

January 30, 2013
Zoning Commission Case 08-06A

Statement of ANC 6C
Presented by Mark Eckenwiler
Commissioner, ANC 6C04; Chair, ANC 6C Planning, Zoning, and Environment Committee

To the Commission:

ANC 6C appreciates the opportunity to present its views on the proposed Zoning Regulations Review. We offer comment on the following provisions.

Subtitle C — General Rules

As currently drafted, section 1902.1 – which sets forth the eligibility criteria for the 50% reduction in the minimum vehicle parking requirement – is unnecessarily confusing. Subparagraph (a) ends with “and,” but the remaining subparagraphs are all in the disjunctive (ending in “or”). As a result, it is altogether unclear exactly which elements are minimally sufficient to trigger the 50% reduction.

ANC 6C assumes that the drafters intend to exclude from this provision (*i.e.*, to deny the 50% parking reduction to) any site within a residential zone covered by Subtitle D or E. We support that principle, and respectfully recommend that section 1902.1 be revised to clarify this point. Specifically, the terms of subparagraph (a) should be incorporated into the general introductory clause, and subparagraphs (b) through (d) renumbered accordingly as (a) through (c).

Subtitle E — Residential Flats (RF) Zones

Chapter 8 — Accessory Buildings

ANC 6C supports the modifications proposed to the existing accessory building regulations, including the change allowing a maximum of one dwelling unit within an accessory building.

We note, however, an apparent mismatch between section 801.4(b) (requiring special exception approval for an addition to or expansion of an existing accessory building for residential purposes) and section 1201.2(b) (relating to special exception relief for a new or enlarged accessory structure). We suggest clarifying section 801.4(b) by inserting “(or construction of a new accessory building)” before “after January 1”.

Chapter 9 — Alley Lot Standards

ANC opposes the maximum lot occupancy figures set out in proposed section 901.2 for two reasons.

First, in zones where the maximum occupancy of non-alley lots is 60%, we believe it anomalous and inappropriate to allow extra-large alley lots (*i.e.*, those over 1800sf) to occupy 80% or even

90% of the alley lot. However, we do support by-right lot occupancy above 60% in the case of lots with substandard area (*i.e.*, less than 1800sf).

Second, the schedule of allowable lot occupancy figures in section 901.2 creates an undesirable “stair step” effect in which lots of slightly different sizes receive very different treatment. For example, under the current proposal an alley lot of exactly 2000sf could be developed up to 90%, resulting in an occupied area of 1800sf. By contrast, a larger 2100sf lot could only be built up to 80% occupancy (1680sf).

ANC urges the Commission to mitigate the extreme effects of the current proposal (and to reduce the lot occupancy permitted on larger alley lots) by adopting a more flexible schedule as follows:

- for lots of 900sf or less, 100% lot occupancy
- for lots larger to 900sf but less than 1800sf, a reduction (below 100%) by 2% for every 45sf above 900sf
- for lots of 1800sf and larger, a 60% maximum occupancy

Thus, a 1450sf lot would have a maximum occupancy of 80%, while a smaller 1270sf lot would enjoy a higher maximum of 84%. This more fine-grained system would avoid the sharp drops/increases associated with the two breakpoints in the proposed regulations.

Finally, we note that the 10% minimum pervious surface requirement imposed in section 901.2 is incompatible with 100% lot occupancy. ANC 6C recommends waiving that requirement in the case of lots at or below 900sf in area.

Chapter 11 — Use Permissions (RF)

ANC 6C opposes the proposal in section 1101.2(e) to allow certain corner stores as a matter-of-right use. The Commissioners expressed substantial concern over the potential impacts of such uses on adjacent properties, and urge instead that a special exception be required in order to enable resident input through the public hearing process.

Subtitle I — Downtown Zones

We support the expansion of the downtown zone to include the proposed areas of NoMa. ANC 6C recognizes and fully supports the fact that this change will result in elimination of minimum parking requirements in that portion of NoMa.