

General Procedures – Monday, Nov 4, 2013

➤ PUDS

1. Section 300.10 The PUD process shall not be used to reduce requirements for designated uses, specifically retail, service, entertainment, and arts uses established within an Neighborhood zone. *Please explain. As I understand it, this means that a PUD should not be used to get rid of a business. Entertainment or certain types of entertainment should be stricken.*
2. 303.11 The PUD height and density standards for the Subtitle K, Special Purpose Zones are contained within Subtitle K chapters for those zones. *What are special purpose zones? Industrial zones? Overlays? If not, why can't CM – 1 & 2 zones (P-1 & P-2 zones) be included or negotiated as PUDs? Otherwise there will be more overlays.*
3. Section 304. *ANCs should be included as part of the evaluation and approval process for the ZC. OP gets to input their report. ANC reports and the PUD's impact on the community should be just as important.*
4. Nothing about a PUD should be a matter of right. Once a PUD has been set, there should be no changes without going through the PUD process again. Example, 6000 New Hampshire Ave development.

There should be a process for industrial areas like the PUD process. Industrial areas are the best and worst of the city. CMs see them as a dumping ground. The Lamond CDC sees it as an opportunity to process the changes for the chillum place industrial area to be an asset to the residential area rather than a liability.

There was no mention of adding uses to the definition of the CM areas. NO INDUSTRIAL AREAS SHOULD BE A MATTER OF RIGHT WHEN LOCATED NEXT TO OR NEAR RESIDENTIAL AREAS.

B. Definitions – Tuesday, Nov 5, 2013

➤ CM-1 to P-1

1. CM-1 includes Commercial and Light Manufacturing. As I understand the term, it does not include repair although there are at least six auto repair shops within the Chillum Place industrial zone. The industrial use should not change to fit without having some saturation point. Those industries that impact the quality of life issues should be special exception instead of matter of right. Auto repair shops impact the environment tremendously. Storm water runoff along chillum place impacts the community in a way that unless you live in the area, you wouldn't see. Our community has tried to resolve/relieve the situation for the last 15 years. Then, Ward 4 CM Fenty did take on the task of trying to resolve the problem with a comprehensive approach to redesigning the commercial strip back in 2006. Saturation and industrial use should be considered part of the variance process rather than special exception when allowing repair shops a c of o when a industrial zone is at saturation for a business that would impact the environment negatively. As an ANC and neighbor to an industrial zone, repair shops have pulled the most safety and environmental resources. More consideration for their existence near residential areas should be a special exception rather than matter of right. Their description as repair within the CM to P definition should be deleted and explicitly defined with environmental restrictions in place. One of the restrictions should be consulting with the residential community (ANC) about its operation and impact on the environment.
2. Industrial zones should be categorized as potential overlays or PUDS. No residential area that abuts an industrial zone wants the industrial zone to stay the way it is. The ward 4 CM uses the few industrial zones as the toilet of Ward 4 without consulting the ANCs. To move industries that are contrary to the plans of the community and some businesses on the industrial strip is asking for political suicide. The industrial zone in the Lamond/TakomaDC area has a non-profit community development corporation, Lamond CDC. It was formed to facilitate the design and implementation of the industrial zone. There are six private and charter schools along the chillum place strip. While the community is happy to work with the educational opportunities of the schools, I, as ANC am constantly fighting off marijuana clinics/outlets and auto repair shops.

There are some aspects of the new ZRR that I like.

- 👉 The new zoning regulations are general and allow room to facilitate community dynamics in zoning decisions. The new ZRR make the investment in community decisions a great or small change according to the demonstrations of the residents. If you vote, you should be able to organize and allow or disallow development or business entity.
- 👉 The buffer between commercial and residential is strengthened but doesn't speak to how a current commercial zone can transition to the strengthened buffer.
- 👉 The ability of a homeowner to use the property to enlarge the living space as a matter of right is a better system than what is in place. Residents should know and understand their zoning regulations. You have two-story townhomes next to a five story renovated apartment building that make the roof line look out of place. However, the wait time for permits needs to be improved. Notice to the affected ANC should be given when and extensive renovations such as a 5-story building next to 2-story homes are filed for permitting, even when the 5-story buildings are a matter of right.
- 👉 Ch 10 Section 1002.9 For purposes of applying roof structure setbacks, walls of buildings that border any courtyard other than closed courtyards shall be deemed to be exterior walls (p340). *Should be a matter of right for homeowner to take all additions/ renovations from side property lines to side property lines. Same for side setbacks as well.*
- 👉 Ch 10 Section 1002.5 Roof structures shall not exceed one-third (1/3) of the total roof area for the R zones (p339). *Should be a matter of right not to exceed fifty percent (50%).*
- 👉 Ch 11 Section 1102.4 Community Based Institutional Facilities shall be permitted as a special exception subject to the following conditions:
 - (a) The use shall house no more than fifteen (15) persons, not including resident supervisors or staff and their families; and
 - (b) There shall be no other lot containing a Community Based Institutional Facility use in the same square or within a radius of five-hundred (500) feet from any portion of the lot.

There are negative aspects to the new ZRR

- 👉 The matter of right raises the bar for those residents that don't know the system or regulations. The developments or changes in a community, minimally, should go through the special exceptions process. ANC notice at least should be the protocol. ANCs are mentioned very rarely in the new ZRR.

👉 1004.1

👉 **1005 PERVIOUS SURFACE**

1005.1 The minimum pervious surface requirements for new construction on a lot in an RF zone are set forth in the following table:

	Lot Size Min.	Pervious Surface Min.
Residential use	Less than 1,800 sq. ft.	0%
	1,801 to 2,000 sq. ft.	10%
	Larger than 2000 sq. ft.	20%
Church	n/a	50%
Public Recreation and Community Center	n/a	50%
Public Schools	n/a	50%
All Other Structures	n/a	50%

For existing structures, renovations for new additions, pervious surfaces requirements should not be applied to those original structures fifty years or older.

- 👉 Ch 11 1101.5 Section Residential uses shall be permitted by-right subject to the following conditions:
 - (a) Principal dwelling units shall be limited in number to the maximum permitted in an RF zone by the relevant development standards table;
 - (b) Rooming units provided:

- (1) No more than eight (8) total persons, including transient guests shall live on the premises;
- (2) Accommodations are not provided to transient guests who stay less than 90 days at the premises;
- (3) No sign is displayed on the premises;
- (4) No advertisement is displayed or published on or off the premises holding out the establishment to be a hotel, motel, inn, hostel, bed and breakfast, private club, tourist home, guest house, or other transient accommodation;
- (5) Cooking facilities are not provided in any individual unit; and
- (6) In a rooming house, no central dining or food preparation area is provided for guests.

All (and its corresponding subsections, subtitles and chapters) should be special exception and the affected ANC be notified of the application for permits.

Ch 11 Section 1101.6 A Corner Store uses shall be permitted by right subject to the following conditions:

- (a) The corner store is a fresh food market or grocery store devoted to the retail sale of food including perishable foodstuffs
- (b) The corner store shall be subject to the conditions of Subtitle E § 1106.
- (c) Corner Store uses not meeting the above conditions may only be permitted by special exception subject to the special exception criteria of Subtitle Y, Chapter 8.

All (and its corresponding subsections, subtitles and chapters) should be special exception and the affected ANC be notified of the application for permits.

Ch 11 Section 1101.9 Emergency Shelter uses shall be permitted by right subject to the following conditions:

- (a) The use shall not house more than four (4) persons, not including resident supervisors or staff and their families.
- (b) Emergency Shelter uses not meeting this condition may be permitted by special exception under the conditions of Subtitle Y, Chapter 8.

All (and its corresponding subsections, subtitles and chapters) should be special exception and the affected ANC be notified of the application for permits.

- ☛ Transportation Infrastructure uses shall be permitted by right provided the use 1101.11 shall be operated, directly or under contract, by the District government or the Washington Metropolitan Area Transit Authority
- All (and its corresponding subsections, subtitles and chapters) should be special exception and the affected ANC be notified of the application for permits.*

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