

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF VIRTUAL PUBLIC HEARING

TIME AND PLACE: **Monday, May 10, 2021, @ 4:00 p.m.**
 WebEx or Telephone – Instructions will be provided
 on the OZ website by Noon of the Hearing Date¹

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 21-04 (Office of Planning - Text Amendment to Subtitle C to Provide Special Exception Relief from Size and Layout Requirements for Vehicle Parking)

THIS CASE IS OF INTEREST TO ALL ANCs

On February 15, 2021, the Office of Planning (“OP”) filed a petition to the Zoning Commission (the “Commission”) proposing the following amendments to the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references herein refer unless otherwise specified): Subtitle C, General Rules - § 712.

OP proposed the text amendment on an emergency basis to authorize special exception relief is available from the minimum size and layout requirements for vehicle parking under certain circumstances to parallel the current availability of special exception relief from the requirements for the location, number, and screening of required vehicle parking spaces. These proposed changes would allow an applicant who can partly comply with the vehicle parking requirements with some dimensional changes to seek that partial relief instead of seeking special exception relief from the number of vehicle parking spaces that would result in providing less parking.

Emergency & Proposed Action

At its February 25, 2021 public meeting, the Commission heard testimony from OP in favor of the amendment. At the close of the meeting, the Commission voted to grant the OP’s request to:

- Take emergency action to adopt the text amendment with flexibility to work with the Office of the Attorney General to refine the proposed text and add any conforming language as necessary;
- Set the petition down for a public hearing;
- Authorize an immediate publication of proposed rulemaking for the text amendment; and
- Authorize a 30-day notice period prior to the public hearing by granting a waiver under Subtitle Z § 101.9 from the 40-day requirement of Subtitle Z § 502.1 for good cause as detailed below.

The Commission concluded that taking emergency action to adopt the proposed text amendment is necessary for the “immediate preservation of the public . . . welfare,” as authorized by § 6(c) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(c)(2016 Repl.)), because it encourages applicants to seek partial relief from the vehicle parking requirements by altering the dimensional requirements, if possible, instead of the current limit of special exception relief only to the number of parking spaces.

¹ Anyone who wishes to participate in this case but cannot do so via WebEx or telephone, may submit written comments to the record (see instructions at end of this notice: *How to participate as a witness – written statements*).

Emergency Action

The emergency rule is effective as of the Commission’s February 25, 2021, vote and will expire on June 25, 2021, which is the one hundred-twentieth (120th) day after the adoption of the rule, or upon publication of a Notice of Final Rulemaking in the *D.C. Register* that supersedes the emergency rule, whichever occurs first.

The complete record in the case can be viewed online at the Office of Zoning’s Interactive Zoning Information System (IZIS), at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

EMERGENCY AND PROPOSED TEXT AMENDMENT

The emergency and proposed amendments to the text of the Zoning Regulations are as follows (text to be deleted is marked in **~~bold and strikethrough~~** text; new text is shown in **bold and underline** text).

Emergency and Proposed Amendments to Subtitle C, GENERAL RULES

Section 712, SIZE AND LAYOUT REQUIREMENTS, of Chapter 7, VEHICLE PARKING, of Subtitle C, GENERAL RULES, is proposed to be amended to read as follows:

712 SIZE AND LAYOUT REQUIREMENTS

712.1 All required parking spaces and parking aisles shall conform to the dimension requirements of this section, except as provided in Subtitle C § 717.

712.2 An automated parking garage is exempt from the requirements of this section.

~~712.3 At least fifty percent (50%) of the required parking spaces must meet the minimum full-sized parking space standards of Subtitle C § 712.5. All other spaces must meet the minimum compact parking space standards in Subtitle C § 712.6.~~

712.3 The minimum parking space dimensions shall be provided as follows:

(a) When four (4) or more spaces are required, at least fifty percent (50%) of the spaces shall meet or exceed the full-sized dimensions specified in Subtitle C § 712.5;

(b) When three (3) spaces are required, at least one (1) of the spaces shall meet or exceed the full-sized dimensions specified in Subtitle C § 712.5 and the others shall meet or exceed the compact-sized dimensions specified in Subtitle C § 712.6; and

(c) When two (2) or fewer spaces are required, they may meet or exceed the compact-sized dimensions specified in Subtitle C § 712.6.

712.4 Parking spaces provided on the same lot as a historic resource shall meet the minimum dimensional requirements of Subtitle C § 712.6.

712.5 The minimum dimensions for full-sized parking spaces and aisles are as follows:

TABLE C § 712.5: MINIMUM DIMENSIONS FOR FULL-SIZED PARKING SPACES AND AISLES

Parking Angle	Stall Width	Depth of Stalls Perpendicular to Aisle	One-Way Drive Aisle Width	Two-Way Drive Aisle Width
45°	9 ft.	17.5 ft.	17 ft.	N/A
60°	9 ft.	19 ft.	17 ft.	N/A
90°	9 ft.	18 ft.	20 ft.	20 ft.
Parallel	22 ft.	8 ft.	12 ft.	20 ft.

712.6 The minimum dimensions for spaces and aisles exclusively for compact parking spaces are as follows:

TABLE C § 712.6: MINIMUM DIMENSIONS FOR COMPACT PARKING SPACES AND AISLES

Parking Angle	Stall Width	Depth of Stalls Perpendicular to Aisle	One-Way Drive Aisle Width	Two-Way Drive Aisle Width
45°	8 ft.	16.5 ft.	16 ft.	N/A
60°	8 ft.	17 ft.	16 ft.	N/A
90°	8 ft.	16 ft.	20 ft.	20 ft.
Parallel	20 ft.	8 ft.	12 ft.	20 ft.

712.7 All parking spaces and access ways to and from spaces shall have a minimum vertical clearance of six feet, six inches (6 ft., 6 in.).

712.8 Above grade parking areas shall be designed so that no vehicle shall project over any lot line, front setback line, or building restriction line.

712.9 Except on a lot that only has one (1) or two (2) dwelling units:

- (a) **All required parking spaces that abut public space, such as sidewalks, streets, or alleys, shall have physical structures, such as wheel bumper guards, curbs, and/or guard rails, or screening shall be installed between the property line and the perimeter of the parking area to separate and protect the abutting public space from vehicular encroachment, except if the abutting public space is the access point or driveway to the parking space;** and
- (b) All parking areas and spaces shall be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of any vehicle without moving any other vehicle onto public space.

712.10 All individual compact parking spaces shall be clearly labelled as such.

712.11 The Board of Zoning Adjustment may grant full or partial relief from the requirements of Subtitle C §§ 712.3, 712.5, and 712.6 as a special exception under Subtitle X, Chapter 9 and subject to the following:

- (a) **The Office of Zoning shall refer any request under this subsection to the Office of Planning and the District Department of Transportation for review and comment;**

- (b) For a request for relief from the ratio requirement of Subtitle C § 712.3 the applicant shall demonstrate to the Board's satisfaction a reasonable difficulty in providing the number of full-sized parking spaces;**
- (c) A request for relief from the dimensional requirements for drive aisles of Subtitle C §§ 712.5 and 712.6 shall be accompanied by vehicle movement and turning diagrams demonstrating to the Board's satisfaction that vehicles of average dimensions would be able to safely and efficiently access the parking spaces affected by such relief; and**
- (d) No required parking space shall have dimensions less than the compact-sized dimensions specified in Subtitle C § 712.6.**

This public hearing will be conducted in accordance with the rulemaking provisions of Subtitle Z, Chapter 5, of the Zoning Regulations as well as the text adopted by the Commission on October 15, 2020, in Z.C. Case No. 20-11, as published in the Notice of Final Rulemaking published in the D.C. Register on October 30, 2020.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at <https://dcoz.dc.gov/> or by calling Sharon Schellin at (202) 727-0340 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | |
|------------------|----------------|
| 1. Organizations | 5 minutes each |
| 2. Individuals | 3 minutes each |

How to participate as a witness - written statements

Written statements, in lieu of personal appearances, or oral presentation, may be submitted for inclusion in the record, provided that **all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Sharon Schellin at (202) 727-0340 for further assistance.

"Great weight" to written report of ANC

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, an ANC that wishes to participate in the hearing must file a written report at least seven days in

advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER A. SHAPIRO, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer ? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗? 如果您需要特殊便利设施或语言协助服务(翻译或口译)·请在见面之前提前五天与 Zee Hill 联系·电话号码 (202) 727-0312, 电子邮件 Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሙሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስተሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።