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The Honorable Vincent C. Gray

Executive Director
Marcel C. Acosta

IN REPLY REFER TO:
NCPC File No. Z.C. 09-16

FEB 17 2010

Zoning Commission of the
District of Columbia
2nd Floor, Suite 210
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission:

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, I found that the proposed text amendment to allow car sharing spaces as a matter-of-right in residential, mixed used and special purpose districts would not be inconsistent with the Comprehensive Plan, nor would it adversely affect any other identified federal interests. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Marcel C. Acosta
Executive Director

Enclosure

cc: Harriet Tregoning, Director, D.C. Office of Planning
Anthony Hood, Chairman, Zoning Commission

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ZONING COMMISSION
District of Columbia

CASE NO. 09-16
EXHIBIT NO. 14
ZONING COMMISSION
District of Columbia
CASE NO. 09-16
EXHIBIT NO. 14

TEXT AMENDMENT TO ALLOW CAR SHARING SPACES AS A MATTER-OF-RIGHT IN RESIDENTIAL, MIXED USE, AND SPECIAL PURPOSE DISTRICTS

Referred by the Zoning Commission of the District of Columbia

Delegated Action of the Executive Director

JAN 28 2010

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, 40 U.S.C. §8724(a), and DC Code §2-1006(a), I find that the proposed text amendment to allow car sharing spaces as a matter-of-right in residential (R), mixed use (CR), and special purpose (SP) districts would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other federal interests.

* * *

The Zoning Commission of the District of Columbia has taken a proposed action to approve a text amendment to allow car sharing spaces as a matter-of-right in residential (R), mixed use (CR), and special purpose (SP) districts. As background, the District of Columbia Zoning Administrator (ZA) requested that the District of Columbia Office of Planning (DCOP) draft a text amendment to allow car-sharing spaces as a permitted use in residential districts, provided that required parking is not reduced. The request was in response to observations of car-share vehicles parked in private spaces on residential lots, including alley lots and driveways. Additionally, there had been several requests made to consider granting certificates of occupancy for car-share spaces within required residential parking areas. Thus, there was concern that residents would lease out their required residential parking spaces to car-share companies for profit and potentially reduce parking in areas with high demand.

The proposal is not inconsistent with the Comprehensive Plan, and would further a policy statement in the Transportation Element to expand car-share services as an alternative to private vehicle ownership. As a transportation demand management (TDM) strategy, the Comprehensive Plan supports reducing the need to own and drive a vehicle within the District. The District Department of Transportation (DDOT) recognizes and supports car-sharing as a TDM strategy, and in 2005, established a rule (Title 18 of the DC Municipal Regulations Sections 2406.12 and 2406.13) to permit curbside car-sharing spaces in the District. A recent evaluation of the car-sharing initiative indicated that the program has helped make car-sharing vehicles more geographically accessible.

On October 9, 2009, DCOP filed a memorandum petition to request amendments to the Zoning Regulations to establish zoning definitions for “car sharing vehicle” and “car sharing space,” and

an amendment to the text to permit car-sharing parking spaces in the three aforementioned districts. The Zoning Commission heard the case on December 21, 2009, and proposed action to approve the text amendment.

The text amendment would modify Title 11 of the District of Columbia Municipal Regulations as follows:

(New text is shown in **bold and underlined**):

1. Chapter 1, THE ZONING REGULATIONS, §199 Definitions, is amended by adding the following definitions:

Car-sharing vehicle - any vehicle available to multiple users who are required to join a membership organization in order to reserve and use such a vehicle for which they are charged based on actual use as determined by time and / or mileage.

Car-sharing space - a parking space that is designated for the parking of a car-sharing vehicle.

2. Chapter 2, R-1 RESIDENCE DISTRICT USE REGULATIONS, § 201 Uses as a Matter of Right, is amended by adding the following new paragraph:

(v) Car-sharing spaces; provided that no more than two (2) spaces may be located on a single lot and the car-sharing space may not be a required parking space for the principal use.

3. Chapter 3, R-2, R-3, R-4 AND R-5 RESIDENCE DISTRICT USE REGULATIONS, § 350 R-5 DISTRICTS: GENERAL PROVISIONS, is amended by adding the following new paragraph:

(i) Car-sharing spaces; provided that any car-sharing space beyond the first two (2) spaces shall be located within or under a principal structure and may not be a required parking space for any use on site.

4. Chapter 5, SPECIAL PURPOSE DISTRICTS, §501, USES AS A MATTER OF RIGHT (SP), is amended by adding the following new paragraph:

(m) Car-sharing spaces, none of which may be a required parking space for any use on site.

5. Chapter 6, MIXED USE (COMMERCIAL RESIDENTIAL) DISTRICTS, § 601, USES AS A MATTER OF RIGHT (CR), is amended by adding the following new paragraph:

(ee) Car-sharing spaces, none of which may be a required parking space for any use on site.

6. Chapter 21, OFF-STREET PARKING REQUIREMENTS, §2116 LOCATION OF PARKING SPACES, is amended as follows:

(A) By amending § 2116.1 as follows:

2116.1 Except as provided in §§ 201.1 (v), 214, 510,708,730, 743.2(d), 753.1(c), 761.2, 803.1,926,2116.5,2116.10 and 2117.9(c), all parking spaces shall be located on the same lot with the buildings or structures they are intended to serve.

(B) By amending § 2116.2 as follows:

2116.2 Parking spaces, including car-sharing spaces shall be located in one (1) of the following ways:

- (a) Within a permitted garage or carport, subject to the special provisions of chapter 23; or
- (b) On an open area of the lot as follows:
 - (1) Within a rear yard;
 - (2) Within a side yard; or
 - (3) Except in an SP District, elsewhere on the lot if accessory to a commercial or industrial use.

The proposed text amendment to allow car sharing spaces as a matter-of-right in residential (R), mixed use (CR), and special purpose (SP) districts would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it adversely affect any other identified federal interests.



Marcel C. Acosta
Executive Director