

TO: Chairman Anthony Hood and members of the Zoning Commission

Tenleytown Neighbors Association

Comments on ZRR Case No. 08-06A -Proposed Title 11 DCMR – Zoning

RESOLUTION

Proposed Zoning Regulations Need Modifications

WHEREAS the Zoning Commission has adopted proposed Zoning regulation changes as written by the DC Office of Planning that will fundamentally affect the quality of life in the District of Columbia.

WHEREAS the proposed regulations include dramatic changes to height limits: The proposed Zoning regulations do not retain the 3 story maximum height limit in low-density residential zones. Note that the Comprehensive Plan directed the Zoning Commission to reduce maximum allowable heights from 40 ft to reflect what is currently the predominate height in a neighborhood. OP has not done that except for Georgetown. Downtown buildings will be allowed to be 40 feet taller than is currently allowed. The area designated as downtown has been tripled in size.

WHEREAS the proposed regulations include major changes in the lot size required to construct housing: currently, in R-2, R-3 and R-4, required lot size depends on house style, with detached homes largest. OP proposes one lot size/ zone regardless of house style and selected the smallest now allowed in each zone thus allowing building on substandard lots.

WHEREAS the proposed regulations include dramatic changes in parking requirements: Substantially reduced parking requirements will increase competition from apartment residents and commercial patrons for parking in residential neighborhoods adjacent to apartment buildings, schools, transit zones and downtown. The census shows that in DC approximately 1 in 3 households are carless and 2 in 3 houses have at least 1 car.

- Developers will not have to provide onsite parking for any use in a broadly defined downtown, which has been tripled in size to encompass the areas from the baseball stadium – along the river – 23d Street NW – up to Dupont Circle and east of North Capitol Street. Downtown buildings will be allowed to be 40 feet taller than is currently allowed.
- Within half a mile of Metro stops and quarter of a mile of major bus routes, only 1 space must be provided for every 6 units/families. If more than 2 spaces are provided for every 3 units, developers will be penalized. Currently 1 space is required for every 2 units.
- Single family detached homes will no longer have to have garages or driveways unless they have alley access. Those with garages can convert them for alternative uses while cars move to the street.
- No on-site parking will be required for apartment buildings with 5 or fewer units.
- "Near" transit the larger apartment buildings parking requirement is less than one space per six units. Far from transit it is less than one space per three units.

WHEREAS commercial uses will be allowed by right in low density residential areas and will not be required to have parking except for daycare:

- Accessory Uses (Home Occupations and Businesses): More than 175 types of businesses would be allowed as home-based occupations with a max of 8 clients per hour.
- Commercial: In row house zones (R-3 and R-4) Retail, Art Design and Creation, Food and Alcohol plus others if located 500 feet or more from a commercial zone, operating max 7 am - 10 pm, 4 employees max and no more than 6 such establishments could be within 500 ft of your house. Liquor could not be consumed on-site; food could not be cooked on-site.

WHEREAS the proposed regulations will allow tenant suites by right in many instances: Internal tenant suites and external suites that are contained in existing accessory buildings, like garages, would be matter of right.

WHEREAS the proposed regulations allow new external buildings to be built by right with approval needed only when rented. At that time tenant rentals would have to be approved by the Board of Zoning Adjustment and could have 2 floors, a height of 22 ft and a footprint of 900 square foot.

WHEREAS these regulations do not recognize that individuals are intermodal and often use cars to get to the Metro.

WHEREAS these regulations make much development allowable as a matter of right, which results in neighbors having no input or rights.

WHEREAS the proposed zoning regulations do not make zoning simpler and are inconsistent with the Comprehensive Plan as adopted by the District Council.

WHEREAS the proposed regulations give great leeway to developers thereby leaving little to negotiate to attain more affordable units.

WHEREAS the Office of Planning has produced no studies in support of their proposed changes to zoning in DC. The proposals are purely ideologically driven.

BE IT RESOLVED that the Zoning Commission should address each of these shortfalls before finalizing the zoning regulations that will govern development in the District of Columbia.