

**Case No. ZC 08-06A
Testimony of Judy Chesser
Zoning Commission Hearing
Zoning Regulation Rewrite (ZRR) Subtitle C – parking
November 12, 2013**

Subtitle C – Parking requirements

Please keep the already low current minimums.

**In Tenley in commercial corridor currently: 50% of units required to have parking (1 for 2)
Car ownership in Ward 3: 79% of households own cars, some more than one car.
ZRR proposal in Tenley commercial corridor: 16.5% of units required to have parking (1 for 6)
ZRR imposes penalties if a developer provides: 33% or more units with parking spaces.**

Thank you for the opportunity to testify today on Subtitle C of the Zoning Regulation Rewrite.

First, I must start by asking you to reject Urban Myths. There are not fewer cars in DC today than in years past. Please base your decisions on sound data and statistics. Letters attached from Council Members Cheh and Evans raising concerns that there is no statistical basis for these proposals.

If the proposals are not data-driven, are we trying to make car ownership so arduous that people will abandon their cars? Or will they just live, shop and dine outside of DC? People are multimodal. Metro does not go everywhere they want to go. Are we building a family-friendly city where the parents with kids, the dog and sports equipment will find life appealing? How do these multimodal people fit into the landscape that is being created by the ZRR?

FACTS: Vehicle ownership is increasing every year in DC. The DMV reports that vehicles registered went from 267,000 in 2009 to 285,000 in 2012. Vehicle ownership is 0.9 per household (0.6 for rental and 1.3 for owner occupied). (Census ACS) An increase of 3.5% in 3 years and this doesn't count cars that don't get registered in DC – diplomats, students, the military, students. To give Ward 3 as an example, 79% of households own at least one vehicle. In addition, over 500,000 commuters enter DC each day, and that number will continue to increase as the District hopes to create 100,000 new jobs over the next 5 years. The parking needs of residents, commuters, tourists, visitors, trades people, and service providers are increasing not decreasing.

Bikes: DC has been supportive of bike lanes. We hope bicycle usage will increase but of the slightly over 600,000 people living in DC only 9,000 list themselves as riding bikes to work. I note that 2/3 to ¾ of the 9,000 people who say they ride their bikes to work are men.

Metro: The latest statistics I have for Tenley station near my home, are from September 30, 2010, when Nat Bottigheimer, Asst General Manager, Department of Planning and Joint Development, MWMATA stated that the Tenley station at that time took in 7,000 riders daily. Of whom 58% walked to the station and 23% arrived by bus. Thus, approximately 20% -- over 1,300 people – arrive at the station by car, some parking, some dropped off.

How do dramatic reductions in parking near metro look in the big picture? What does future capacity look like on the red line, for example? From a presentation by Shyam Kannan, the new Managing Director of Planning for WMATA, on October 2, 2012, we know that the Metro now has 700,000 riders and is at 85-90% capacity. To

emphasize the intermodal nature of individuals, Mr. Kannan said that 80% of Metro riders own cars, while 47% of bus riders own cars.

Current Zoning Treatment of Parking: Our current minimum residential parking requirements for apartments is 1 space per 2 - 4 apartments, unless low density (R5A and C1) where it is 1 space per apartment. For single family houses it is 1 space per house. (Zoning Regs Ch 21). Note that our parking requirements are greater where zones are less dense and lower where they are more dense so it is not "one size fits all" currently. And waivers are available to accommodate special circumstances. I cite Babe's here as an example that this Commission has the freedom under current regulations to adjust parking requirements but this seems to be a practice used only to decrease parking not increase it and as written the ZRR imposes penalties if a developer wants to provide more parking than required. Babe's otherwise 86 spaces were eliminated as a requirement. For an example of penalties for providing "excess", perhaps better termed "adequate" parking, see attachment.

THE CURRENT PROPOSAL IS NOT A "COMPROMISE" - IT IS STEP TWO IN A STRATEGY DEVISED BY OP.

OP's original proposal would hand vast areas of the city so far as parking was concerned to the developers - "let the market decide". Now OP proposes 1 space for every six units near transit with no data whatsoever to support why this ratio makes sense. A 200 unit building, where more than one adult can live per unit, would have 33 parking spaces; so 167 units would have no parking spaces.

The Office of Planning's zoning proposal would:

- **ELIMINATE** minimum parking requirements in a dramatically expanded Downtown area.
- **REDUCE** most parking requirements even when not near transit.
- **REDUCE** by another 50% the reduced parking requirements near transit.
- **PENALIZE** developers who want to provide more than twice* the reduced parking requirement (in essence a maximum cap). *The set down document says 1.5 times but OP's prehearing report changed to twice.
- **REDUCE** parking requirements for schools, hotels and churches by decoupling parking requirements (where not eliminated) from the specific factors that would predict the demand for parking and tag it to square footage. To give a couple of examples in Ward 3, for private schools: for Murch 30 becomes 19 required; Stoddert 23 becomes 5; Georgetown Day 64 becomes 17, etc.

COMPREHENSIVE PLAN

None of this is supported by the Comp Plan. The Comp Plan talks about (1) mitigating the impact of new development on surrounding residential neighborhoods; (2) making certain that land use decisions do not exacerbate existing traffic and parking problems in already congested areas; (3) reducing parking requirements only where a reduction in demand can be clearly demonstrated; and (4) promoting walkability by encouraging the location of parking near Metro stations either behind or underneath buildings.

CONCLUSION

Many neighborhood associations as well as the Ward 3 Democratic Committee have expressed deep concern about the ZRR as drafted. The draft regs as proposed by OP are ideologically driven, not fact based and not legally based in the Comp Plan. OP fails any standard of professionalism since no statistics or studies have been done to support their extremely reduced parking requirements. Why is this still-changing draft being rushed to adoption. The Zoning Commission should support Pro-Choice. People use many forms of transportation. People are multi-modal. They take public transit but it doesn't go everywhere they need to go. Protect our residential neighborhoods. Keep DC family friendly. Keep the current, already low, parking minimums in the DC zoning regulations. Thank you.

~ Judy Chesser, 3901 Alton Place NW, Washington DC 20016

ATTACHMENTS: one page each

- 1. Chart on Parking Proposals**
 - 2. Relevant Quotes from Comp Plan**
 - 3. Comparison of DC with other jurisdictions parking requirements**
 - 4. Chart based on OP's spreadsheet re: proposed private school parking (Ward 3 as example)**
 - 5. Transit Areas – OP's map – where already low parking requirements cut in half**
 - 6. Expanded Downtown – OP's map – where no parking required**
- **Letters from Council Members Cheh and Evans.**

PROPOSED PARKING CHANGES IN THE ZRR

USES	Current Zoning	Proposed Zoning
Residential New detached, semi-detached, or row houses	Developer/owner must provide one off street parking space per dwelling.	Developer does not have to provide off-street parking space unless lot adjoins improved alley. If there are 1 or 2 dwelling units, only one space is required on lots adjacent to an improved public alley access with at least 10 ft. of right away. No more than 2 parking spaces can be provided via a driveway.
Residential Apartments in low-density zones (R5A & C-1)	Developers/owners of all newly-constructed apartment buildings must provide one off-street parking space per unit.	Developer/owner must provide one space for every two units only in residential house or residential flat zones. Developer/owner must provide one space for every 3 units in excess of 4 units in apartment or mixed use zones. This would be reduced by 50% near Metro, major bus lines or streetcar lines. Penalties would apply, if developer/owner provides more than 2 times the amount of parking required.
Residential Apartment buildings outside low-density zones	Developer/owner of all new apartment buildings must provide off-street parking spaces, typically one space for every 2-4 units, with the lowest ratio required for the more dense zones, which are generally near frequent transit.	If the building is located downtown, the developer would not have to provide any onsite parking. In all other apt. or mixed use zones, if building is within 0.5 mile of a Metrorail station or 0.25 mile of a major bus line or streetcar line, the minimum parking requirement for apartment buildings one space for every six units in excess of four units. Outside those areas, the minimum parking requirement for apartment buildings is one space for every three units in excess of four units. Penalties would apply, including in downtown zones, if developer/owner provides more than one space for every four units in excess of four units near transit or one space for every two units elsewhere.
Institutional Churches and private schools, clubs, libraries, hospitals and hotels	Various businesses and institutions must provide parking based on the number of people that their facilities can hold at one time.	No on-site parking would be required downtown. Outside downtown most parking requirements would be reduced substantially and based only on the number of square feet in the facility. Those requirements would be reduced by 50% near transit. Penalties would apply, including in downtown zones, if developer/owner provides 1.5 times the amount of parking required.
Commercial Stores, offices, restaurants, entertainment venues	Developer/owner must provide parking based on square footage, type of business, zone, and proximity to multiple transit routes.	No on-site parking would be required downtown. Outside downtown, on-site parking requirements will be lowered throughout the city. Those requirements would be reduced by 50% near transit for any use. Penalties would apply if developer/owner provides 1.5 times the amount of parking required. In downtown zones the penalty would be based on requirement near transit outside of downtown.

RELEVANT COMPREHENSIVE PLAN POLICIES

The proposed regulations are to implement the Comprehensive Plan adopted by the D.C. Council. Therefore, the regulations must have a foundation in the Plan and not be inconsistent with the Comprehensive Plan. The policies in the Land Use Chapter are considered primary. These policy numbers begin with LU. Below are sections of the Comp Plan – underlines for emphasis.

Policy LU-2.1.11: Residential Parking Requirements

Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. Reductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated. (Paragraph no.: 309.15)

Policy LU-2.3.2: Mitigation of Commercial Development Impacts

Manage new commercial development so that it does not result in unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts on surrounding residential areas. Before commercial development is approved, establish requirements for traffic and noise control, parking and loading management, building design, hours of operation, and other measures as needed to avoid such adverse effects. (311.4)

Policy RCW-1.1.12: Congestion Management Measures

Ensure that land use decisions do not exacerbate congestion and parking problems in already congested areas such as the Friendship Heights, Tenleytown, and Connecticut/Van Ness Metro stations. When planned unit developments are proposed in these areas, require traffic studies which identify the mitigation measures that must occur to maintain acceptable transportation service levels—and secure a commitment to implement these measures through transportation management plans. Traffic studies and mitigation plans should consider not only the impacts of the project under consideration but the cumulative impact of other projects which also may impact the community, as well as the impact of nonresident drivers using local streets. Car-sharing, bicycle facilities, and designs which promote transit use should be encouraged as mitigation measures, in addition to measures addressing passenger and service vehicles. (2308.13) (Note: RCW is Rock Creek West, the area element for that section of DC.)

Policy LU-1.3.2: Development Around Metrorail Stations

Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas. (306.11)

Policy LU-1.3.6: Parking Near Metro Stations

Encourage the creative management of parking around transit stations, ensuring that automobile needs are balanced with transit, pedestrian, and bicycle travel needs. New parking should generally be set behind or underneath buildings and geared toward short-term users rather than all-day commuters. (306.15)

RCW-2.2 Wisconsin Avenue Corridor 2312

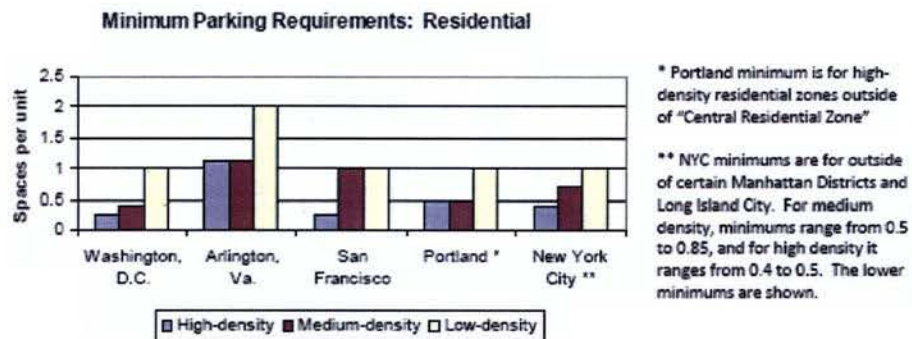
Friendship Heights and Tenleytown are stable, transit-oriented neighborhoods, and their conservation should be ensured during the coming years. Thus, several core issues must be addressed as plans for any of the sites around the Metro stations or along the corridor move forward. Any redevelopment along the corridor should respect the scale of existing neighborhoods, promote walkability, and create a more attractive street environment. The impact of new development on traffic, parking, infrastructure, and public services must be mitigated to the greatest extent feasible. The scale and height of new development on the corridor should reflect the proximity to single family homes, as well as the avenue's intended function as the neighborhood's main street. This means an emphasis on low- to mid-rise mixed use buildings rather than high-rise towers or auto-oriented strip development. (2312.6).

LU-2.4 Neighborhood Commercial Districts and Centers 312.3

Even the most successful neighborhood centers in the District must deal with land use conflicts. Excessive concentrations of bars, liquor stores, fast-food outlets, convenience stores, and similar uses are causes of concern in almost every part of the city. Commercial parking demand affects nearby residential streets around many centers. In some locations, commercial and residential rear yards abut one another, causing concerns over rodents, odors, noise, shadows, view obstruction, and other impacts. Effective zoning and buffering requirements are important to address such concerns and protect neighborhood character. Zoning overlays have been adopted in some commercial districts to limit the range of allowable uses and reduce the likelihood of external impacts.

DC'S CURRENT MINIMUM PARKING REQUIREMENTS ARE LOW ALREADY COMPARED TO OTHER JURISDICTIONS

DC's current minimum parking requirements are also far below those of Arlington County, Virginia, and significantly lower than the minimum parking requirements for other jurisdictions.



The minimum parking requirement in Arlington for residential uses is more than 2 to 4 times DC's current minimum parking requirement. DC's requirement is also lower than the requirements in San Francisco, Portland and New York City.

Portland tried the experiment of eliminating parking requirements in certain areas. After the nearby neighborhoods were inundated with the cars brought by the new developments, Portland reinstated parking requirements.

Example of Penalties for a Developer providing more Parking

Example using a 350 unit condominium approximately 2,500 feet from a Metro station.

If the residents of the building own, on average, 0.9 vehicles per household, they would own 315 vehicles.

(Owner-occupants, larger households and higher income households would tend to own more vehicles on average.)

With the *current* zoning regulations, the developer would be required to provide 87, 117 or 175 parking spaces, depending on the zone.

With the ZRR, 58 parking spaces would be required, including one space that would be provided free of charge to a car-sharing company (Subtitle C, Sections 1901.5, 1902.1, and 1908). In addition, the building would be required to have 117 long-term bicycle parking spaces and 18 short-term bicycle parking spaces. (Subtitle C, Section 2002)

If the developer chose to provide *adequate* parking for the residents of the building (although not adequate to accommodate visitors), under the proposed regulations, they would be described as providing an excessive amount of parking.

Adequate parking to meet anticipated needs would be 228 spaces more than twice the minimum parking requirement.

To "mitigate" the impact of providing adequate parking, the proposed zoning regulations would require the developer to include the following in his project:

- (1) 76 long-term bicycle parking spaces, in addition to the new standard requirement of 117 long term bicycle parking spaces, for a total of 183 long-term bicycle parking spaces;**
- (2) 23 new trees planted in public space in that Ward (handled as a financial contribution to DDOT);**
- (3) 11 on-site electric car charge stations (it is not clear whether these charge stations would be available to all residents or associated with assigned parking spaces);**
- (4) 11 additional parking spaces provided free of charge to a car-sharing company;**
- (5) An increase in the Green Area Ratio requirements; and**
- (6) A financial contribution for the provision of two Capital Bikeshare stations with a minimum twelve bike stalls each, at locations determined by DDOT.**

CHART FOR PROPOSED PARKING FOR PRIVATE SCHOOLS (Ward 3 as example)

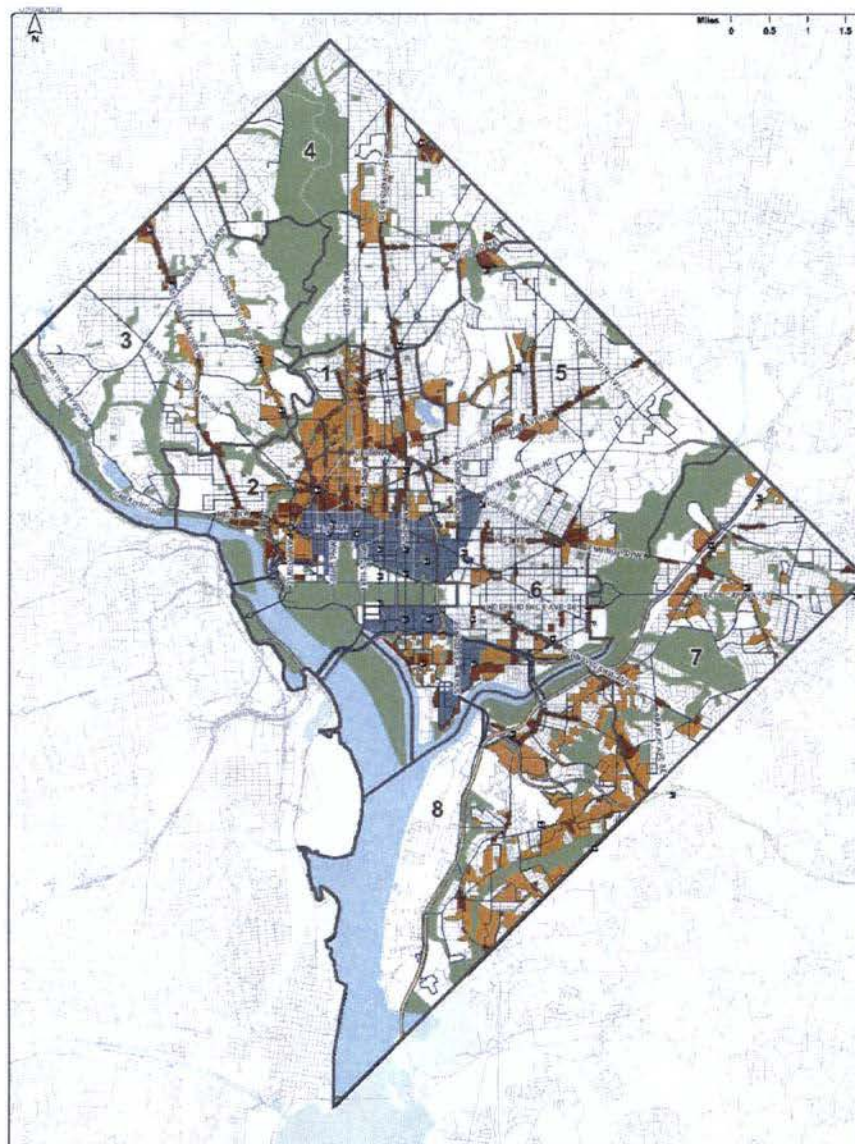
The parking requirement for all private schools in the proposed regulations is based only on the square footage of the building, with a higher requirement in a House Zone than in an Apartment or Mixed Use Zone. There is no parking requirement for schools in transit zones.

Using the **Office of Planning spreadsheet** for some schools in Ward 3 ~

Name	Address	Current Parking Required	Proposed Parking Required	Actual Parking
St. Patrick's Episcopal Church	4925 Macarthur Blvd	8	10	15
Aidan Montessori	2700 27th St NW	14	16	10
Murch	4810 36th St NW	30	19	35
Mann	4430 Newark St NW	27	13	22
Stoddert	4001 Calvert St, NW	23	5	39
Lab School	4470 Q St NW	27	31	26
Key	5001 Dana Place NW	40	20	20
Deal Middle School Expansion	3815 Fort Dr, NW	57	7	62
Georgetown Day	4530 MacArthur Blvd NW	64	17	86
St. Patrick's (elementary)	4700 Whitehaven Pkway NW	62	45	127
Field School (Current Zoning calculated for elementary school, actual requirement is higher)	2301 Foxhall Rd NW	90	68	110
Maret	3000 Cathedral Ave NW	86	31	139
Georgetown Day (HS) (Current Zoning calculated for elementary school, actual requirement is higher)	4200 Davenport St NW	101	85	(201)
Sidwell Friends (Current requirement calculated for elementary school; actual requirement is higher)	3825 Wisconsin Ave NW	127	135	323
Lab School; (Current requirement calculated for elementary school, actual requirement is higher)	4759 Reservoir Rd NW	131	42	87

AREAS NEAR TRANSIT (yellow, red, blue)

WHERE THE PARKING REQUIREMENT WOULD BE ONLY ONE FOR EVERY SIX UNITS



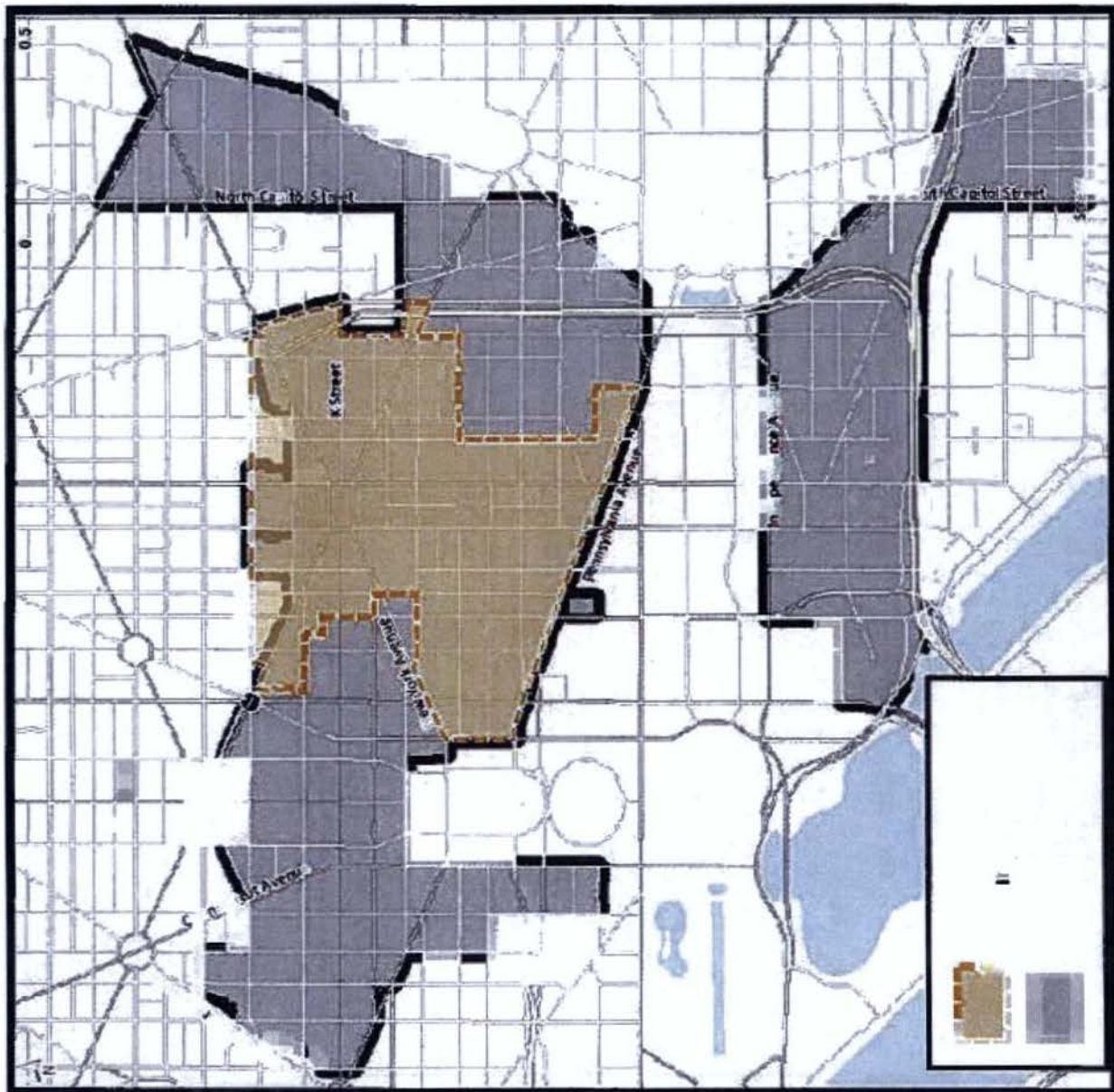
 **Office of Planning** - March 22, 2012
Government of the District of Columbia

The boundaries on this map were created for planning purposes. The map is one of many sources that the Zoning Commission may use in preparing an updated zoning map reflecting Apartment Transit and Mixed-Use Transit zones to the updated zoning regulations, but this is not an official zoning map. Information shown should be considered approximate and not to provide any particular designation to any particular property. This map was designed to be somewhat correct when printed at its original scale. Users of electronic copies of this map may be able to "zoom in" to reveal additional detail, but any information not clearly visible in the print edition of this map has not been reviewed for correctness by the Office of Planning and does not represent any determination or recommendation by the Office of Planning.

ZRR Draft Transit Zone Map

-  Metro Stations
-  Bus Routes
-  2012 Wards
-  Apartment Transit Zone
-  Mixed-Use Transit Zone
-  Downtown Zones

EXPANDED DOWNTOWN WITH NO REQUIREMENT TO PROVIDE PARKING



Tan is area currently designated at "downtown".
Gray is expansion of "downtown" zone.



COUNCIL OF THE DISTRICT OF COLUMBIA
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JACK EVANS
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September 9, 2013

Members of the Zoning Commission
Government of the District of Columbia
One Judiciary Square
441 4th Street NW
Suite 200S
Washington, DC 20001

Dear Commissioners,

I am writing to address the proposed rewrite of the District's zoning regulations. While I understand that certain of the Office of Planning's ("OP") recommendations may be pro forma and actually make some positive change to the outdated rules, I have concerns about some of the proposed changes to the parking regulations. I understand you are meeting today, September 9th, to review the proposed plan presented on July 29th, and I am submitting this letter to express my misgivings with OP's proposed parking minimums.

Throughout OP's drafting and public comment period, I met with a variety of community groups who were actively involved with the zoning rewrite. During our discussions, these groups persistently pressed one point: we need to develop parking regulations using District-focused data. Although OP has evaluated and studied parking policies of other cities, including Portland, there apparently has not been an analysis that focuses solely on the unique circumstances of the District. The District's size and proximity to both Maryland and Virginia make for unique parking needs unlike any other city. I recognize that OP has adjusted its proposal to address concerns raised by District residents; however, I believe that in order to fully develop parking regulations that are best for the District, more data – and more refined analysis – is needed.

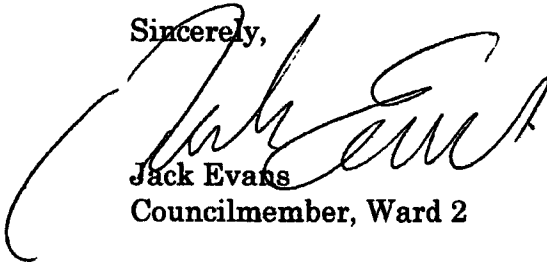
I ask that the Zoning Commission consider removing the proposed parking minimums from the plan entirely and – instead – consider requesting that OP develop a fully-researched, data-driven analysis of the parking demands of the District. Moreover, the District Department of Transportation is currently conducting a city-wide examination of the existing parking framework. The purpose of this review is to develop parking policies and practices that will best suit

the city. I believe that, in order to draft ideal parking regulations for the updated zoning code, OP should concurrently conduct an analysis with DDOT. This analysis may very well show that the District needs to adjust its parking minimums to levels currently put forth by OP; however, those needs are not immediately clear because the recent parking proposals are not supported by sufficient data. Thus, it makes sense to remove the parking proposals from the zoning rewrite and, instead, develop a set of policies, along with DDOT, that looks at parking issues coherently and comprehensively.

As members of the Council continue to look into this matter, I am considering several measures, including drafting a resolution that outlines my concerns with the current parking proposals. I understand that the Zoning Commission is a fully separate entity. Nevertheless, I believe that poor parking planning can have disastrous results, including increased traffic gridlock and reduced availability of parking spaces, and that it is appropriate for the Council to express its opinion on this issue. And, in my opinion, it is imperative that a fully-developed, data-driven analysis be conducted to determine what is best for the District. Therefore, I ask that the Zoning Commission consider removing the matter of parking minimums from the zoning rewrite proposals.

Thank you very much for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Evans", is written over the typed name and title.

Jack Evans
Councilmember, Ward 2

cc: Harriet Tregoning, Director of the Washington DC Office of Planning



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September 9, 2013

Members of the Zoning Commission
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Re: Subtitle C of the Proposed Zoning Regulations

Dear Commissioners,

Like many District residents and community organizations, members of the Council have been closely following the proposed rewrite of the District's zoning regulations – particularly the proposed reduction of parking minimums. Although many of the Office of Planning's ("OP") suggestions will provide necessary updates to antiquated rules, I believe that the proposed reductions in parking minimums, executed without a comprehensive, District-wide plan for parking is troubling. In anticipation of your September 9th meeting to review the proposed plan, I submit this letter to express my thoughts and suggest a course of action that could mitigate the damage of unilateral reductions in parking minimums.

Having reviewed OP's July 29th draft, I have two primary concerns with the proposed changes to the parking minimums. First, the data that supports changes to the parking minimums is not anchored in District-focused analysis. In an effort to evaluate various parking minimum trends, OP apparently reviewed the policies of several U.S. cities, including Portland; however, the data collected from OP's review of those cities is not immediately supportive of the agency's proposed parking minimums because the District has unique parking needs. Simply stated, I would have preferred that the parking minimums put forth by OP were supported by comprehensive data and more refined analysis that take into account the District's size and proximity to both Maryland and Virginia. Second, if enacted, OP's proposed parking minimums will precede other necessary changes to parking management in the District. Although DDOT is currently crafting a city-wide parking management program, I worry that enacting a change in parking minimums without the fuller application of DDOT's plan invites error. Moreover,

not yet having seen DDOT's plan, I'm loathe to support a reduction in parking minimums for fear that the plan would inadequately address the effects of lost parking associated with changes in minimums.

All of that being said, I recognize the opportunity presented by the current zoning rewrite process to take up the issue of parking minimums. However, it is imperative that you provide that no changes in parking minimums may take effect until DDOT releases and begins action on a comprehensive parking plan. And let's be clear about the scope and character that any such plan must have to sufficiently respond to my concerns. Such a plan must lay out a clear, city-wide vision for parking management; it must recognize and accommodate the different needs and characteristics of different areas of the city; it must demonstrate how the plan integrates with the effects of changes in the parking minimums; it must identify with precision the actions that DDOT will take and the time period for taking them; and, although the plan might to some extent need to be based on a thorough analysis of data from real experiences in other jurisdictions, it must be viewed through the lens of the District's unique attributes; and it must articulate the manner in which the various multi-modal transit approaches can realistically coexist with automobiles and their parking needs.

Thank you very much for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mary M. Cheh', with a stylized flourish at the end.

Mary M. Cheh
Councilmember, Ward 3

cc: Harriet Tregoning, Director, Office of Planning
Terry Bellamy, Director, District Department of Transportation