificate of Transfer of TDR documentation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | OP will review the administrative and documentation proposals in combination with ZC feedback.                                                        |
| 824                 | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD           | Sections 900.13 and 900.16 These section create a fairly onerous documentation requirement for the transfer of Credits among properties, essentially creating a dual-certificate process, which we anticipate will be confusing and cumbersome and not meet the goals of streamlining and transparency intended by OP. Recommend OP replace this proposed dual-certificate accounting process with one that more closely resembles the current Certificate of Transfer of TDR documentation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | OP will review the proposal in combination with the ZC feedback.                                                                                      |
| 867                 | I               | Sue Hemberger Comments                         | 9/15/2014   | DD           | Subtitle I has been poorly conceived and largely undiscussed over the course of the ZRR process. The changes proposed downtown are among the most significant ones in the code and some of the most fundamental questions have been largely ignored. How should we conceptualize downtown - is it a coherent, compact area or just an agglomeration of extinct overlays? Which development outcomes can be best achieved through prohibitions vs. requirements vs. incentives? How do we make dense, mixed-use urban neighborhoods livable? How should aging infrastructure, heat island effects, and flooding issues shape future development downtown? How should downtown contribute to our affordable housing stock?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments.                                                                                                                          |
| 867                 | I               | Sue Hemberger Comments                         | 9/15/2014   | DD           | TDRs/CLDs - 1. The simplest way to leave existing entitlements in place is not to allow them to be converted to the new density credits. If there's no administrative rationale for limiting the conversion period -- i.e. if there's a reliable system for keeping track of these entitlements over time -- then there is no need to allow conversion at all. The developers'-choice system (old entitlements vs. new credits), sustained indefinitely, is simply a windfall for TDR holders. Not only do they keep what they already have, they are being given the option of taking something different if/when that turns out to be more lucrative. 2. It's important to remember what these credit systems (both new and old) are designed to do. They are incentive systems whose logic is that DC government says to developers "you do something we don't think you want to do but that we feel is in the public interest and, in exchange, we'll let you do something you do want to do but we'd prefer you didn't." The first thing to notice here is that converting old credits to new means that we don't induce the behavior we are now trying to incentivize. If you let current TDR owners corner the market (at least initially) on density credits, than nobody has to do what OP wants them to do. The quid pro quo becomes pay off someone who has TDRs and then you can do what you want. That's not in the public interest. Because it will take years for other density credits to be generated under the new system, converting TDRs to density credits will delay the type of development we consider most desirable and accelerate the type we consider least desirable. 3. The development community has known since at least 2007 (see attached WBJ article) that the TDR/CLD system is likely to be replaced. To the extent that people have spent money to acquire these credits and have not assigned them to specific projects, then we're talking speculation pure and simple. Developers who earned but haven't been able to use or sell their TDRs/CLDs have been on notice for years now that this system is likely to be replaced. So if they don't have any immediate use for what they've accumulated they sell, and they sell cheap because everyone's in the same situation. Someone else buys these rights and then lobbies OP to tell the Zoning Commission to make these pre-existing credits more lucrative. This is not behavior that should be rewarded -- no public benefit accrues from it. In fact, it's detrimental because it creates a way to bypass the new system and its imperatives. 4. It's also worth noting that TDRS have been volatile -- prices have ranged from \$3/SF to \$38/SF. And the premises behind the system haven't proven accurate over the long haul. The behavior we had to induce in the past (build residential downtown) is now appealing/lucrative without any additional compensation. And the opportunities presented by the TDRs haven't been as attractive as OP anticipated (which explains both why receiving areas were expanded and why TDRs have accumulated unused). 5. In the absence of any | Thank you for your comments. OP continues to fine tune the credits system with the legal teams and OAG.                                               |

| <b>ZC Exhibit #</b>         | <b>Subtitle</b> | <b>Name</b>                                    | <b>Date</b> | <b>Issue</b>       | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>OP Response</b>                                                                                                                                                                                              |
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| 777                         | I               | Elizabeth Miller NCPC Testimony                | 9/4/2014    | DD                 | The first area of concern is the MOR height increase and the impacts on the urban design quality of the referenced national resources, as well as their adjoining streets and avenues. The proposed ZRR allows maximum building heights as a MOR in the Downtown, which today is only allowed through the PUD or TDR process. It is not our intent to comment on the advantages or disadvantages of the city's PUD process, however we have significant concerns regarding the consequences of the MOR increases in a handful of areas within the monumental core. It does not appear that the visual impacts of the MOR increases have been studied to understand how the urban design character may change under the ZRR proposal. NCPC has visually analyzed targeted areas and would like to propose specific massing requirements for the Zoning Commission's consideration. However, our modeling has not been comprehensive. We recommend that a process be put in place to protect local and national landmarks within the monumental core. Basic visual studies and design review for affected areas should be undertaken before assigning MOR heights to federal lands or to private lands that may negatively impact major local and national landmarks.                                                                                                            | Thank your for your comment. OP has proposed changes to the set-down text that would provide for 1:1 setbacks above 110 feet on portions of North Capitol Street, South Capitol Street and Independence Avenue. |
| 726, 726A, 726B, 726C, 726D | I               | NCPC Report                                    | 5/27/2014   | DD                 | Three primary areas of concern: Building heights on major streets and avenues and near national resources within the historic L'Enfant City; Zoning inconsistencies with the Pennsylvania Avenue Development Corporation Plan; and NCPC advisory authority in existing overlay zones.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                |
| 867                         | I               | Sue Hemberger Comments                         | 9/15/2014   | DD                 | Upzoning and the elimination of restrictions on FAR - 6. No rationale has been presented for massively upzoning the C-3-C zones being incorporated into the new downtown and replacing the PUD process in these areas with a developer-controlled market in density credits. Why does it make sense, when you are trying to attract more residents to an area, to take away public input on the development projects that will affect them most? And whose interest is the Office of Planning serving when it proposes that developers should write a check to a TDR-owner rather than contribute to funding the public facilities that will be necessary to accommodate significant population increases in these areas? 7. The elimination of FAR is particularly problematic. It will disincentivize the creation of public space (because every SF on the ground that isn't built upon represents a loss of 13-14x that amount of SF from the project) and trivialize design review. Once 100% lot occupancy and unlimited FAR are available as matter-of-right or by virtue of density credits, it's unclear what design review will consist of. By contrast, limits on FAR force developers to sacrifice lot occupancy to achieve maximum heights, and the PUD process allows the Commission to require superior design and/or amenities in exchange for additional FAR. | Thank you for your comments.                                                                                                                                                                                    |
| 777                         | I               | Elizabeth Miller NCPC Testimony                | 9/4/2014    | DD                 | We are concerned that under the current proposal, there will no longer be an opportunity for the Zoning Commission, NCPC, or the public to provide input on the urban design quality or impacts of new development near places like the US Capitol or the National Mall. The current PUD process is being eliminated in the downtown zone, where many of these national and local landmarks are located. We are concerned that a review process will not be in place to consider urban design issues. Additionally, the ZRR's proposal for design review within the downtown zone is limited to a portion of South Capitol Street and a threshold based on the FAR and street width. Therefore, it is unlikely that design review will apply to the areas we care about. We believe that design review should be tied to geography and resources and linked to urban design goals and criteria. There are some great examples of urban design criteria in Subtitle Z that support many Comprehensive Plan goals, however, it appears to only apply to PUD's which, as noted earlier, will no longer be necessary to achieve the maximum height in the Downtown zone.                                                                                                                                                                                                           | Thank you for your comment. OP notes that these areas are within the review jurisdiction of the federal Commission of Fine Arts, per the Shipstead-Luce act                                                     |
| 770                         | I               | Coalition for Smarter Growth Comments          | 9/3/2014    | DD                 | We oppose the OP proposal to "Establish minimum parking standards in West End (Subtitle C). We support "In the Alternative: retain the parking standards as originally setdown on September 9, 2013."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Thank you for your comment                                                                                                                                                                                      |
| 824                         | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | DD                 | We request that the Commission eliminate the limitation on height on the portion of a site occupied by a historic landmark or contributing building within a historic district in the D-5 zones. (I 306.1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | OP will review the proposal in combination with the ZC feedback.                                                                                                                                                |
| 867                         | I               | Sue Hemberger Comments                         | 9/15/2014   | parking - downtown | Parking Downtown - 8. Eliminating off-street parking requirements would pose a real threat to our pedestrian-friendly streetscape. 9. As anyone who spends time downtown on weekdays will observe (and DDOT documents will confirm) that DC's traffic congestion is largely attributable to out-of-state commuter and visitors rather than to car-owning residents. Yet the "let the market decide" approach to parking will mean that garages for commuter vehicles will continue to be built, while residents will be deprived of off-street parking. Why? Because large corporate tenants have significant bargaining power when dealing with the developers of Class A office space while individual renters have no such power. So commercial developers will continue to include garages in their projects while the builders of rental apartments will not feel as compelled to do so. Commuters win, resident suffer, traffic congestion remains an issue.                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for your comment, which supports the evidence that even though parking minimums are not required downtown, parking responding to the market is constructed.                                           |
| 824                         | I               | Christine Shiker Holland & Knight LLP Comments | 9/11/2014   | parking - downtown | Section 1100 and 1001 We support the elimination of parking requirements in the Downtown District. However, Section 1100.2 applies the general parking requirements of Subtitle C, Chapter 19 to any parking provided. Subtitle C, Section 1901.13 requires all non-required parking spaces to comply with the applicable provisions of Chapter 19, including access and size. This requirement is a change from the current Zoning Regulations, which permit non-conforming spaces to be provided in a parking garage but do not permit such spaces to be counted for the zoning minimum. Accordingly, the last phrase of this provision should be deleted in Subtitle C, Section 1901.3, and parking provided for properties in the Downtown District should not be required to comply with the access and size requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for your comment - OP will propose retaining this flexibility.                                                                                                                                        |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                   | <b>Date</b> | <b>Issue</b>                     | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 768                 | J               | Alma Gates Neighbors United Trust Comments    | 9/2/2014    | external effects                 | The Standards of External Effects have been changed and now reference other DCMR titles. The Commission needs to do a careful side-by-side comparison to ensure the Standards of External Effects have not been changed in a way that limits the Commission's ability to enact conditions these protections are meant to ensure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | The Standards of External Effects have been reinstated in the draft text of Subtitle J.                                                                                                                                                                                                                                                                                                                                                        |
| 776                 | J               | Judi Jones ANC/SMD 4B07 Testimony             | 9/4/2014    | PDR                              | All industrial businesses should require a special exception.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | There is a limited supply of industrial land in the District and it should be preserved and protected for appropriate PDR uses.                                                                                                                                                                                                                                                                                                                |
| 884                 | J               | Richard Layman Comments                       | 9/15/2014   | use                              | DC has a limited amount of PDR zoned space. Setting up competition for this space with actors (educational institutions and churches) that are tax exempt and can outbid PDR uses who are forced to bid using traditional economic/ROI criteria leads to PDR uses being forced out. At best, a special exception process should be required. Educational uses that require PDR zoning (e.g., such as kilns for an art program) could be considered matter of right use, but normal classroom buildings should not, especially given that DC's pre-K to 12 student enrollment projections can be accommodated by the current school footprint.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for the comment. There is no proposal to limit non-profit use within PDR zones as part of the revisions.                                                                                                                                                                                                                                                                                                                             |
| 800                 | K               | Reed Cooke Neighborhood Association Testimony | 9/8/2014    | neighborhood commercial overlays | We understand from the June 16, 2014 Office of Planning memo, that the RCO will be reassembled and moved to Subtitle K, but no text has been provided for the new overlay. Our hope is that the text of the existing overlay (as currently embodied in DC law) will simply be added to Subtitle K, with no changes beyond re-numbering provisions and translating zone names. This would address the detailed concerns we have previously expressed to OP and that are submitted as written testimony to you tonight. What we do NOT want to see is the previously proposed "set-down" text simply reorganized and relocated rather than substantially revised to give us at least the same protections we have now. In any event (existing text, set-down text, new text) we need to see WHAT the proposed text says and have an opportunity to comment on its substance. It's not sufficient for OP simply to say that the Reed-Cooke overlay will be moved to Subtitle K and for you to assume that our concerns have been addressed, without actually providing us an opportunity to review the actual text that will be included in the code. RCNA urges the Commission not to proceed with any votes on the ZRR until the Comprehensive Plan has had a chance to be reviewed by residents and approved by the City Council. This is the normal order, the Comprehensive Plan provides the foundation, and as such precedes any review on zoning regulations, and this order should be honored. | OP is proposing to reassemble and relocate the Reed Cooke Overlay. The intent and provisions of the RCO are all embodied within the new zone; the restrictions, conditions and limitations also are in the new zone. We hope the reassembly and relocation will improve the ease of use and the effectiveness of the zoning. However, OP continues to examine formatting and organizational changes to the text that will further ease of use. |
| 768                 | K               | Alma Gates Neighbors United Trust Comments    | 9/2/2014    | overlays                         | No text provided. This section should not be considered or approved until viewed in context.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Draft text will be provided for review at the appropriate time.                                                                                                                                                                                                                                                                                                                                                                                |
| 801                 | K               | William Spence Spencer Testimony              | 9/8/2014    | overlays                         | The Palisades neighborhood is also known for its trees and green spaces. The Wesley Heights and Chain Bridge Road/University Terrace Tree and Slope Overlays have been important and useful tools for preserving our tree cover and stream beds, as well as regulating the scale and type of development proposed in a number of decisions that have come before the Board of Zoning Adjustment. Subtitle K makes no reference to Tree and Slope overlays, and the assurances that tree and slope issues are addressed in other parts of the draft are not sufficient. We have relied on these overlays in the past and need the completely preserved in a single place in the zoning text. Currently parts of the overlays can be found in several subtitles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Tree and Slope overlay provisions are reflected in the R zones                                                                                                                                                                                                                                                                                                                                                                                 |
| 768                 | X               | Alma Gates Neighbors United Trust Comments    | 9/2/2014    | campus plans                     | If there will be no changes to parking requirements for schools and churches, the following language should be included, "ample parking space, but not less than that required in Chapter 21 of this Title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile." Neighborhood spillover parking is one of the most objectionable conditions cited in every BZA case dealing with private school zoning relief applications. Because there is nothing in the proposed regulations that references the number of spaces or method by which spaces would be calculated, it is impossible to know what is being brought forward for consideration. Under § 104 the location of parking facilities is notes, however, "any other relevant information" does not adequately imply or address "parking formulas." Specific formulas need to be included in the school plan requirements of § 104.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 831                 | X               | Consortium of Universities Comments           | 9/12/2014   | campus plans                     | The Consortium recommends that the Commission amend Subtitle X, Section 102 to permit university use in a commercial zone as a matter of right for administrative uses that are otherwise permitted as a matter of right in the underlying zone. The Consortium recommends that the Commission revise Section 101.3 to eliminate the homogenous 10% limit on commercial uses on a university campus and instead permit the Commission to determine the appropriate level of commercial use through the campus plan process. The Consortium recommends that the Commission retain the discretion to determine whether further processing of an approved campus plan should be considered in connection with an application for a new campus plan. The Consortium recommends that Section 101.7 be amended to only require the exclusion of rights of way that are made public by dedication or easement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 887                 | X               | Arent Fox Kinley Bray Comments                | 9/16/2014   | chanceries                       | On behalf of our client, the Sheridan-Kalorama Neighborhood Council ("SKNC"), we offer our support of the Office of Planning's Draft Text regarding Chanceries in Low- to Medium-Density Residential Zones as contained in the September 9, 2013 Draft ZRR Text. The proposed text addresses the concerns SKNC has long held regarding the tension between the obligations of the Foreign Missions Act and the protection of its low-density historic neighborhood.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Thank you for your comments.                                                                                                                                                                                                                                                                                                                                                                                                                   |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                    | <b>Date</b> | <b>Issue</b>       | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>OP Response</b>                                                                                                                                                                                                                                                                                               |
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| 828                 | X               | NCPC Marcel Acosta Comments                                    | 9/12/2014   | chanceries         | The primary concern of OFM and NCPC's GC is the proposed use of a square-based threshold test to screen and dismiss certain chancery application with prejudice, which is contrary to the review and decision-making process specified by the FMA. The NCPC is committed to working with the relevant stakeholders - the OFM, OP, and OAG - to derive zoning regulations governing the location of chanceries that comply with the requirements of the FMA. We look forward to a successful outcome to these discussions. Legal memorandum prepared by GC for NCPC attached.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | OP recommends that the BZA promulgate rules to be included within the Zoning Regulations that determine an "area" as being a square for purposes of determining "any other area" as acceptable pursuant to § 4306 (b) of the Foreign Missions Act.                                                               |
| 850                 | X               | ANC 7B Executive Committee (Patricia Howard-Chittams) Comments | 9/15/2014   | custom zone        | At various times in this process the residents of ANC 7B have requested an overlay or customized zone that embodies in enforceable code language provisions of our Small Area Plan. We have also inquired about a tree and slope overlay for those portions of the neighborhood adjacent to Fort Dupont Park. We have been rebuffed and told to come back later after the new code is adopted. It is like a pig-in-a-poke, "we're from the government, trust us". This is inconsistent with the manner in which more affluent neighborhoods have been treated in the ZRR process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Thank you for your comment                                                                                                                                                                                                                                                                                       |
| 768                 | X               | Alma Gates Neighbors United Trust Comments                     | 9/2/2014    | parking - churches | If there will be no changes to parking requirements for schools and churches, the following language should be included, "ample parking space, but not less than that required in Chapter 21 of this Title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile." Neighborhood spillover parking is one of the most objectionable conditions cited in every BZA case dealing with private school zoning relief applications. Because there is nothing in the proposed regulations that references the number of spaces or method by which spaces would be calculated, it is impossible to know what is being brought forward for consideration. Under § 104 the location of parking facilities is notes, however, "any other relevant information" does not adequately imply or address "parking formulas." Specific formulas need to be included in the school plan requirements of § 104.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comment - OP has proposed to retain the current requirement for churches and private schools.                                                                                                                                                                                                 |
| 768                 | X               | Alma Gates Neighbors United Trust Comments                     | 9/2/2014    | parking - schools  | If there will be no changes to parking requirements for schools and churches, the following language should be included, "ample parking space, but not less than that required in Chapter 21 of this Title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile." Neighborhood spillover parking is one of the most objectionable conditions cited in every BZA case dealing with private school zoning relief applications. Because there is nothing in the proposed regulations that references the number of spaces or method by which spaces would be calculated, it is impossible to know what is being brought forward for consideration. Under § 104 the location of parking facilities is notes, however, "any other relevant information" does not adequately imply or address "parking formulas." Specific formulas need to be included in the school plan requirements of § 104.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Thank you for your comment - OP has proposed to retain the current requirement for churches and private schools.                                                                                                                                                                                                 |
| 783                 | X               | Chris Otten Testimony                                          | 9/4/2014    | PUD                | In 2008 and 2010, OP presented the Zoning Commission with reports on possible changes to the PUD procedures. There are many instances where many of the pointed recommendations of this report have not been chosen for the latest iteration of the Zoning Regulations Rewrite. On Page 3, second paragraph of the Executive Summary, OP staffers noted how important ANC's can and must be to the PUD process. ANC's have throughout OP's ZRR process asked for the PUD regulations to be changed to allow at least 30 days for them to review and weigh in with as much information as possible, ideally even more time for review and negotiation after the issuance of OP's last report filed on the matter. But we have not seen these regulations changed. Why? For many of my DC friends and neighbors, the proof that the current PUD process even needs to persist as part of the zoning regulations any longer has not been demonstrated. I believe this is especially true since OP has offered at least one more zoning amendment case that seeks to redefine DC's penthouse structures to add up to 20 feet, or 2 additional stories of inhabitable space, above the roof, yet not count this greater density in the zoning calculus for FAR or height. See ZC Case 14-13. The idea you can build two additional stories and not count that towards allowable zoning density is simply unethical and destroys DC Law which sets the intent of the zoning regulations to protect resident safety, limit congestion by developing to prevailing neighborhood patterns, and to take care not to destabilize long-term neighborhood land values with high speculation and corporate "cashing & dashing." This drive to overdevelop in DC leaves the residents who stay in the City feeling the long-term adverse impacts of planning and zoning issues like displacement pressures, public utility infrastructure stresses and breakdowns, construction pollution and noise, and more congestion. As judged next to the AICP planning ethics and protocols, the ZRR does not pass muster. The Zoning Regulations Rewrite is simply not right. Please stop. | The ANC Act requires a minimum notice of 30 days and the PUD has the practical effect of even longer time due to the Notice of Intent to File that must be issued prior to filing an application. The draft text also requires the applicant to identify the outreach they have performed as part of the filing. |

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| 848                 | X               | The Committee of 100 on the Federal City Comments              | 9/15/2014   | PUD               | PUDs – don’t approve design review or reduced lot requirements and reform requirements. I have no confidence that the Zoning Commission is the right body for design review. I realize that there are architects currently on the commission, but I don’t think they feel empowered to exercise their design expertise as the Historic Preservation Review Board members do. The new design level PUD seems a waste of time. In addition, the number one request during the long ago PUD working group – that was well attended – was to increase the lot threshold for PUDs so that there would be fewer applications. OP has proposed the reverse. The ANC commissioners and DC residents I know who have experienced the PUD process have almost universally concluded that it is a rigged system that grants zoning waivers for very little in return, and almost never results in a rejection. PUDs are so prolific that one wonders why a developer builds a matter of right project. First stage PUDs should require detailed site plans, accurate number, size and type of units, location of retail and square footage, distribution of income eligibility, location and type of amenities and public benefits, comprehensive transportation analysis, analysis of Comprehensive Plan zoning designations as compared to map amendment request, etc. In other words a rigorous exposition of the project and evaluation of the project should occur at First Stage. The real scrutiny should not be left to Second Stage. There should be no Second Stage if PUD has not demonstrated it meets all the requirements for an exemplary project during initial hearing stage. There are certainly more reforms of PUD regs that are warranted but time and resources should be devoted to this exercise at later date. | The Office of Planning has confidence that the Zoning Commission can perform the required reviews and analyses necessary for a PUD. We respectfully disagree that the number 1 request was to raise the minimum land threshold for a PUD. To the contrary, there was also support to lower the threshold. The ZC gave OP guidance after a public hearing in fall of 2010 to lower the threshold to 15,000 sf for all but the low density residential zones (R-1 thru R-4). The other land areas reflect the existing provisions of overlays, and OP has repeatedly stated we would not change the conditions of the overlays. |
| 733                 | X, Y, Z         | Department of State                                            | 7/21/2014   | chanceries        | Criteria is too prescriptive and not in accordance with Foreign Missions Act. Strike section on a First Transfer of a chancery use (X 200.3(a)(2)). Proposes that for applications requesting to locate, replace, or expand a chancery in any Low to Medium Density Residential Zone only the BZA should determine what constitutes an “area” when considering if a site is suitable for chancery use. Proposes that based on the BZA determined “area” the presence of any office or institutional use should make an “area” suitable for a chancery. Strike references to “embassy.”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP has coordinated with OAG on the chancery text and has proposed language that remains legally sufficient.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 862                 | Y               | ANC SMD 8A01 Holly Muhammad Comments                           | 9/15/2014   | BZA               | 9/6/14 - On the issue of ANC review, or what is proposed by OP toward the end of the increase of MOR in many areas of the ZRR in corner stores, ADUs, parking, etc. When we speak of ANC review we are speaking of the people’s review. To eliminate the voice of the ANC in matters of Zoning whether it be regarding the conversion of residential property to commercial property for corner stores or the addition of an ADU on the residential lot line of a neighbor is to eliminate the voice of the people in matters of zoning. The increase of density in residential neighborhoods without ANC review by allowing external ADUs in residential areas will eliminate the neighbor’s right to comment or express legitimate concern through the ANC. DC is distinct in its government with the development of the ANCs. The Commissioners must live in the SMD that they represent in order to speak to the issues that specifically affect their community. In speaking to these issues they are the voice of the voters in that district. It is imperative that ANC review remain a crucial part of the zoning process for the people of DC. Moving to a process that is heavily MOR shifts the power from the people to developers and institutions. There is already a process in place which allows the residents of DC to comment and express concern on issues in their neighborhood, on proposed development, on proposed changes to parking and many other areas. This process must stay intact or it will allow for the destruction of continuity in our neighborhoods and destroy the concept of community. Keep ANC review. No increases in MOR.                                                                                                                                                        | Thank you for your comments. There is no diminution of ANC authority proposed through the Zoning revisions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 850                 | Y               | ANC 7B Executive Committee (Patricia Howard-Chittams) Comments | 9/15/2014   | BZA               | All members of ANC 7B have expressed their concern about the loss of review authority owing to the increased number of matter-of-right provisions in the rewritten code for actions that formerly required a special exception. While some of the new MOR provisions have been rolled back, notably the accessory dwelling provisions, I am no longer sure what’s in and what’s out of the ANC’s jurisdiction. Is there a comprehensive list of the new MOR provisions? My ANC very strongly wants to retain its <u>existing scope of review authority</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments. The Office of Zoning and OAG will review these comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 848                 | Y               | The Committee of 100 on the Federal City Comments              | 9/15/2014   | special exception | Special exceptions should be more than a pass through. While variances should remain the more difficult waiver to get, special exceptions should not be the catch-all for every change that OP wants but many residents don’t want. When there is opposition to a notion, OP’s default is to require a special exception. Many residents and even ANC commissioners think that guarantees an opportunity to use public regulatory process to stop something. In practice, that almost never happens. Special exceptions are intended to be permissions with some conditions that control or mitigate some aspect of a use or project. The Zoning Commission should be sure that special exceptions are extended to uses or projects that most want as long as there are a few controls. External ADUs are a good example. OP has heard strong opposition to external ADUs. Rather than drop the concept, OP is proposing a special exception. They are proposing few review standards that might actually strengthen the hearing process and result in decisions that some ADUs are not appropriate and should not be approved. Instead OP is proposing the typical special exception review that puts the burden on the opposition to show negative impacts. If this use were prohibited, a variance would be required to create an external ADU and the burden would shift to the applicant to demonstrate need.                                                                                                                                                                                                                                                                                                                                                                                                           | The BZA considers each case individually, weighs the evidence and considers public testimony. OP also heard strong support for accessory apartments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| ZC Exhibit # | Subtitle | Name                                                 | Date      | Issue               | Comment/Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | OP Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 838          | Y, Z     | Larry and Ann Hargrove Comments                      | 9/14/2014 | BZA                 | Today I want to address one narrow subject: procedures for dealing with cases remanded from the Court of Appeals, especially to the BZA. Remand happens with some frequency. So far as I have been able to discern, the proposed Regulations do not prescribe how the remanded case is to be handled, or on what schedule. The practical result has been that a remanded case may disappear into a procedural black hole, sometimes emerging only two or three or more years later. And the current and proposed Regulations do not inform the parties as to what will be their rights and obligations or the governing procedures when it finally does emerge. The regulations should prescribe procedures for the Board's handling of these remanded cases, just as they do, in the BZA for example, for applications, zoning appeals, and chancery cases. Drafting these procedures should be based on the following considerations: 1. Inordinate delay of this sort is injurious to the parties and undermines the integrity of the judicial and administrative process. A remanded case, unlike a newly filed case, is one in which the parties have already suffered the costs of significant time elapsed in prosecution of the case. The remanded case should therefore be given preferential treatment in scheduling, and there should be a finite limit on the time between remand by the Court and the initiation of the case by the agency – say, 60 days. 2. In general, the same procedures for hearing and argument should be followed in the case of a remand as were applicable to the remanded issue or issues in the first instance. A remand by the Court is a statement that the agency's previous determination on a particular issue was in some respect deficient. The interest of all concerned in getting the decision on that issue right is no less compelling on remand that it was in the first instance, and there should be no cutting of corners on the due process afforded toward reaching that end. | Thank you for your comments. The Office of Zoning and OAG will review these comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 866          | Z        | Carter Barron East Neighborhood Association Comments | 9/15/2014 | BZA                 | The Carter Barron East Neighborhood Association (CBENA /16th Street Heights) believes the community could benefit from a change in the procedural BZA regulations to require the Director to notify adjacent Advisory Neighborhood Commission, where the property owners within the 200 foot radius fall in different Advisory Neighborhood Commissions. A similar policy exists at the Alcoholic Beverage Regulation Administration. The CBENA community has recently experienced issues in BZA Case 18850 where the applicant's property borders ANC4A and ANC4C. Impacted property owners in the ANC in which the applicant's property is not located should have the same rights to notification, information and status in the case. Insert new 3113.13 (d) Mailing and sending an electronic notice to the ANC for the area within which the subject property is located and the ANC which represents any property owner within two hundred feet of the property involved in the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Thank you for your comments. The Office of Zoning and OAG will review these comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 866          | Z        | Carter Barron East Neighborhood Association Comments | 9/15/2014 | BZA                 | The Commission should also incorporate electronic notices to the ANC Commissioner, which it is authorized to do, even if they still uses first class mail as more easily tracked and verified. It currently has this authority” It makes sense with today's technology to also incorporate electronic notices particularly given that ANCs are unpaid volunteers with limited support staff. An electronic notice could serve to alert the Commissioners as to the mailed document, particularly if the document or notice is not being mailed to the Commissioners residential address.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for your comments. The Office of Zoning and OAG will review these comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 768          | Z        | Alma Gates Neighbors United Trust Comments           | 9/2/2014  | party status        | In general, the proposed language meets the spirit of what was requested by the public. It is difficult to distinguish which provisions that apply only to those requesting an early party status determination from those requesting party status within the 14 day timeframe, and which apply to both.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Additional text has been drafted to allow for early determination of party status. A public hearing was held on September 8, 2014 and it will be considered within the proposed action of the ZRR in October 2014.                                                                                                                                                                                                                                                                                                                                                               |
| 776          | Z        | Judi Jones ANC/SMD 4B07 Testimony                    | 9/4/2014  | party status        | Rewrite the process for an individual requesting party status and include a timeline for when a person should submit their request for party status.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Additional text has been drafted to allow for early determination of party status. A public hearing was held on September 8, 2014 and it will be considered within the proposed action of the ZRR in October 2014.                                                                                                                                                                                                                                                                                                                                                               |
| 761          | Z        | Benedicte Aubrun Comments (11-4-13 hearing)          | 8/25/2014 | process             | Urge the Commission to allow more time for the residents to review the new zoning regulations report that was presented by the Office of Planning a little more than a month ago. Indeed, how can the residents without the proper expertise on zoning review can review and comment on such a massive document of 1000 pages in such short time? This process is not sufficiently collegial for there to be informed citizens participation. Citizens review is further complicated by the failure of the OP's staff to indicate where changes were made and are being made for each update on the zoning regulations review as we go through this process. I am questioning the motives of OP with such obstacles to overcome.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | The revisions to the Zoning Regulations is a result of the 2006 Comprehensive Plan which directly states: “The Zoning Regulations need substantial revision and reorganization, ranging from new definitions to updated development and design standards, and even new zones.” (IM-1.3)<br>The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written. |
| 793          |          | Willie L. Baker, Jr. Ward 4 Thrives Testimony        | 9/8/2014  | large format retail | Large retail stores, relative to small retailers, present unique adverse impact on a community: in relation to its traffic patterns, its neighborhood character and the affect on surrounding businesses. Therefore, it is essential to require that a proposal of this type of store go through a public process that evaluates its costs and benefits to the community prior to receiving any approval to proceed with the proposal. These big box stores should have a process that allows the citizens of the District to weigh in on the appropriateness of these projects publicly. The problem with OP's proposal is that it exempts those projects covered by large tract review. The second problem is with the definition of large retail stores. The definition does not define what "grocery sales as a secondary use" means. To remedy this problem the zoning commission could provide a specific definition for secondary use, such as any particular use that does not exceed 50% of the stores sales or square footage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for the comment. The language will be changed to make it clear that a large format use cannot choose either a LTR or Special Exception; rather those that have already gone through a Large Tract Review as of July 10, 2014 will not need an additional special exception; any future projects will require a special exception.                                                                                                                                                                                                                                      |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                          | <b>Date</b> | <b>Issue</b>      | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>OP Response</b>                                                                                                                                                                                                                                                                                  |
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| 817                 |                 | Neighbors United Trust Comments      | 9/9/2014    | overlays          | Under the ZRR, overlays have been dissected and parts can be found in various Subtitles which makes the individual parts vulnerable to change in a "left hand doesn't know what the right hand is doing" scenario. Even the punitive language found in § 1568.3, was removed initially from the CB/UT Overlay in the ZRR. This regulation addresses unlawful removal, cutting down or fatally damaging trees and prohibits the developer/owner from applying for a special exception for a period of seven years of the application date. When this omission was initially raised by the ZRR Task Force, OP staff stated they didn't see the importance of it. Later at Council hearings where this was raised in the context of staff oversight, OP staff stated there wasn't any return to the community. Chairman Mendelson asked staff if any trees had been illegally removed or damaged since the one case that came before the BZA where this section was enforced. The answer was "No." The punitive language has been returned to the CB/UT Overlay, but reduced to a five year waiting period. Communities fought hard to establish overlays and are uncomfortable with what they have found in the ZRR. Changes have been made arbitrarily and as the Commission heard, without community consultation. Even after communities have discovered the changes, OP has continued to act in a "we know what's best manner" in the construction of regulations, i.e., OP has reduced the CB/UT waiting period from seven to five years without community input.        | The "waiting" period for cutting down protected trees is in the regulations. It is cited as five years.                                                                                                                                                                                             |
| 819                 |                 | Ellen Bass Comments                  | 9/9/2014    | parking           | I am a native Washingtonian and 30-year resident of upper northwest Washington, DC; I live in a single family home with two cars. I submitted written testimony in this proceeding previously (Exhibits 432 and 433) in support of the earlier Office of Planning (OP) zoning rewrite proposals to reduce required off-street parking for buildings in areas close to available transit and to ease restrictions on building accessory apartments. I am submitting this testimony to oppose later OP proposals to cut back on these badly overdue, modest and needed reforms to our outdated zoning code and to support the original OP proposals or the Zoning Commission alternative language. I am glad that members of this Commission have questioned OP's proposals to cut back on the reforms they originally proposed in these areas, and I want to encourage other members to join them in going back to the earlier rewrite proposals that are more supportive of good urban neighborhoods, good environmental public policy, and affordable housing alternatives.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Thank you for your comments.                                                                                                                                                                                                                                                                        |
| 782                 |                 | Robert T. Richards Testimony         | 9/4/2014    | parking - transit | We acknowledge that the draft no longer calls for reduced parking minimums along major busways. That does not go far enough for some neighborhoods, including those east of the Anacostia River. The draft retains its provision for reduced parking minimums around TOD zones around Metro stations. This assumes that persons living in the vicinity of Metro stations will commute primarily by Metro. This assumption fails to consider that: Many Southeast residents hold low-wage jobs that are located outside the central business district. In addition, many individuals holding low-wage jobs work very late or very early shifts, or hold down two widely separated jobs. For such individuals, proximity to a Metro station does not obviate the need for a car. If you drive a car to work, you need to be able to park is when you come home. Reducing minimum parking requirements is not the answer for Southeast. We need adequate, reliable parking. In other words, no reductions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Thank you for your comments.                                                                                                                                                                                                                                                                        |
| 877                 |                 | ANC 5D Resolution                    | 9/15/2014   | process           | 10. The Zoning Regulations Rewrite process proposes to reduce the participation of and role of the ANC's, regarding matters that directly affect DC residents. The role of ANC's is clearly outlined in the District's Home Rule Charter and should not be abridged in any way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The role of the ANC continues to be respected and is not being abridged.                                                                                                                                                                                                                            |
| 862                 |                 | ANC SMD 8A01 Holly Muhammad Comments | 9/15/2014   | process           | 2/12/14 - After review part of the Zoning Document ZRR 08-06A, listening to feedback from my constituents and other residents and meeting with the Office of Planning I am not prepared to offer testimony on the subtitles in the re-write. During the Ward 8 Meeting that the OP attended with the ward 8 ANC Commissioners, Jennifer Steingasser the Deputy Director, stated that the ZRR 08-06A was written with younger single residents in mind and that we have had an influx of younger residents. Well Ward 8 has young residents, but our Ward also consists of young residents with families. We also have a large number of senior residents and we have everything in between. This Zoning re-write was not written with the vision of compassion of the One-City motto that we have adopted under Mayor Vincent Gray. We discussed parking, new development, the conversion of residential row houses into corner stores and none of what we discussed is tailored specifically to Ward 8. I believe that this Zoning re-write needs to be revisited and tailored Ward Specific. With that said, I call for a moratorium on moving forward with the adoption of any regulations in the ZRR 08-06A until we have a new Director of Planning in place that will review this re-write, meet with the Wards regarding the specifics of each and that will consider all of the different social and economic statuses in our city and all of the residents of the District of Columbia in a project that once adopted will affect the lives of all whom live here. | Thank you for the comment. Respectful correction- the draft text was written with all residents, of all ages in mind. Aging in Place, Preserving family size housing, protecting neighborhood character, accommodating new residents, and housing affordability were among the many considerations. |
| 782                 |                 | Robert T. Richards Testimony         | 9/4/2014    | process           | All members of ANC 7B have expressed their concern about the loss of review authority owing to the increased number of matter-or-right provisions in the rewritten code for actions that formerly required a special exception. While some of these new MOR provision s have been rolled back, notably the accessory dwelling provisions, I am no longer sure what's in and out of the ANC's jurisdiction. Is there a comprehensive list of the new MOR provisions? My ANC very strongly wants to retain its existing scope of review authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | There is no diminution in the role of the ANC through the zoning revisions.                                                                                                                                                                                                                         |

| ZC Exhibit # | Subtitle | Name                                        | Date      | Issue   | Comment/Testimony                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | OP Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 858          |          | Larry Werner Comments                       | 9/15/2014 | process | And, stepping back just a bit, I wonder why the Zoning Commission would want to change the City's Comprehensive Plan. The Comp Plan was negotiated over several years with extensive public discussion and approved by the City Council. That's totally different than the process here. Do you really want to be identified and remembered as the group that trampled democracy at the very time we're seeking it on Capitol Hill? This whole process started out as a streamlining of existing regulations. What's being proposed are wholesale changes. Please don't make a bad situation worse. By all means make the Zoning Code easier to read and eliminate provisions that no longer apply. But don't attempt to subvert the democratic process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The revisions to the Zoning Regulations is a result of the 2006 Comprehensive Plan which directly states: "The Zoning Regulations need substantial revision and reorganization, ranging from new definitions to updated development and design standards, and even new zones." (IM-1.3)<br>The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written.                                                                                                                                                                                                                                                          |
| 775          |          | Khadijah Watson ANC/SMD 8B01 Testimony      | 9/4/2014  | process | Commissioners I have reviewed this Zoning Rewrite documents, and noticed that most of the rewrite proposal does not fit our neighborhoods in War 8, because there were people outside of our neighborhood who sat down with the Office of Planning to male all of the plans and decisions regarding changes for all of the Wards. Additionally, we are aware that the Advisory Neighborhood Commissioners residing in Georgetown was allowed the privileged by Office of Planning to make pertinent decisions and changes to fit their neighborhood. This is what you call <u>discrimination</u> against people who lived outside of Georgetown, especially in Ward 8. Ward 8 ANCs never had a chance to do the same. They never came into our community to walk around with us to better understand our neighborhoods. Nor did they allowed us to sit at the table to make changes to fit our community. Most of the zoning rewrite decisions were ideas from people who lived outside of the District of Columbia bringing their ideas with them from their home town and imposing them on our communities. They would rather put people on the streets to have the convenience of clubs. stores, and restaurants that serve alcohol. I see a lot of this on H. Street, NE. The changes on H. Street caused people to lose their business, because of the parking situations, they lost many of their customers. As far as I am concerning the Office of Planning did poor planning decisions for our neighborhoods in Ward 8. DC's poor planning and uninformed decision-making has and continues to result in massive displacement of longtime residents, the driving out of small businesses, and the significant reduction of affordability in the District to its lowest levels ever, and a tremendous surge in homelessness. We want all of this to HALT now! Therefore. I feel that this Zoning Re-write should be eliminated. | The revisions to the Zoning Regulations is a result of the 2006 Comprehensive Plan which directly states: "The Zoning Regulations need substantial revision and reorganization, ranging from new definitions to updated development and design standards, and even new zones." (IM-1.3) The Comprehensive Plan is a document vetted through extensive community meetings with public hearings before the City Council and adopted by the City Council. The H Street small area plan was also a public process with adoption by the City Council.<br>The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written. |
| 723          |          | Sue Hemberger                               | 5/9/2014  | process | Establish a more deliberate and deliberative decision making process. Break the revision down into manageable pieces and focus the public debate for that it is more substantive and provides you with the information you need to make intelligent and responsible decisions on a series of complex issues.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Thank you for your comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 814          |          | Alma Gates Neighbors United Trust Testimony | 9/8/2014  | process | Five questions, which are presented here and at the beginning of previously submitted comments remain unanswered. A response from the ZC would be appreciated. When did the ZRR become Comprehensive Text Revisions as noted in the hearing announcement? Does the limited scope of this hearing imply that other text, reviewed prior to September 8, has been approved? When would the public have an opportunity to review the full body of proposed text; and, would there be an opportunity for additional comment? Will the ZC actually review the "Record," which closes on September 15, or has OP been assigned that responsibility? Is the ZC making sure that what is being proposed is not inconsistent with the Comp Plan, given the amendment cycle has not begun?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 805          |          | Susan Kimmel Testimony                      | 9/8/2014  | process | I wish to restore the intent of the zoning provisions setdown from September 9, 2013. I regret that the hearings to update DC's zoning regulations have dragged on for so long, but welcome the opportunity to support Commissioners Cohen and Miller as they questioned how the revisions to the setdown language would impact 1) the enhancement of a multi-modal transportation network, 2) affordable housing choices, and 3) the availability of commercial choices at the neighborhood level. OP invested years of research into drafting the revised regulations. They studies the zoning theories and policies from other jurisdictions, analyzed them for relevance to DC, adapted them by discussion in working group meetings, used these interactions to craft the language of the zoning amendments, and evaluated a tremendous amount of feedback from public hearings. It is the nature of the beast that those who oppose a change to the regulations rally together and persist in prolonging the battle and nitpicking the provisions. It is time to cull through the modifications and only accept those that improve the original intent of the September 9th text.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Thank you for the comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 814          |          | Alma Gates Neighbors United Trust Testimony | 9/8/2014  | process | I'm uncomfortable that the public review period is coming to closure without benefit of a completed draft. The public has no clear idea how this document will look when all the pieces are finally assembled; and frankly, I'm not sure the Zoning Commission does either. The text revisions that are the subject of tonight's hearing are out of context with their Subtitles as well as the entire ZRR. And, in addition to the ZRR, the OP cornucopia continues to spill forth new text amendments including the recently proposed penthouse text (14-13) which would have significant impact on every zone and every neighborhood, and as such should be considered in the context of the ZRR. The public process appears to be drawing to a close. Although we have been working on the ZRR for over six years, PLEASE, don't slam the door in the public's face when the record closes on September 15. A complete draft of revised text is not yet available for public review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written. The ZC will consider the public input, provide direction to OP and then proposed action will reopen the record for comment as is the standard process for text amendment.                                                                                                                                                                                                                                                                                                                                                                           |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                         | <b>Date</b> | <b>Issue</b> | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 878                 |                 | Chris Otten Comments                                | 9/15/2014   | process      | It should be taken seriously that the ZRR process that has been pushed, policed, and manipulated by OP has resulted in uneven experiences among many DC neighborhoods, if at all. OP has been consistent with one thing, untimely and inaccurate information about how the ZRR will affect our whole City. For this, the City deserves more time and reflection on the scope and impacts of these proposed changes. This is up to you to make happen. Amend the Comprehensive Plan first, like the DC Law requires. The ZRR as concocted by OP contravenes DC Law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The revisions to the Zoning Regulations is a result of the 2006 Comprehensive Plan which directly states: "The Zoning Regulations need substantial revision and reorganization, ranging from new definitions to updated development and design standards, and even new zones." (IM-1.3)<br>The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written. |
| 865                 |                 | ANC 6B Comments                                     | 9/15/2014   | process      | Overall, ANC 6B strongly supports OP's effort to update the city's zoning code and urges the Zoning Commission to approve the update as soon as possible. However, we are extremely disappointed and frustrated that this process has been significantly delayed. While various stakeholders can disagree on various provisions in the update - and we have had our share of disagreements - we feel that most of the complaints about process are simply an effort to stall a much-needed update to the city's zoning code. The delay has been particularly unfair to commissions like ours who strongly support the update and who have provided comments and testimony in a timely fashion. We are also disappointed that OP has significantly watered down a number of important provisions in the update. Unfortunately, a number of OP's alternative amendments continue this trend.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Thank you for your comment and support.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 824                 |                 | Christine Shiker Holland & Knight LLP Comments      | 9/11/2014   | process      | Recommend vested rights be provided to the following types of projects. Projects for which an application for a PUD (first stage or consolidated) case or BZA case has been filed prior to the effective date of the new regulations. Projects for which an application for design review case under CG or SEFC had been filed prior to the effective date of the new regulations. Projects that have received concept approval from HPRB or CFA prior to the effective date of the new regulations. Projects that have completed the LTR process prior to the effective date of the new regulations. Projects for which a building permit has been officially accepted by DCRA prior to the effective date of the new regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | The ZC will work with OAG, OZ, DCRA and OP to make sure that projects are appropriately vested.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 881                 |                 | Wilkes Company Comments                             | 9/15/2014   | process      | Recommend vested rights be provided to the following types of projects. Projects for which an application for a PUD (first stage or consolidated) case or BZA case has been filed prior to the effective date of the new regulations. Projects for which an application for design review case under CG or SEFC had been filed prior to the effective date of the new regulations. Projects that have received concept approval from HPRB or CFA prior to the effective date of the new regulations. Projects that have completed the LTR process prior to the effective date of the new regulations. Projects for which a building permit has been officially accepted by DCRA prior to the effective date of the new regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | The ZC will work with OAG, OZ, DCRA and OP to make sure that projects are appropriately vested.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 792                 |                 | Chris Otten DC for Reasonable Development Testimony | 9/8/2014    | process      | The Zoning Rewrite is not right! The Zoning Rewrite Regulations contradicts major planning ethics and protocols. The public has received inaccurate and unclear information about the proposed zoning changes. No science or studies back up philosophical changes to the code. There is not understanding of the long-ranging consequences or inter-relatedness of the impacts from the proposed zoning changes. No redline document has ever been produced to show the transition from the proposed changes to the new changes. The so-called "crosswalks" are not a substitute for a redline document and contain many errors. There is unfair and uneven treatment in regards to education, explaining, and discussing the proposed changes depending the neighborhood you live in.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Thank you for the comment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 877                 |                 | ANC 5D Resolution                                   | 9/15/2014   | process      | The Zoning Rewrite Review process includes over one thousand pages of text that presents a burden for ANC 5D to process efficiently, given that ANC 5D is a newly formed Commission, without benefit of a permanent office and staff. Finally, while it is true that the Zoning Regulations Rewrite process has officially been underway since 2008, all DC communities have not been afforded a real opportunity to meaningfully participate. The DC Office of Planning has selectively worked with communities in Georgetown and Cleveland Park (to a lesser extent) to help their residents understand and respond to the proposed revisions to our zoning regulations. These residents had an opportunity that the wider DC residents did not. The ward briefing sessions facilitated by the DC Office of Planning were shallow and did not provide real answers to citizens' questions. EVERY DC resident deserves the opportunity to ask questions regarding proposed changes to our regulations and how said changes will impact our quality of life. The urgency to amend our zoning regulations should not foreclose on the rights of any DC resident to be heard, to engage and to understand how the proposed changes will alter our neighborhoods. The ANC 5D recommends that the feedback received from citizens thus far be viewed as preliminary. We deserve an opportunity to thoughtfully weigh each proposed change at ANC public meetings in every ward; ANC meetings are required by law, representing grassroots engagement of citizens throughout the District of Columbia. | The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written.                                                                                                                                                                                                                                                                                            |

| <b>ZC Exhibit #</b> | <b>Subtitle</b> | <b>Name</b>                                                               | <b>Date</b> | <b>Issue</b> | <b>Comment/Testimony</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>OP Response</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------|-----------------|---------------------------------------------------------------------------|-------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 801                 |                 | William Spence Spencer Testimony                                          | 9/8/2014    | process      | This review will have major and lasting impacts on our city and neighborhoods. We have been disappointed at the lack of communication the Palisades Citizens Association has had with the Office of Planning on this issue. We have repeatedly asked for OP representatives to come to community meetings, and the result has been phone calls and e-mails not responded to and even last minute cancellations. We have tried to highlight the zoning review as an issue that is important to everyone in this city, but in many ways the process has been taken away from normal citizens and put in the hands of developers and single-issue advocacy groups. Citizens should have a seat at the table, and in less than 60 days we are electing a new mayor. Like Georgetown, Palisades would like an opportunity to be led through a customization process before any final approval is given. We do not want to find ourselves having to pursue the onerous process of text amendments and zone modifications. OP assured the ZC that customization would be an option for every community and this option was reiterated by the former OP Director at our Ward meeting on zoning review. I am here to say the community is interested in some hands-on attention from OP, sooner rather than later. We believe that any action on the proposed zoning should be postponed until the Council and public have had a chance to weigh on amendments to the Comprehensive Plan. As things currently stand, the cart is way before the horse. Our new mayor needs to review the final proposed text, and complete his or her appointments to OP and the Deputy Mayor for Planning and Economic Development. Citizens, neighborhoods and their newly elected leaders should be have their role and opportunity for involvement in the process extended even further as they will be the ones dealing with its immediate implementation. For this reason the Palisades Citizens Association recommends postponement of a final decision on the review until the city's new leadership team have had a chance to understand the proposed changes and how those changes will affect each ward. It has been 50 years since our first zoning code was implemented. We can certainly invest the time to give broader-based consideration to the important process. | The revisions to the Zoning Regulations is a result of the 2006 Comprehensive Plan which directly states: "The Zoning Regulations need substantial revision and reorganization, ranging from new definitions to updated development and design standards, and even new zones." (IM-1.3)<br>The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written. The Zoning Task Force had a very active member who is a long resident of Palisade and a member of the Palisades Citizens Association; additionally the Federation of Citizens Associations of the District of Columbia had a seat on the Task Force and Palisades Citizens Association is a member of that federation. |
| 872, 879            |                 | Coalition for Better Planning Comments, Citizens for Responsible Planning | 9/15/2014   | process      | We request that any action on the proposed zoning regulations be deferred until after a robust public discussion of (and a Council vote on) amendments to the Comprehensive Plan, the incoming Mayor appoint a new Deputy Mayor for Planning and Economic Development, a new Director of the Office of Planning, and a new member of Zoning Commission the Council require, as a condition of confirmation, that candidates for these positions have a track record of, and a commitment to, constructive engagement with diverse groups of citizens, and that decisions on controversial public land PUDs be postponed <u>until after these new leaders have been appointed and confirmed.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Thank you for your comments. The case was setdown for hearing on September 9, 2013 and Public Hearings were held in November 2013, January, February, July and September 2014. The Zoning Commission left the record open until Sept 15, 2014 to allow for a full year of public testimony both verbal or written.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 824                 |                 | Christine Shiker Holland & Knight LLP Comments                            | 9/11/2014   | process      | We request that the ZC consider vesting provisions for the new Zoning Regulations in addition to a transition period of at least 6 months from the final adoption of the regulations. Recommend that the Commission consider vesting provisions similar to that incorporated in the new Construction Code. Buildings and structures under contract for design on the effective date of the new Zoning Regulations, for which no permit applications have been filed, shall be allowed to be filed, processed to issuance of permit, and any work authorized thereby shall be allowed to be carried to completion, under the provisions of the current Zoning Regulations, provided that (1) the applicant files the permit application within one year of the effective date of the new regulations, (2) the applicant includes with the permit application a copy of the design contract, with a notarized affidavit stating that contract was effective prior to the effective date of the new regulations, and (3) a permit be obtained and the permit fee be paid in full within one year after the filing date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The ZC will work with OAG, OZ, DCRA and OP to make sure that projects are appropriately vested.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 792                 |                 | Chris Otten DC for Reasonable Development Testimony                       | 9/8/2014    | process      | What is not on OP's agenda with regard to changes to DC's zoning code and the ZRR? A realistic affordable housing strategy. Steering investment to neighborhoods that need and could benefit from it most. More and better public facilities (schools, parks, sewers, transit) in areas slated for growth. Expanding the supply of housing for families. Supporting small businesses. Protecting solar easement, preserving green space, combating heat islands, and promoting more environmentally-sensitive development. A long-term plan for the retention, stewardship, and acquisition of public land to serve public needs. Enabling residents to play a meaningful role in governmental decision making on development projects in their neighborhoods. Addressing the very real problems we face, while respecting and preserving what we love about DC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | A comprehensive affordable housing policy far exceeds the scope of the zoning revisions and involves many city agencies. However those portions that are part of zoning will be brought forward as a separate case.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 825                 |                 | Shaw-Dupont Citizens Alliance, Inc. Resolution                            | 9/11/2014   | process      | Whereas, the Shaw Dupont Citizens Alliance (SDCA) finds that the Zoning Re-Write fails to achieve its stated purposes of simplifying and clarifying the existing zoning code, and aligning it with the Comprehensive Plan; And whereas, we find a need for planning at the neighborhood level, that takes into account local situations and established institutions, as well as new trends, in order to achieve the desired outcomes, which vary from neighborhood to neighborhood; And whereas, the Director of the Office of Planning who originally undertook this effort has left the District government. Therefore, be it resolved that the Shaw Dupont Citizens Alliance recommends rejecting the Zoning Re-Write as currently proposed, and instead returning to the original aims of simplification, clarification, and alignment with the Comprehensive Plan; And further, SDCA recommends that the new Director of Planning conduct neighborhood planning, to include meaningful participation by local civic associations and ANC's, as well as other groups of standing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | OP continues to reformat and edit the regulations to make them more direct and clearer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 877                 |                 | ANC 5D Resolution                                                         | 9/15/2014   | use          | 5. The Zoning Commission and DC Office of Planning should fully explore and create restrictions on opening and operating additional liquor stores in any area that has at least two such establishments within 1000 feet and where the crime rate in the affected patrol service area (PSA) is high. The proliferation of liquor stores in high crime areas contributes to neighborhood blight and lowers the value of surrounding real estate, according to the National Institute of Drug Abuse (NIDA). The ANC 5D agree with this assertion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Liquor licenses are regulated by the Alcohol Beverage Regulation Administration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |