

**MEMORANDUM**

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, ^{JS} Deputy Director for Development Review & Historic Preservation

DATE: December 21, 2009

SUBJECT: Zoning Commission Case Number 09-16 - **SUPPLEMENTAL**
Proposed Text Amendment to allow Car-Sharing Spaces in residential, CR and SP districts.

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I. RECOMMENDATION and PROPOSED TEXT AMENDMENTS

The Office of Planning recommends that the Zoning Commission approve the proposed text amendment, as modified subsequent to the publication of the Notice of Public Hearing on October 30, 2009 (DCR Vol. 56, No.44). The text amendments are not inconsistent with the 2006 Comprehensive Plan, as well as other planning initiatives for the District.

Subsequent to the Notice of Public Hearing, the Zoning Administrator expressed concern that Section 201.1's proposed language could be interpreted to allow a car sharing space as another principal use on the same lot. The ZA believes that the use of a car sharing space would be best referenced as an accessory use under Section 202.7 to avoid confusion of two principal uses on a lot. The following changes were made after discussions among OAG, OP and the ZA, to balance the ZA's concern and OP's intent to permit car-sharing spaces as a principal use on unimproved lots in residential zones. The revisions separate the car sharing use in the R zones between a principal use when on an unimproved lot, and an accessory use when on a lot with a principal structure. The changes are summarized in the following table for reference:

Chapter	Existing Proposed Text	New Proposed Text
1. Chapter 1, DEFINITIONS to read as follows:	<u>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.</u>	N/A
2. Chapter 2, R-1 RESIDENCE DISTRICT USE REGULATIONS, Section 201, USES AS A MATTER OF RIGHT, subsection 201.1 is amended by adding the following new paragraph: Section 202, ACCESSORY USES (R-1), subsection 202.7, is amended to read as follows: 202.7 A parking space shall be permitted, subject to the special requirements for parking spaces set forth in chapter 21 of this title.	(v) <u>Car-sharing space, provided no more than two (2) spaces may be located on a single residential lot and the car-sharing space may not be a required parking space for the principal use.</u>	(v) <u>Car-sharing spaces on an unimproved lot, with no more than two (2) spaces permitted;</u> <u>202.7 One additional parking space for the exclusive use of the occupants or their guests; or up to two (2) car sharing spaces, neither of which may be a space devoted to required parking.</u>

Chapter	Existing Proposed Text	New Proposed Text
3. Chapter 3, R-2, R-3, R-4 AND R-5 RESIDENCE DISTRICT USE REGULATIONS Amend Chapter 3 as follows:	350.4 The following uses shall be permitted as a matter of right in an R-5 District: j) Car-sharing spaces without limit on number, provided that any car-share spaces beyond the first two (2) spaces shall be located within the principal structure or an underground parking garage and may not be a required parking space for any use on site.	§ 301 ACCESSORY USES AND BUILDINGS (R-2), is amended to provide for the regulation of car sharing spaces in these zone districts, so that it reads as follows: 301.1 The following accessory uses or accessory buildings incidental to the uses permitted for R-2 Districts in §§ 300 through 319 shall be permitted in R-2 Districts: (a) Any accessory use permitted in R-1 Districts under § 202 not regulated in this subsection. (b) 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. (c) Other accessory uses, buildings, or structures customarily incidental to the uses permitted in R-2 Districts under this chapter.
Chapter 5, SPECIAL PURPOSE DISTRICTS § 501 USES AS A MATTER OF RIGHT is amended by adding the following new paragraph	m <u>Car sharing spaces, none of which may be a required parking space for any use on site.</u>	N/A
Chapter 6, MIXED USE (COMMERCIAL RESIDENTIAL) DISTRICTS, § 601 USES AS A MATTER OF RIGHT (CR) is amended by adding the following new paragraph	ee <u>Car sharing spaces, none of which may be a required parking space for any use on site</u>	N/A
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 §§ <u>201.1 (v)</u>, 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 § 2116.1 as follows: 2116.2 Parking spaces, <u>including car-sharing spaces</u> 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.	N/A