

Proposed OP Revision of Parking Rules

Principles of the “Smart Growth” movement are reflected in much of the Office of Planning’s zoning rules revisions, but one of the most troubling provisions is a plan to reduce or abolish the current minimum requirements for parking spaces in new buildings. N4NDC fears that OP’s proposal in this respect will overwhelm the District’s already strained public parking situation and seriously degrade the value of life in the city as we know it.

Since 1958, DC zoning rules have generally required that builders must incorporate in their plans a specified number of spaces for off-street automobile parking. These provisions vary in amount and effect and they apply citywide and for all types of construction, from residential to commercial, from churches to schools. Such requirements can be significant cost items for builders and, of course, their absence can mean construction savings.

OP would radically alter the present system by severely reducing the bulk of the minimum parking requirements now in place. OP’s proffered rationale for this proposal is clear: automobiles pollute, they congest, they create accidents; the less available parking there is in buildings, the more we healthily walk, bike, Metrorail and bus to and from work and play. It may also be that OP perceives a connection between less parking and more density. But does the reduction of mandatory off-street parking constitute “smart” growth? We don’t think so.

Under OP’s proposal, for example, the developers of buildings constructed in certain given areas would be required to install only one-third of the number of parking spaces that are required under the present rules. Therefore, for a 200-unit building in a particular location, instead of the present rule of one parking space for every two units (or 100 spaces), the developer would need to install only one space for every six units, or 33 spaces. If only a fraction of the parking-space-deprived residents of the new building in fact own (or, after noting Metro’s inconstancy, choose to buy) automobiles and park them on public streets, and perhaps other unconstrained projects in the same area similarly exercise their right to minimize or eliminate onsite parking, the result would be catastrophic for on-street parking in many DC neighborhoods: As the newcomers necessarily spill over to park in nearby settled residential areas, local residents (as well as their guests and their service personnel) would no longer be able to park their vehicles conveniently near their homes; and local retailers as well could suffer as customers go elsewhere rather than drive to a favored store in a neighborhood where they cannot count on finding parking.

But OP argues that people who occupy the new buildings, especially those who live near Metro stations or major bus routes, will choose not to own a car because they can walk or bike to work, and to shop, and to play.

Really? But even for folks near public facilities, what about the obvious needs and desires of most of us: to buy and transport (every week, rain or snow or blazing sun) several heavy bags of groceries, perhaps with babe(s) in arms; or to go to the beach for the weekend; or to spend an evening at Wolf Trap, or visit a friend at a distant hospital, or volunteer at an inaccessible charity? Tallying the numerous activities that cannot be easily done, or done at all, except by automobile can go on at some length.

Americans will have their cars, no matter what; statistics bear this out in D.C. In 1958, when parking minimums were introduced in the District, there was only 1 car for every 4 residents; today there is 1 car for every 2.6 residents; in Ward 3, 79% of households presently own at least one vehicle. And the number of registered vehicles in D.C. is persistently climbing—up 3.5% just between 2010-2012. The American love affair with motorized personal vehicles has not waned and shows no sign of doing so. Streets in the District packed with the same automobiles day and night--except for weekends--are testament to the strength of the relationship.

In the cramped parking situation which already characterizes much of our town (where the daily majority of drivers are nonresident commuters, tradespeople, and tourists), weakening the parking-minimum rules can easily result in squeezing settled residents out of parking availability. But why should developers be granted unilateral authority to cause that to happen? Required parking minimums have worked against such arbitrary power in the past. The OP plan to modify these longstanding requirements allows one major player, the developer, to knowingly deprive another involved party, the nearby residents, of a significant attribute of home ownership—the ability to park near one's home, a perquisite relied upon when the residents first chose to live there.

Convenient parking for established homeowners is not a contractual right, but it is a treasured advantage. As between the developer who may profit by not having to provide internal parking in his building, the new tenant or condo owner in that building, and the longtime neighborhood resident, which player should the zoning rules prefer in the contest for the publicly owned curb? And is it not contrary to notions of good government to turn over an important matter such as parking availability to a miscellany of future building developers? One prominent analyst's comment: "Such delegation of regulatory authority is a breach of an implicit covenant with residents who have invested so much in their homes in expectation of government protection of neighborhood stability."

The probable demographic impacts of the proffered rule change are plain. The likely loss of parking, and, ultimately, the simple inability to use their automobiles, would disparately affect segments of society, inevitably making life more difficult for older citizens, the handicapped, and families with children. While younger, able residents might more readily learn how to deal with the inconveniences of distant walking and parking, many folks who have invested years of effort in building a life style predicated on automobile transportation may not be capable of making the inevitable adjustments that spillover parking could impose upon the members of a community.

At the moment, the real-life effects of the adoption of OP's plan cannot be known with certainty. But we believe that our analysis of the possibilities is sound, and we further believe that OP, which ultimately bears the burden of proof, has not made a sufficient case to warrant reckless experimentation in this consequential area--the reader need not be reminded that once buildings are erected, parking cannot be inserted under them.

We should note that after a lengthy campaign to severely decrease the parking minimum requirements, OP unexpectedly announced in July that it had decided to heed the opponents of the plan by a slight lessening of the assault on the current minimums that it originally urged. While the change constitutes a token concession, the revised proposal is still totally unacceptable, and the existing system, which has worked well for decades, needs to be retained.

We also note that this reversal seems meaningful to us. It is an admission that OP's initial proposal, so long and stubbornly espoused, was not in fact a carefully considered, fact-based, necessary policy. In so retreating, OP leaves us to question the extent to which any of its proposals are more than superficial and fleetingly seductive thoughts.

Finally—and this really should be dispositive—in 2006, the City Council adopted the Comprehensive Plan, which is an authoritative guide to future zoning and is, for present purposes, the zoning bible (zoning regulations must be “not inconsistent” with the Plan). With respect to residential parking, the Plan instructs that “[r]eductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated.” OP has failed to clear this barrier; to our knowledge, no such measures have been implemented and no such reduction “can be clearly demonstrated.”

On September 9, 2013, Councilmembers Mary Cheh and Jack Evans separately wrote to the members of the Zoning Commission to urge that the OP parking minimum proposal be shelved for two principal reasons. The first was that OP had failed to compile and consider sufficient particularized data and analysis to demonstrate that the proposal would serve the unique parking needs of the District; the second was that the District Department of Transportation is currently crafting a city-wide parking management program which, when completed and activated, may be at odds with, and hampered by, previous implementation of the OP plan. We agree completely with the acute observations and conclusions of the Councilmembers.

There are legislative approaches for more carefully considering the possibility of easing parking minimums—indeed, the existing DC code and OP's proposal permits some regulated flexibility in appropriate circumstances. But in my view, OP's sledgehammer approach must be rejected at this time, a disposition which, I believe, would be consonant with what I regard as “Wise Growth.”

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