

Comments of Friendship Neighborhood Association on
Zoning Commission Case No. 08-06A
Zoning Regulations Review: Subtitle C
November 12, 2013

My name is Marilyn Simon and I am speaking today on behalf of Friendship Neighborhood Association. FNA has been involved in the Zoning Rewrite since July 2007, and over the past six years, I have testified before the Zoning Commissions on many sections of the proposed zoning code. We have provided a significant amount of information on parking, including data showing that the proposed parking requirements are inadequate and inconsistent with the Comp Plan. We ask that our previous testimony on the zoning rewrite be included in the record.

I will outline our major concerns.

OP has not provided information required in ZC 08-06-C: FNA filed comments in the 2001 NPRM, and in the Order, the ZC requested that OP explain how what they were proposing was consistent with the Comp Plan policies identified in our comments. OP has not provided any explanation and none is possible inasmuch as the draft text is inconsistent with those policies.

OP's recommendations lack empirical support: OP has not provided any data to support their recommendations to reduce minimum parking requirements, and in fact all the data in the record indicates that our minimum parking requirements are much lower than the increased parking demand that a project would generate.

When I asked OP for the reports cited in support of the recommendations, Jennifer Steingasser provided me with a report that included absolutely no data supporting the recommendations. There was no data on parking needs. The report simply compared our parking requirements with those for other jurisdictions. For the most part, our requirements were already significantly lower than the others.

DDOT report does not provide any data on parking needs. It cites changing demographics, but provides no data. In fact, DMV data shows that vehicle ownership has been increasing, and Census data shows that the number of vehicles per household in DC has been roughly constant for a substantial period of time.

The draft requires less than 0.167 spaces per housing unit in a large portion of the areas zoned for apartments, even though vehicle ownership rates are more than five times that amount. This is a recipe for disaster and simply is not sustainable. A sustainable parking policy would increase off-street parking at approximately the same rate as development is increasing demand for parking so that the limited supply of on-street parking is not overwhelmed, or further overwhelmed. The ZC should make no change to reduce the minimum parking requirements until there is area based data supporting that reduction.

Drafting Issues, lack of enforcement and monitoring mechanisms: Even the sections where OP is trying to implement a desirable policy, the implementation is faulty. In my earlier submission, I described the enforcement and monitoring issues in the text that OP proposed for shared parking and off-site parking,

and provided suggested language changes. But I caution you that similar issues pervade this nearly 1,000 page document, and in this accelerated review process, it seems unlikely that you will be able to locate and correct all the poorly drafted sections.

DC zoning requirements a function of unrelated WMATA decisions: Another example of poorly drafting was the section tying the minimum parking requirements to WMATA's decisions as to which routes are designated as Priority Bus Routes, meaning that DC's minimum parking requirements can change as a result of a WMATA action where there would be no opportunity to consider that impact.

Assessing a penalty on developers who choose to provide adequate parking: Even though OP is proposing to increase the trigger for assessing a penalty on developers providing more than the required parking, given the very low minimum parking requirements, far below the new parking demand generated, for many projects, a responsible developer choosing to simply produce adequate parking for the residents, employees, customers and visitors to the site will be assessed a penalty. This is simply a bad policy, and like so many other radical changes in this section, it does not have a basis in the Comprehensive Plan, and in fact, is inconsistent with the Comprehensive Plan.

The proposed changes do not enhance housing affordability: You have heard much testimony tonight about how reducing minimum parking requirements will increase the supply of affordable housing. Our low minimum parking requirements do not increase housing costs for any car-free residents. For apartments, we generally require less than one space per two units. This low minimum does not force residents without cars to pay for parking. Further, the unpublished study that OP cited to support this claim was based on assumptions that simply do not apply to DC.

Over time, the proposed changes can have a negative impact on walkability and the environment: The proposed changes do not improve walkability or help the environment. In fact, it has the opposite effect. When new buildings with inadequate parking are built near single family neighborhoods, we see that over time, more of the residents who did not have off-street parking find it necessary to pave over a portion of their yard. In other instances, since underground parking cannot be added after the fact, as parking becomes more of an issue, there is pressure for either more surface parking or structural parking, both of which have a negative impact on the environment and on the walkability of the area.

Conclusion: We ask that you, as suggested in letters by Councilmembers Evans and Cheh, and former Commissioner John Parsons, defer establishment of new parking regulations.