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Remove the “grandfathering” of credit for nonexistent parking spaces from the new zoning regulations

Resolved, that ANC1D advises the Zoning Commission that the explicit “grandfathering” of off-street parking spaces, currently incorporated in Subtitle C of the draft new regulations, should be eliminated.

Why: This text in the proposed regulations makes explicit and mandatory the practice of “grandfathering” parking spaces, even if nonexistent:

705.2 When determining the required number of additional required parking spaces, it shall be assumed that the previous use provided at least the minimum number of spaces required.

This would exempt an expanded or changed use of a structure from off-street parking requirements, even if the previous structure, having been built before the zoning regulations went into effect, provided fewer spaces than required, or none at all. This clearly violates the intent of zoning requirements for off-street parking. If the new or expanded use of the structure does not in fact provide the spaces required by zoning, then a variance ought to be sought, justifying the shortcoming on the criteria for awarding a variance.

Passed by 3 to 0 vote at the legally noticed, public meeting of ANC1D on April 21, 2015, with a quorum present. Voting “yes”: Commissioners Hoey, McKay, Rivas. A quorum for this commission is three; three commissioners were present.