GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

ZONING COMMISSION

PUBLIC HEARING

IN THE MATTER OF:
COMPREHENSIVE ZONING
REGULATIONS REWRITE:
SUSTAINABILITY

Thursday, May 21, 2009

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 08-06-9 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD Chairman
WILLIAM WARREN KEATING Commissioner
MICHAEL TURNBULL Commissioner
FAIA (OAC)
PETER MAY Commissioner (NPS)
OFFICE OF ZONING STAFF PRESENT:

    SHARON S. SCHELLIN  Secretary
    ESTHER BUSHMAN      Gen. Counsel

OFFICE OF PLANNING STAFF PRESENT:

    HARRIET TREGONING, Director
    JENNIFER STEINGASSER
    JOEL LAWSON
    TRAVIS PARKER

This transcript constitutes the minutes from the Public Hearing held on May 21, 2009.
# TABLE OF CONTENTS

## WELCOME:
- Anthony Hood ........................................ 5

## ZC CASE NO. 08-06-9 - COMPREHENSIVE
### ZONING REGULATIONS REWRITE: SUSTAINABILITY: .5
### SUSTAINABILITY OPENING REMARKS:
- Brendan Shane (DDOE) .................................. 10
- Chris Delfs (DDOT) ...................................... 16
- Harriet Tregoning (OP Director) ..................... 21

## INTEGRATING LAND USE AND MOBILITY:
- Travis Parker ........................................... 28
- Doug Farr .................................................. 28
- TDM RECOMMENDATION ................................... 36
- ADUs RECOMMENDATION .................................. 39
- TOD RECOMMENDATION ................................... 42

## QUESTIONS & DISCUSSION: ............................. 52

## ENERGY CONSERVATION/RENEWABLE ENERGY:
- Doug Farr .................................................. 79
- Travis Parker ............................................. 81
- INCREASED ENERGY EFFICIENCY RECOMMENDATION. 81
- OUTDOOR LIGHTING RECOMMENDATION .................. 84
- SUSTAINABLE ENERGY RECOMMENDATION ................ 85
- RENEWABLE ENERGY GENERATION RECOMMENDATION. 86
- SOLAR ACCESS PROTECTION RECOMMENDATION ....... 87
- DISTRICT ENERGY RECOMMENDATION ................... 88

## QUESTIONS & DISCUSSION: ............................. 90

## WATER & SENSITIVE RESOURCE PROTECTION:
- Don Elliott ............................................. 102
- WATER CONSERVATION RECOMMENDATION .............. 110
- ENVIRONMENTALLY SENSITIVE BUFFER RECOMM... 110
- FLOODPLAIN PROTECTION RECOMMENDATION .......... 111
- TREE COVER PROTECTION RECOMMENDATION .......... 112
- GREEN ROOFS RECOMMENDATION ......................... 123
- WATER CONSERVING LANDSCAPING RECOMM .......... 124
- PAVEMENT RUNOFF/SOIL EROSION RECOMM ............. 125
- PAVEMENT RUNOFF REDUCTION RECOMMENDATION ...... 126
- GREEN AREA RATIO RECOMMENDATION .................. 127

## QUESTIONS & DISCUSSION: ............................. 132
**TABLE OF CONTENTS**

PUBLIC COMMENT:
Ally Littleton ........................................ 117

FOOD SECURITY:
Don Elliott .................................................. 143
LOCAL FOOD PRODUCTION RECOMMENDATION ........ 145
INDIVIDUAL FOOD SALES RECOMMENDATION ........ 146
FARMER'S MARKET RECOMMENDATION ................. 146

GREEN JOBS:
Don Elliott .................................................. 147
INCUBATOR SPACE FOR SUSTAINABLE BUSINESS RECOMMENDATION ........ 150

LARGE AREA DEVELOPMENT:
Doug Farr .................................................... 151
LEED-ND FOR LARGE AREAS RECOMMENDATION .... 154

QUESTIONS & DISCUSSION:

PERSONS/PARTIES IN SUPPORT:
Tambra Stevenson ........................................ 164
Kyrus Freeman ............................................ 172
Britt Gordon-McKeon .................................... 178
Alma Gates ................................................ 180
Gene Solon ............................................... 185
Nancy MacWood .......................................... 187

QUESTIONS & DISCUSSION: ................................ 192
Victoria Wells ............................................ 196

PERSONS/PARTIES IN OPPOSITION:
Barbara Zartman ........................................ 202
Marilyn Simon ............................................ 209

QUESTIONS & DISCUSSION: ................................ 217

NCPC:
Amy Tarce ................................................ 224

ANC-3D:
Anne Hodge ............................................. 225

ADJOURN
Anthony Hood ........................................... 228
CHAIRMAN HOOD: Okay. Good evening. We're going to go ahead and try to get started. My name is Anthony Hood. Joining me are Commissioners May, Keating and Turnbull. We are also joined by the Office of Zoning staff Ms. Schellin and Ms. Bushman. Also, the Office of Planning staff under the leadership of Ms. Tregoning.

Okay. This proceeding is being recorded by a Court Reporter and is also webcast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

The subject of tonight's hearing is Zoning Commission Case No. 08-06-9. This request is by the Office of Planning for the Commission to review common and proposed concepts for text amendments to the Zoning Regulations.

This is one in a series of hearings
on various subjects currently under review as part of a broader review and rewrite of the Zoning Regulations.

Tonight's hearing will be considered -- tonight's hearing we will consider regulations applicable to sustainability, interesting topic.

Notice of the hearing was published in the DC Register on April 3, 2009 and copies of that announcement are available to my left on the wall near the door. The hearing will be conducted in accordance with the provisions of 11 DCMR 3021 as follows:

- Preliminary matters; presentation by the Office of Planning; report of other Government agencies; report of the ANCs; organizations and persons in support; organizations and persons in opposition.

The following time constraints will be maintained in these hearings: ANCs, Government agencies and organizations 5 minutes; individuals 3 minutes.
The Commission intends to adhere to the time limits as strictly as possible. The Commission reserves the right to change the time limits for presentations, if necessary. All persons appearing before the Commission ought to fill out two witness cards. These cards are located to my left on the table near the door.

Upon coming forward to speak to the Commission, please, give both cards to the reporter sitting to my right before taking a seat at the table. When presenting information to the Commission, please, turn on and speak into the microphone, first, stating your name and your home address. When you are finished speaking, please, turn your microphone off, so that your microphone is no longer picking up sound or background noise.

The decision of the Commission in this case must be based exclusively on the public record. To avoid any appearance to the contrary, the Commission requests that persons
present not engage the Members of the Commission in conversation during any recess or at any time. The staff will be available throughout the hearing to discuss procedural matters.

Please, turn off all beepers and cell phones, at this time, so not to disrupt these proceedings.

At this time, the Commission will be considering any preliminary matters. Does the staff have any preliminary matters?

MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Okay. We will, I guess, start with the -- I guess I better do protocol. We will go to the Director first.

MR. PARKER: I can introduce people, if that's all right?

CHAIRMAN HOOD: Okay. That will be good. You know what, that would be very good, because I don't know everyone's name, so that will be great.

MR. PARKER: Not a problem. And I
want to set the stage. I'm Travis Parker with the D.C. Office of Planning. We have got, as you can see, an all-star cast here tonight to share their thoughts with you.

The way that you have been normally requesting us to handle these hearings is to take bite-sized chunks of our recommendations and we have done that for you tonight. We have got six areas of sustainability that we're going to cover. For each one, I'm going to start with the consultants to give you sort of the background of that issue area. Then I'm going to go through the recommendation with some support from other Government agencies where it is applicable.

But we want to start tonight with, you know, the 30,000 foot picture, the broad policy picture and I have got my own Director from OP, Harriet Tregoning here tonight. We have got Brendan Shane from the Department of the environment and we have got Chris Delfs from the Department of Transportation, who are
going to give a few broad remarks on, you
know, where we are at and where we are going
with this process.

So with that, I'm going to first
turn it to Brendan from DDOE.

MR. SHANE: Thanks, Travis. Good
evening, Commissioners. My name is Brendan
Shane and I'm the Director of Policy and
Sustainability at the District Department of
the Environment. I'm here tonight on behalf
of our Director, George Hawkins, who regrets
that he is out of town as the Commission is
taking up this important issue.

On behalf of Director Hawkins and
the Department of the Environment, I want to
express our support for the sustainability
recommendations now before the Commission,
which will help frame a unified vision of
sustainability in the District.

This unified vision would carry
through from the start to the finish of a
project from plan to implementation, from the
first conceptual discussion through the final permit approval. It is this vision that will allow us to guide our city towards our goal of a green and sustainable District.

As you know, over the past many months, the Office of Planning, led by Director Tregoning, Travis Parker and the Zoning Update Team, have taken a comprehensive look at the impact of Zoning Regulations on the sustainability of the District.

During this time, the Planning Team spent many hours in meetings with DDOE staff, outside experts, District residents, the public at-large working together to achieve a comprehensive understanding of the impact of the District Zoning Regulations on the patterns and types of development that take place in the city and their ultimate impact on our environment.

The recommendations before you today are the result of that deliberative and collaborative process. I believe the concepts
embodied in these proposals will help move the District in a very positive direction. Those concepts ranging from Transit Oriented Development to natural resource protection and from energy and water efficiency to green economic development are exactly the type of changes that the District and other urban environments must promote to begin solving the critical problems that face our planet as a whole.

The proposed amendments help establish a framework for developers where environmentally sensitive and high performing land use decision making and development are explicitly allowed, encouraged and rewarded.

Such an approach that considers and promotes the goals that our regulations aspire to will increase the likelihood that several steps later when our Agency, the Department of the Environment, applies Environmental Regulations, that the principles, the environmental principles we follow and enforce
will already have been achieved and incorporated into projects.

In many cases, DDOE deals with the same issues on a daily basis in its regulatory role. In that regard, we look forward to working with the Office of Planning, the Commission and others to carefully examine the specific proposals to ensure that we establish the most appropriate and effective means for meeting our shared goals.

In some cases, including these concepts in Zoning Code it's vitally important and the Zoning Code governs -- as the Zoning Code governs land use in the District. In other cases, it may be more beneficial or appropriate to include certain requirements in law -- other laws or regulations.

This is an issue that bears greater focus as the proposals move forward. Of course, agreeing that we all -- that we share a vision of a sustainable city is the easiest step for us to take from the perspective of
the Department of the Environment.

The true challenge lies in collectively defining that vision. We believe that the vision presented by the Office of Planning Team succeeds in refining the input of many into a set of core concepts, including, first, integrating land use and mobility by recognizing the need for efficient movement of people. The need to promote community and locality and the need to encourage efficient blending of density and transit to avoid the negative impacts of sprawl.

Second, addressing scarcity of our energy resources, water resources and materials by encouraging innovation from the individual accessory unit to the largest tract development to make better use of our planet's scarce resources while continuing to meet our needs.

And third, by recognizing that natural resources in an urban setting,
including our rivers, streams, wetlands, trees and green space have both intrinsic value and value to us as people and, therefore, working to protect them from encroachment, degradation and destruction.

And perhaps most importantly, the concept of the core of these recommendations is that land use plays a critical role in supporting a sustainable future for our city.

We, too, support a vision that looks to the future in a global context and aspires to change current behavior in relatively small ways, so that each succeeding generation will not face exponentially larger challenges. It recognizes the need to change land use patterns that will, otherwise, lead to over-consumption of the planet's resources and does so with an emphasis on green jobs and business incubators to spur the next wave of economic vitality.

The fact that the Office of Planning succeeded in presenting such a
collective vision is a remarkable achievement. We want to express our appreciation and congratulations to the Director and staff for their efforts and respectfully, but steadfastly, encourage the Zoning Commission to adopt the proposed amendments.

Thank you for the opportunity to testify and I look forward to answering any questions you may have.

MR. PARKER: Next we have Chris Delfs from DDOT with a few words.

MR. DELFS: Good evening. My name is Chris Delfs. I'm here representing the D.C. Department of Transportation tonight. I'm here on behalf of our Associate Director for Transportation Policy and Planning, Karina Ricks, and also for our Director of the Agency, Gabe Klein.

I actually asked to be here tonight, because I have a special interest in sustainability and transportation, so here is the testimony that I have composed for this
evening.

It is now clear that the defining question of our age is how human communities will remake their economic and social systems to live sustainably with the current capacity of the earth. Sustainability has caught on. It's not just a buzz word, but it has caught on, because it's a complex problem that requires integrated thinking across disciplines.

And one of these key junctures across disciplines is that connection between land use and transportation. What we build and where we build it is directly linked to the demands on our transportation network.

When jobs and homes and stores are located in disparate places, then it's necessary for people to travel further and make multiple trips. As auto trips increase, then it's necessary for people to travel further. Excuse me, as automobile trips increase, so do the impacts and the costs to
our communities.

In particular, increased vehicle emissions contribute to the destabilization of the planet's climate and road construction to the loss of valuable ecological resources. To give a global perspective, transportation represents 10 percent of the world's gross domestic product. It is responsible for 22 percent of global energy consumption and 25 percent of fossil fuel burning across the world. And it produces 30 percent of global air pollution and greenhouse gases.

So as concerns about the planetary climate grow, it's important to remember that sustainability refers not only to environmental stewardship, but it refers also to a sound economy and social equity. Sustainable transportation is as much about quality of life as simply moving goods and people.

Additional impacts of rising vehicle trips also include economic costs,
like congestion, time lost in traffic. I think we are probably aware of those here in the D.C. region. It also refers to accident damages, facility maintenance and also social costs, like declining human health, community cohesion and inequitable access to services.

The population of the United States is expected to grow by 140 million people over the next 50 years. The Metropolitan D.C. region alone is expected to see 1.6 million new residents by 2030 with over 200,000 of those settling in the District.

So in consideration of these forecasts and current constraints on the existing transportation network, the problem goes beyond emissions production. We are compelled to think very differently about our development and devise ways to move more people more efficiently and in a manner that is both convenient and affordable.

Moving more people more efficiently means better developing and utilizing mass
transit facilities and alternative modes of transportation and making explicit strides away from automobile use. It means aiming for reductions in vehicle miles traveled and obtaining more bang for our transportation dollar.

And all of that relies, first, upon establishing smarter patterns of land use. We are going to talk later tonight a little bit more specifically about transit oriented development and importance in trends that orient the development. And then operational strategies, TDM, which refers to Transportation Demand Management.

I think we will do that in the individual sections later on. But I wanted to close by saying that the success of Washington, D.C. and the Metropolitan Area has been built largely on the back of a world class transportation system. It champions public transit and enjoys some of the best rates of alternative mode choice in the
country.

Still, our environmental benchmarks like air and water quality are poor. And our record on traffic congestion and safety reveal economic and social costs. With that, DDOT strongly supports the D.C. Office of Planning's work for progressive and tailored TOD and TDM measures. And we look forward to continuing our collaboration in developing regulations that help the city achieve those sustainability goals.

MR. PARKER: Now, our final opening speaker today, OP's Director, Harriet Tregoning.

MS. TREGONING: Thank you very much, Travis and Commissioners. It's very much a pleasure for me to be here on this important topic. And I'm particularly honored to share the dias with colleagues from the Departments of the Environment and Transportation.

I think in many ways it sort of
exemplifies that we are pulling in the same direction as a Government. And that the point that Mr. Shane made in his testimony that we haven't -- what we are teeing up for you tonight is some broad policy ideas. In particular, areas where more than one agency might have jurisdiction. We haven't decided yet exactly how that jurisdiction is going to be exercised.

We are not interested in redundant regulation among agencies, that's why we're all here together. But I think it is great that we are going to tee up the substantive discussion of the issue and then we will be making some sensible recommendations about which agencies should have primacy for implementing that aspect of the Sustainability Regulations.

But I would hate to be up here alone, you know, when we are talking about this topic that has so much relationship to the central work of the Departments of
Transportation and the Environment.

This is an important thing. I have said before before the Zoning Commission that, you know, we haven't done this comprehensive update of the Zoning Regulations in 50 years. And we will probably do it at least every 50 years, right, whether we need to or not.

When you think about how much change the city has experienced, much of it very positive change when it comes to environment and transportation sustainability. You know, one of the things I think we have to be thinking about is what is the trajectory that we're on? You know, what's the path that we want to be on?

Because anything that we talk about doing today, it's for a project that probably won't come -- you know, be up out of the ground or come to fruition for five years or longer. You know, how will things be in the city then?

So we are trying to be Wayne
Gretskys. We are trying to skate to where the puck is going to be, not necessarily to where it is right now. And where it is right now is a very good place. The Metropolitan Washington Council of Governments recently completed a Household Transportation Survey for our region, the first time they have done it in more than 10 years.

The District went from 10 years ago having a 40 percent mode split to bike, walk or transit for all trips up to 46 percent. So a 15 percent increase in 10 years and most of that change happening in just the last few years.

You know, we are in the middle of an economic recession, but we have so many transportation choices in the city that people actually had the option in Washington in the last six months of 2008 when budgets got tight, people shed 8,000 registered motor vehicles in the city. They just got rid of them, you know, and they realized they could
have mobility without necessarily having to have that second car or maybe that only car.

That is not something -- that kind of resilience isn't something a lot of cities really have to offer at this point. So you know, that's a great thing that's part of why our property values, I think, have been so stable and our sales tax has been stable, because people have had more disposable income, because they are able to avail themselves of all the transportation choices.

So I think these are very important points.

We're talking -- we're going to talk a little bit tonight also about energy efficiency, which is very important. You probably already know this that we have 50 buildings that have already received LEED-certification in the city and more than 400 in the pipeline for LEED-certification.

So we are, in many parts of the city, really developing large concentrations of green buildings that will help us with our
energy efficiency, but we also have an existing building stock and renovations to that building stock that could be more or less energy efficient in some cases, depending on what our regulations allow.

72 percent of the carbon emissions are things that cities like ours are responsible for transportation in buildings. So the topics that we are going to be discussing today are very important in that regard.

In tribute to Commissioner May, I'm going to cut my remarks off right now, so that we can continue with the presentation and just thank all of you for attending today's hearing and for -- and thanks to many of you for your work on the task forces that have been laboring to put these regulations together and thank you also to my colleagues from our sister agencies for being here tonight, so that we can have this conversation with you about our sustainable future in Washington,
CHAIRMAN HOOD: Ms. Tregoning, in tribute to what you just said, we're going to be in partnership with you. When we start asking our questions, I want Commissioner May to take the lead on cutting off remarks.

MR. PARKER: So as I mentioned at the start, we have got six issue areas to talk over with you tonight. And these mirror the organization of the issues in the report in front of you.

As I said, for each issue area, I'm going to start by introducing one of our two consultants who are here tonight who are going to lay the background for what this of area is about, why it is important, what we are or are not doing in D.C. to address it. And then I will get into the individual recommendations themselves.

So we are going to start tonight with Integrating Land Use and Mobility, is our first series of recommendations. And this
really gets into a few areas. It gets into the Transportation Demand Management, the Transit Oriented Development, Accessory Dwelling Units and Mixed Use and things that encourage walkability.

But I'll let our consultants explain that. We're going to start tonight with Doug Farr from Farr Associates in Chicago.

MR. FARR: Thank you, Travis. Thank you, Commissioners for having us tonight. And thank you, Director Tregoning and officials. What I want to do is start to frame the issue of transportation -- the integration of transportation land use at a high level and also how it applies to the District.

And then finally for this topic, initiatives that are underway in the District that we referenced in our sustainability diagnosis. So this -- you are no doubt familiar with that document, so this will be
familiar to you having read it.

So the first one is transportation is important because 66 percent of oil used in the U.S. is used for transportation as of 2005 statistics. 33 percent of U.S. CO2 emissions come from transportation, a 2006 statistic.

The National Institutes of Health lists automobile dependence and our instinct to drive quite a lot as a factor in the obesity epidemic in the country. And then -- so those are national factors.

As it applies to the District itself, it's important to point out that most money spent on driving leaves the District economy. The District of Columbia does not drill a lot of oil or manufacture a lot of cars. And so it's money out of the economy and I think that's consistent with the Mayor and the District's vision for making a more sustainable District.

There is a trend in the Metro D.C. Area, according to the Climate Change Steering
Committee, that transportation emissions are predicted to grow 38 percent by 2030 and 47 percent by 2050, so that's Metro D.C.

Now, the counter trend, as Commissioner -- or as --

MS. TREGONING: Director.

MR. FARR: -- director, thank you, Director Tregoning referenced, which is inside the city, the trend is the opposite way. The statistic that D.C. citizens in 2005 drove only 27 percent as much as the average American. So nearly a quarter, say 3/4 less and this increase over time of trips that are walk, bike and transit trips is consistent with what other cities across the country are seeing also.

Cambridge, Massachusetts, for example, has had a 12 percent increase over about 15 years. So it's sort of a similar trend. The central city is experiencing a different trend than the Metro Area.

And then to respond to this, D.C.
Department of Transportation is planning a number of transit options and service to meet this growing demand. So the zoning needs to address that whole picture.

So the first thing to say on this topic is that zoning regulates, obviously, the intensity, form and configuration of the built environment, which in turn is determinant of the number of trips that are generated. In this case, we’re talking about all trips as well as car trips.

The second thing that zoning can do here is to require what is called Travel Demand Management or TDM. And that is -- our sort of summary definition of it here is the idea that the concept of strategy of requiring larger developments to meet trip reduction targets, predict the number of trips designed to it and it’s a very increasingly sophisticated practice. But zoning can embed that approach within it.

It’s important to point out in
order -- in anticipation of the next steps, and what Travis will be talking about in a minute, to recognize differences in the way trips are generated from residential land uses versus non-residential.

So within residential land uses, the built environment its intensity, form and configuration is predictive of up to 90 percent of the trips. And so it's very -- the form, intensity and configuration is very important in determining the number of trips within residential land uses.

By comparison, the Travel Demand Management, the management, if you will, of the trips is -- can only reduce it up to 8 percent. So it is actually fairly impervious. The -- once it is built, it is determinant and you can't change it as much.

By contrast, non-residential land uses are quite different. The built environment its form, intensity and configuration determines up to about 35
percent of the car trips. At the same time, TDM can reduce trips up to about 32 percent. So that doesn't mean 35 - 32 is zero. It means that 35 could be reduced by 32 percent down to say 25 percent or so.

So the way these regulations are written will hit these two land uses and should hit these two land uses differently. So within the -- yes, thank you.

All right. Yeah. Within -- so that was our sustainability diagnosis. We also did a review of the initiatives that were already underway within the District. There were no D.C. incentives or programs pertaining -- citywide or District-wide pertaining to TOD or TDM. They occasionally occurred through the PUD process.

However, the Comprehensive Plan policy prescriptions, and this is a summary, there is a far longer list that you are familiar with, called out specifically a number of them.
One is across the board design to encourage transit use in transit-served locations. The second one, TOD boundaries was the idea of delineating those portions of the District which are served by transit and treat them differently.

The TOD Overlay Zone was what happened within those boundaries and sort of the different ways that regulations might be written there. And then finally calling out TDM Programs.

And so we envisioned, as Travis will talk about in a minute, these two tools being used together, TOD Land Use Regulations and TDM.

So in terms of existing regulations, there were aspects of the existing regulations that are good that can -- are opportunities to be strengthened. Those are the Mixed-Use Districts, which appear in the Zoning Code, but we want to -- we made recommendations on how to strengthen those.
And then Accessory Dwelling Units, also called ADUs, in home occupations, which do occur in the zoning, and we think there is an opportunity also, a number of opportunities to strengthen that.

And then finally, reflecting what the Parking Committee had recommended and elsewhere in the documents, that the direction is to remove off-street parking minimums and add limitations on off-street parking.

So with that as our foundation, I think I get to turn it back to Travis.

MR. PARKER: So there are three recommendations that have come from this work that we did with the working group. And just as a background, our working group met -- started meeting last year and actually met for about 4 months on not just this issue, but all the issues and our recommendations have been percolating through the system and through the Task Force in March and have been available for quite some time.
The first recommendation under this Land Use and Mobility has to do exactly with what Doug was talking about, TDM. Right now, as he mentioned, we don't, you know, define or address TDM in our current Zoning Codes. Our recommendation here is that we should be requiring large new developments to address trip generation and to include incentives for walking, for biking, for transit and this should be considered a part of the general design requirements, including pedestrian, bike-friendly design.

This is something that we have been working closely with DDOT on and they are going to speak a little bit to tonight. But DDOT is in the process of working through potential TDM measures and we will work closely with them on either incorporating or referencing their ultimate, you know, list of desired TDM measures, some of which are here on the screen now in whatever zoning text ultimately gets put forward.
And with that, I want to have Chris Delfs talk just briefly about what they are doing with TDM and how that ties in with our work.

MR. DELFS: Thanks, Travis. In keeping with the theme, I'll try not to run over the same ground, but I did want to emphasize that TDM, at its heart, it's really a general term for strategies that result in more efficient use of the transportation system. And DDOT has been active in TDM for some time and currently facilitates a number of strategies to improve air quality, reduce congestion and improve the quality of life for District residents and visitors.

Some examples of TDM just to give a flavor of what that is, it's working with employers to help reduce trips to those entities. In addition to that, it is providing on-street parking for car-sharing vehicles and for the SmartBikes, D.C. Program, which you may have seen some of those new
stations around the city recently.

DDOT has also been working with developers on a case-by-case basis to incorporate TDM strategies into new commercial and residential developments. We have primarily done this through the Planned Unit Development process. And we have had some success in encouraging elements such as bicycle parking and amenities for the car-sharing spaces.

We would like to continue this work, but I do think that it is critical that we take opportunities to really embed or enshrine these approaches in the Zoning Code.

As Travis mentioned, we're beginning to study -- beginning a study now to determine the best approach to incorporate the TDM strategies into new development and determine the impact on the trip reduction itself.

The study will look at best practices in the region and throughout the
country. And the idea is to provide recommendations that are specific to the District. And we intend to work closely with Office of Planning, so we can take a systematic approach for applying them to the new development.

And I think that's really all I have to add tonight, but wanted to emphasize that we look forward to getting into the nuts and bolts of the TDM Regulations.

MR. PARKER: Okay. The second recommendation under Land Use and Mobility has to do with Accessory Dwelling Units. As you, you know, can read in our report and in various others, there is a lot of aspects to Accessory Dwelling Units, a lot of positive benefits in terms of transit-supported densities, in terms of walkable communities, reducing vehicle miles traveled and on and on.

Our existing code does delve into this subject in a couple of ways and it has tried to tackle it in a few different ways.
Actually, we have both matter-of-right and special exception provisions that allow for some form of additional use of single-family home properties, both internal and external.

You will be familiar with R-1 Regulations that currently allow external units for domestic help. All of our single-family zones can have accessory apartments by special exception. There is quite a significant list of conditions that we will talk about.

And as a matter-of-right, any single-family dwelling can have up to two borders, which increases the amount of people that can live in any building, any single-family home in our city as a matter-of-right now.

Our recommendation is to take a lot of this and consolidate it into a single form, into a simpler set of accessory dwelling provisions and, basically, allow, as a matter-of-right, accessory dwellings, both internally
and externally, subject to some fairly strict conditions. And those conditions would be based on the conditions that we use now to define accessory dwelling units.

Things that you see a long list of them in the report, but Accessory Dwelling Units are currently limited to 25 percent of the house and there are size limits on how big the house must be, design considerations and a lot of other conditions that can and would continue to be applied to Accessory Dwelling Units.

Not only that, but we would have to have separate or could have separate requirements for internal and external, so a set of conditions for internal, for external, a set of conditions for both. And you know, there is quite a long list both on the screen and in our report of how it is done in D.C. now and how other communities around the country regulate accessory dwelling units.

So we certainly -- this is not an
issue of allowing every property, every single-family home -- property in the District to build a separate structure out the back, but there are a lot of cases where row homes have basements or there are Carriage Houses in existing neighborhoods that have no reasonable or no zoning permitted use right now to Carriage Houses other than storage, garage or potentially an artist studio.

So this would allow the constructive reuse of a lot of those buildings, also allow the reuse of existing English basements and the like as a matter of right throughout the city.

And the final recommendation under this section has to do with Transit Oriented Development. And as you saw in the report, this really comes in three parts. The first part is defining where transit is available in our city. And I'm going to talk about each one of these individually.

Second, defining what are the
standards by which our development should be regulated in all of those TOD areas. What are the universal standards for developing around transit? And finally, what are the standards that are applicable or that are different in each of these areas? Specifically, density, height, relation to surrounding neighborhoods and what are these variable standards of TOD neighborhoods?

In terms of defining where transit is available, I'm going to turn again in a second to DDOT and Chris Delfs. We have worked closely with the Mass Transit Administration here in D.C. and talking about what do we mean by transit? And what is transit in our city?

And there is a lot of information in our report about the work that has gone into that and you are going to hear from DDOT tonight, but our definition of where people can walk to transit and how far people are able to walk to transit. Our tentative
definition is a half mile radius around Metro Stations and a quarter mile linear to either side of a streetcar or high density bus line.

And we are defining high service bus lines after some significant work also with MTA as those corridors of buses that move 15,000 people a day.

So TOD originally would be -- TOD principles would be applied to zone districts within these boundaries that are zone districts other than low and moderate density residential zones. So these principles that we are going to talk about in the next couple slides are applicable to all high density development and all commercial development, but would not apply to single family homes and flats and the like, but would simply be applied to all commercial and high density, higher density residential zones.

So when we have defined and mapped these areas, the first important step is determining what, as a city, we feel are the
guidelines for development in these areas. There are a lot of universally applied standards for development around transit that are important to make TOD areas usable and walkable and enjoyable.

The first is limitations on parking and we have already had a discussion about, you know, removing the minimums. We're going to be having a discussion in the downtown and later on about what potential limitations we should put around parking where transit is available.

That's the sort of thing that would be universal across the board. Street-activating design guidelines, things like a solid street wall, a certain amount of glass, entrances every so many feet, standards that improve the pedestrian experience and improve the usability of a street.

Access and orientation to transit, one of the problems that we have had in the past is -- are buildings that put a blank wall
to a Metro stop or to a bus stop. It's important to -- that buildings interact with the transit and that people have access to and from these transit lines and transit areas.

And finally, our city does a fairly good job right now allowing mixed use in these areas, but making sure that mixed use is permitted and encouraged, so that our transit areas have a workable mix of residential and employment and service uses in the vicinity of particular transit hubs.

So the first two steps that we talked about are what we envision accomplishing as part of this zoning review. Identifying where transit is available, applying the universal standards of transit. What comes later as part of a planning process then is the variable standards.

When we have identified these areas and determined what the universal standards are, then we need to go a step further and talk about what are the appropriate densities
in these areas? Not only maximum densities, but minimum densities. One of the big problems with development around Metro Stations, for example, transit are, you know, when you have lots directly on top of a Metro Station that are taking up by a one-story drug store or a big box with 5,000 surface parking spaces.

These are not uses or uses of land that encourage the use of transit and support vital transit oriented areas, so talking about densities that are appropriate for these areas, talking about standards for relationship with the surrounding neighborhood and step-backs.

And then there should also be discussion about where particular use mixes might be required, rather than just permitted. Where we might want to encourage retail through requirements or encourage additional residential through requirements. These are issues, issues that need to be planned on a
local area basis and can -- and we can set the framework for including these at a later stage.

With that, I'm going to halt and we will stop. Those are our three recommendations for Land Use and Mobility and I'll stop and take questions from the Commission. Before I do that though, I want to let Chris Delfs, I'm sorry, say a few words about TOD. We have been working closely with them. I apologize.

MR. DELFS: Hello again. I have testimony here that was prepared by Tamika Hughey, who is a program manager for our Mass Transit Administration within DDOT. And she writes: "Since the 1990s, the District Department of Transportation has worked to increase the mobility options for residents, visitors and employees in the District.

A key thread in this quilt of mobility is quality public transit services. Through the Transit Development Study, the
Transportation Vision Plan and the more recent The D.C. Transit Alternatives Analysis, DDOT has identified several key corridors in the city that can benefit from a comprehensive framework of transit investments that is poor at land use, environmental quality, sustainability and provide a myriad of public transit choices to District neighborhoods.

The key to developing quality public transit, which supports land use, is the designation of these TOD Zones, which require specific enhancements and designs within the public space to compliment the transit facilities and those services.

TOD Zones provide opportunities for transit to be given a priority and the redevelopment of sites adjacent to high transit, ridership zones and corridors. This includes the evaluation of proposed curb cuts and loading zones and their impact to transit before construction on the development even begins.
Transit costs increase significantly as a result of travel time delays at transit stops where buses cannot re-enter traffic while vehicles cue at garage entrances and loading zones. During the development of the D.C. Alternatives Analysis, DDOT learned of other challenges to achieving improved travel time savings on public transit.

The District carries more transit riders on our local and premium bus services than many street car and light rail operations around the country. In addition to local Metro Bus service and the five D.C. Circulator routes, since 2006, DDOT has been able to meet increasing ridership demand in dense, mixed-use areas of the city via the implementation of MetroExtra and MetroExpress Services.

However, unlike many local jurisdictions, our use of the public space for public transit operations is often dominated by other bus transportation operators that
illegally park in bus stops designated for our
bus services.

Now, by coordinating the
Transportation Demand Management strategies
that we spoke of earlier and the TOD Zones
that are developed through this process, we
can promote the transit awareness and increase
opportunities for information on transit and
the purchase of transit fare media in many of
these mixed-use zones."

And Tamika concludes by saying that
"This body's support of the Office of Planning
sustainability recommendations will guarantee
the success of this comprehensive framework
for transit and solidify the District of
Columbia as a model of 21st Century Transit
Oriented Development."

So I thank the Commission again for
the time to present.

MR. PARKER: We are all available
for your questions.

CHAIRMAN HOOD: Okay. Thank you
all very much for the presentation. Who would like to start off with a few questions? Commissioner May?

COMMISSIONER MAY: Okay. I'll try to keep it short. I just have a general question about the -- how the city envisions managing parking in the broader sense, because some of these recommendations, you know, putting limits on how much parking there could be and so on, limiting the maximums, you know, the big issue that is associated with that is that if people can't get the parking in their -- in the buildings, they are still going to drive. They are just going to park in the neighborhood.

So you know, I guess I want to know more about the entire plan to manage parking. You know, I know that there was talk of increasing fees and RPP after the first car and all those sorts of things. I know that's part of it. I know that there is the performance parking thing with meters and --
which make that less affordable.

I guess, you know, for the record as we try to assess this, it would be good to have something substantive, you know, that we can look at. I mean, I'm not looking for answers right at this moment. I'm looking for a bigger picture briefing on parking, you know.

MR. PARKER: Okay.

COMMISSIONER MAY: Now, you can talk to this if you would like, but --

MR. PARKER: I think you identify. I mean, we had this discussion at the parking hearing about the coordination of on-street management with off-street services, but what we can do is put together a briefing between us and DDOT of what the plans are in the future for off-street management, because that's really the solution.

COMMISSIONER MAY: Right. That's the big thing. And that also goes to even things like the accessory dwelling units,
because I know that in some neighborhoods just
their existence is more about parking or the
problem with their existence is more about
parking than it is anything else.

MR. PARKER: Right.

COMMISSIONER MAY: Parking is an
unbelievably big issue for many, many people.
Also, when we are getting information on the
big picture, I would like to know more about
bicycling and the big picture plans. I mean,
I know I have seen a lot more bike lanes than
before. Bike lanes are great. People don't
quite understand them. People in cars don't
quite understand them yet.

As a bike rider, I think I
understand them, but it doesn't always work
out that way. I have had a few scrapes the --
with cars who didn't know what they were
doing, I'll say.

The -- and I think it's important
to understand -- I mean, there are a lot of
things that are happening across the world
with bicycle use that are far, far more aggressive than just painting more bike lines. And if we are going to try to change the way people think about getting around, it has to be about more than just land use.

And I know that we have done a few things and we can do a few things in the land use arena to encourage that, but that's just one small part of that bigger picture. And again, it would be good to see that, you know, bigger picture.

You know, I remember doing things like on Station Place where we incorporated a bike lane into the sidewalk. I don't know if that's working. I don't think that that's a particularly brilliant example of things, but, you know, maybe there are some other things that we can think about that would come out of a broader picture discussion, because I certainly think it's a good idea to encourage people to do a lot more biking around here.

I do a lot. You know, whenever I
can run errands on bicycle I do it. I look a little crazy riding my bike with a 10 foot piece of copper pipe in my hand, but, you know, when you've got to go to the hardware store, that's three blocks away.

So anyway, the -- and then the last -- I just had a question. What is the average number of miles driven per person in this country and in the city? You said it's 27 percent in the city.

MR. FARR: The number I use in general presentations on electra circuit is about 10,000 miles per capita in the U.S. and about 23,000 miles per family.

COMMISSIONER MAY: Okay.

MR. FARR: But I can get to --

COMMISSIONER MAY: Doing the math.

MR. FARR: -- the citation.

COMMISSIONER MAY: No, that's okay.

MR. FARR: Yes.

COMMISSIONER MAY: I'm just doing the math on my own usage and see where I fit.
But I'm not going to tell anybody.

MS. TREGONING: I think we would be happy to give you the broader briefing about the full transportation picture, but just a couple of quick vignettes that Chris might want to also add to.

With some of the stimulus money we are getting in the city, we are expanding one kind of -- type of transportation capacity and that's bike-sharing. So we are going from 10 kiosks and adding another 90 or so, which will make it really convenient to be able to use that. And I can report that SmartBike use is up, that we started it last year, but it is really taking -- you know, catching fire now.

You know, part of the picture is car-sharing. You know, we have 700 car-share vehicles in 26 neighborhoods in the city, that's -- that is making a big difference in terms of giving people that kind of convenience.

A bike station, the first on the
east coast, a very large station that will accommodate bike storage, bike rental, bike repairs at Union Station is scheduled to open in June, I believe, this summer, maybe I should more safely say. And that comes along with the completion of the Metropolitan Branch Trail in that location.

So that it is going to, you know, be another -- it's basically a big bike way that people will be able to use to get around. So I think you definitely deserve a more comprehensive briefing about what is happening, but these transportation choices are being added to, you know, all the time along with other things.

The city is working on some other things that will increase the convenience and the predictability of transit for the transit rider, you know, so that's one of the barriers to people making it a real transportation choice.

You probably know that we have
added some additional Circulator routes, so we now have premium bus service on five different Circulator routes, 48 buses, most of them 10 minute headway or less. And that ridership has grown several hundred percent over the last four years. So -- and we are expecting it to grow even further.

But it really is all about diversifying and expanding the choices. We do expect people to continue to drive in the city and that to be a choice, but for many, many people our household rate of car ownership has now dropped to 63 percent of households in the District. In many neighborhoods, it's below 40 percent, you know, and that's by choice. That's not because of their economics, that's -- there are neighborhoods where parking might be difficult, but it's also -- there are also neighborhoods where there are lots of neighborhood convenience, lots of neighborhood choices.

MR. DELFS: I would only add that
we are very excited about the Bike-Share Program and we are planning to expand it through federal stimulus dollars. In addition to that, someone had said to me just recently and made a distinction between cyclists and people who just ride bikes as a way to get to work. Meaning that there is a certain culture and maybe a certain bravery of bicyclists who use the standard bike lanes.

And because of that, we really -- our goal is for all users, regardless of age and personality maybe, to have bicycling as a viable choice. And for that reason, we are looking at, you know, other facilities within the public right-of-way, you know, shared-bike and bus lanes, also dedicated bus lanes that are separated from traffic. Those do present some challenges in terms of the signalization and other technical details, but DDOT is committed at looking at those options as well.

MS. TREGONING: You mean dedicated bike lanes, right? Dedicated bike lanes
separated from traffic?

MR. DELFS: There is shared bus and bike lanes that function, but then also dedicated bike lanes as well. I'm sorry if I misspoke.

COMMISSIONER MAY: Well, I appreciate hearing all that. I mean, many of these things I have heard before sort of anecdotally and I think that just as we move into formulating new regulations here, it would be useful to have some of this information in at a summary level. We don't need the 500 page reports. We need the, you know, PowerPoint kind of summary of much of this. It would be very helpful I think.

Because it just helps complete the picture. We need to know what's going to happen if we take a certain direction in land use that it's, you know, supported and not frustrated by what is happening in other areas of policy and regulation.

CHAIRMAN HOOD: Anybody else have
any comments? Commissioner Turnbull?

    COMMISSIONER TURNBULL: Thank you, Mr. Chair. Just maybe continuing on this line of discussion with what Mr. May started on and, Ms. Tregoning, you had mentioned about predictability and convenience of transportation.

    And I guess that's -- although we can look at this from an urban planning standpoint and look at it rationally, I think we all share the same goals and views. The infrastructure is something that isn't only that stays up to pace with what our goals are.

    You talked about some new bus lines, but what is the predictability or what -- have you been working -- talking about light rail, even heavy rail schedules? I mean, heaven knows we have had to get people out of here by 11:30 every night, because we are afraid they are not going to get home.

    So I guess that's the question, too, for us is the availability of transit.
The schedules, we all hear that they've got to cut back, they don't have enough money. We had any number of PUDs that come in and say oh, how can you put a big development here when they have only got six cars on a train? And we have heard these things before where everybody is cutting back. The schedules are not as good as what they should be. So I guess if you could talk to what is in the works, how we get to improve these developments, if the infrastructure isn't there.

MS. TREGONING: Well, part of what -- I think your infrastructure question is a good question, but I think diversifying the transportation offerings ends up taking pressure off different parts of the transportation system.

So if 40 percent of car trips in the city are -- this is a statistic that is actually regional. 40 percent of all car trips in the region are 3 miles or less. So
there is the opportunity, especially in the District, to substitute a bike trip, a walk trip or a bus trip for some of those car trips, which takes pressure off the road network.

Some of the new bus capacity that we are developing with the Circulator runs in the same area where people would otherwise be on the Red Line downtown on the Metro system. So it takes a little pressure off the core capacity of Metro.

So I mean, this has to work together as a system. But part of the predictability that I was mentioning that makes it difficult for people who have choices, to say, you know, I'm going to take the bus, is knowing when the bus is coming. If you are driving, you at least know when you are getting in the car. You may not know when you are getting out of the car, but you know when you are getting in the car and you have that feeling of control over your destiny.
The city is working internally with -- to develop applications for cell phones that will tell you when the Circulator bus -- where the next Circulator bus is on a given route, so that you can be sitting at home or sitting, you know, in your office deciding whether or not to take that next call and know when that bus is coming.

And if there is a delay, the application will tell you that there are delays on the system. So at least you know and you will know before you are standing out there waiting at the bus stop wondering where that next bus is.

So those are the kinds of improvements that we are talking about making, so that we have more predictability and that we have that interoperability among different transportation systems in the city, so that those places that are feeling pressure from over-use or capacity constraints, we have the ability to move from that over-used
transportation to something that is currently a little bit less used.

CHAIRMAN HOOD: Commissioner Keating?

COMMISSIONER KEATING: One quick question about the study. I was curious, you said about the emissions growth at 38 percent by 2030 and 47 by 2050. I was just wondering do those calculations kind of take into account kind of the reduced emissions from newer vehicles? And so was that just the reflection of the rapid growth in the region or is this --

MS. TREGONING: I can speak to that actually. This is a study that we did as part of a Climate Task Force for COG. And the good news is that it did take into account lower emissions from newer vehicles on the one hand. It did not take into account a relatively recently discovered phenomenon, which is that people are hanging on to their cars longer.

So that the emission profile is
actually worsening in the city, but then again, we now have new CAFE Standards that the President announced that says we are going to have greater fuel efficiency down the road and those numbers do not take account of that greater fuel efficiency that is coming.

So those are two factors that countervail against each other, but that is the latest analysis that has been done in our region.

COMMISSIONER KEATING: That got me thinking about kind of new technologies and when I look at the list of, you know, potential TDM requirements that we see here, and it says in the text, that these are the things that are most common that we have been seeing as part of the PUD applications. It makes me -- it triggers a thought about kind of what are we looking at down the road into the future that needs to be thought of as potential requirements.

You know, if there are going to be
more electric cars, should we be thinking about, you know, buildings that have plugs in every spot, so that -- you know, if the goal is to reduce emissions and greenhouse gases, you know, that's one way by having cars that may be electric. Who knows.

Technology is going to veer and verge and you don't know where we are going to end up, but what are some of the things that we want to be forward thinking about to try to incorporate a maybe and some way influence kind of what the outcome of those technologies are and how they are used.

And so I would want to kind of see that list kind of grow a little bit. I know we were here one night and someone else -- someone threw an idea out for one of the PUDs that we were discussing about putting a modern designer type bus stand in with this PUD, which was a great idea.

It made me think, gosh, wouldn't it be nice if we had some very interesting design
and art, you know, kind of like they have in Paris we have all, you know, heard about or seen some of those transit stations that are works of art in themselves. How do you incorporate perhaps some of that and increase usage perhaps versus perhaps some of the bus stands that we currently have which, you know, they are not attractive and may not encourage folks to come to the bus stand to actually use the bus.

And so I would love to see a lot--some big ideas incorporated into some of this. You know, I think about, you know, taxi stands. Will taxi stands possibly be incorporated into some of these PUDs, so that taxis aren't just driving around the city?

Maybe that requires a lot larger changes in what we do here in the District and how we manage our taxis, but, you know, if stands were there, you would have fewer missions, fewer cars driving around looking for passengers and actually a central
location.

So I would just encourage kind of that little bigger, longer list, because I have seen many of these before and I'm thinking, you know, what are we seeing 10 years down the road that should be on this list?

CHAIRMAN HOOD: I just have one or two questions. I will say, Ms. Tregoning, I'm glad to hear about the collaboration between the agencies and I'm sure that Ms. Zartman, and I hate to call her out, but that was one of the issues that we had brought up previously. So I'm glad to hear all the different agencies who are here tonight.

Ms. Tregoning, you mentioned about the District taking or doing very well as far as LEED-certification. And I think you said 15 buildings. Are those District-owned buildings? Are those new or old construction?

Where do we fall in with that?

MS. TREGONING: They're primarily
private buildings, but there are a number of
schools and a number of District buildings
that are in that list of 50. Most of the 400
buildings that are in the pipeline, 416 that
are in the pipeline, for certification are
private buildings, which is a tribute I have
to say to our development community.

Their requirements for the most
part don't kick in until 2012 and so a lot of
them are saying here are -- you know, we see
the handwriting on the wall and, you know, we
don't want to be the guy building the last
brown building in the District of Columbia.
So they are building green.

CHAIRMAN HOOD: Okay. And, Mr.
Parker, I think you can help me with this. In
Recommendation No. 2 it talks about the
external ADUs would be subject to Accessory
Building Regulations as well as access to
utility limitations.

I saw, I think it's, ANC-3/4G, they
were in support of internal, but not in
support of external and thought that external
should still remain as a special exception or
the process that we have in place now. Is
that what you are saying here also?

MR. PARKER: Well, yeah. I mean,
one of the comments that they made in that
letter was that, you know, we don't want
people adding on to their garages. And that
is exactly the sort of limitation that we put
on. This is -- the limitations on ADUs would
be that there could be an accessory building,
that doesn't mean they could be bigger than
accessory buildings are allowed now.

So the limitations on height and
lot occupancy for accessory buildings would
stay the same, so you couldn't build twice as
big a building and put a unit in it. It's
only for your existing garages, your existing
carriage houses or buildings of that size.

CHAIRMAN HOOD: Okay. And I think
also, Mr. Parker, the bus stop, I think the
threshold was 15,000 passengers who would be
in transport, I think, per day.

MR. PARKER: Um-hum.

CHAIRMAN HOOD: Are we looking at bus stops or are we looking at points, like from maybe Rhode Island to Brooklyn or bus stops in between?

MR. PARKER: We're looking at -- not at points, but at corridors. So, you know, Georgia Avenue from Street A to Street F. I mean, we are looking at how many people move along that corridor in a day. If it's greater than 15,000, then that corridor is a TOD and within a quarter mile of that would be TOD.

So yeah, it's not by bus stop by bus stop, but it's Street X from A to B.

CHAIRMAN HOOD: So it's like point to point? It's not from --

MR. PARKER: Right.

CHAIRMAN HOOD: -- a quarter of a mile from a bus stop?

MR. PARKER: No, it's a quarter
mile from a line.

CHAIRMAN HOOD: From a Metro line?

MR. PARKER: A street.

CHAIRMAN HOOD: A street. And will that encompass Maryland? Like for example, from Rhode Island Avenue?

MR. PARKER: Will that encompass Maryland?

CHAIRMAN HOOD: Yeah. Are we in our calculations of the 15,000, I guess, we have to, right?

MR. PARKER: No. Well, no. You're talking about -- okay, yeah, bus lines that cross into Maryland. Absolutely. We did look at those numbers. I mean, we are, obviously, only zoning our side of it, but if it moves 15,000 people and crosses the border starting at our border, that's TOD.

CHAIRMAN HOOD: So we have --

MR. PARKER: Absolutely.

CHAIRMAN HOOD: -- also put in our equation that is going over to Mt. Ranier, for
example?

MR. PARKER: Yeah, we're looking at the number of people that move in and out, yes.

CHAIRMAN HOOD: Okay. All right. Any other questions?

COMMISSIONER KEATING: Just one on the ADUs. It just seems that the issues around internal and external are very different in some ways. I'm just wondering is there a way to separate this issue?

MR. PARKER: Absolutely. I mean, we certainly need to look at both differently and we will be looking at both differently. And we will have a, maybe not completely, but at least partially, separate set of conditions for each, because there are a lot of -- more issues with external ADUs.

COMMISSIONER KEATING: Right.

MR. PARKER: So I -- and I'm certainly happy to -- when we come to you with -- for decision, you know, layout of options
just to approve one or the other, but should you give us guidance to proceed on both, we will come back with a separate set of conditions for both that you can review.

CHAIRMAN HOOD: Okay. Mr. Turnbull?

COMMISSIONER TURNBULL: Just one final question, Mr. Chair. MS. Tregoning, on the 400 buildings you said that are in the pipeline to be LEED-certified, do you know how the breakdown is or is 50 percent of them going to be just certified or some of them going to do for silver, gold, platinum?

MS. TREGONING: I don't have the breakdown. In a lot of cases, you know, what they might be trying for -- you know, they might be trying for gold, but end up at the last minute, because of some decision or because of their post-occupancy evaluation, end up only getting certified for silver.

So I don't have a breakdown, but we can look and see what we can say about the
ones that have already been certified and whatever we can find out about the ones in the pipeline.

COMMISSIONER TURNBULL: I was just curious how the mix broke out. I mean, we have often looked at a couple of PUDs that are just certified and we were like can't you go a little further?

MS. TREGONING: Well, the good thing about --

COMMISSIONER TURNBULL: And I know it's also a cost issue, too.

MS. TREGONING: Well, the good news about LEED is that it is a moving target. So what we are calling LEED-platinum today in 10 years might just be LEED.

COMMISSIONER TURNBULL: Right.

MS. TREGONING: You know, so that is ramping up. You know, they come out with a new set of standards very recently. So it's not like the standard just lies there, that's part of the reason we adopted it that way, so
the District doesn't have to always be updating its own standard. They upgrade it as the practice in the building industry gets more refined and new technology and new techniques enable them to get cost-effective higher performance out of buildings.

COMMISSIONER TURNBULL: Okay.

Thank you.

CHAIRMAN HOOD: What I think we're going to do, colleagues, this is a hearing and I know we want to have the continued dialogue with Office of Planning, but we want to make sure that we hear from the public. So I'm going to announce this now, Ms. Schellin. The next time we get ready to ask our questions, I would like to put us on 7 minute rounds. Okay? 7 minutes. Okay. Mr. Parker?

MR. PARKER: All right. And we will try to move it as quickly as possible. The second area we want to talk about tonight is Energy Conservation and Renewable Energy Generation. I am again going to start out...
with Doug Farr from Farr Associates.

MR. FARR: Thank you, Travis. Here
the picture in D.C. is a little different,
which is to say what our analysis found was
that buildings per capita energy use within
the District was very close to the U.S.
average. You can see the numbers there.
327,000,000 BTUs was just slightly below
339,000,000 BTUs, the average in the country.

So unlike transit and mobility
where the District is way ahead, the District
is sort of in the middle of the pack here. So
and the projected increases in energy
emissions are projected increase 35 percent by
2030. And buildings account, as is true in
many cities, for 75 percent of the greenhouse
gas emissions in the District.

The good news and it may delight
the Commission to know is that the District
has 202 sunny days a year and 66 percent of
all daylight hours are sunny hours. So that
means -- that translates for buildings into
having solar potential, both for solar hot
water and for affordable take -- energy to
generate electricity.

Next. So mostly this is perceived
green buildings and energy efficiency is
perceived as a Building Code issue and there
are initiatives going on elsewhere in the
District in that regard, but there are some
zoning issues and inadvertent barriers that
come up.

And so broadly we identified these
four categories of topics to address: One is
remove impediments to green building, in
general. Second is remove unintended zoning
barriers to energy efficiency and that, Travis
will talk about that, but that can be
projections outside the building that enhance
daylighting and other features.

Requiring looking for those
opportunities in zoning to require buildings
to have higher energy efficiencies. Again,
Travis will talk about that. And then
finally, permitting renewable and green technologies in systems which tend to be external to buildings and sometimes run afoul of yard set-backs, height set-backs and so on.

So I think with that said, I'll hand it back to Travis.

MR. PARKER: Thank you, Doug. So the first recommendation under this has to do with Increasing Energy Efficiency naturally. We spent a lot of time talking about this in the working group and with the consultants. And one thing that LEED doesn't do right now is have strong prerequisites or strong requirements for energy efficiency.

It's a really good comprehensive system to look at the whole building, but when we are talking about meeting particular energy efficiency targets, LEED isn't there yet. And our recommendation was to require energy efficiency in buildings that go above matter-of-right density, so PUD-sized developments.

And as we are talking about those
developments, we're going to have to start thinking as we move through the zoning review process of what are the next generation of amenities? Over the past decade, it has been, you know, some affordable housing and some green targets.

Well, now, we have got the Green Building Act and we have got IZ. So what -- where are we going to go for future amenities with PUDs? And this is an area, I think, that we are going to need to examine further in the PUD group is increased energy efficiency targets for these projects.

And our suggestion coming out of the working group was that we go with Architecture 2030, which is a progressive standard that requires buildings starting next year to be 60 percent more efficient than the area average, than the regional average. And that standard bumps up every five years, to that by 2030, buildings are being produced carbon neutral.
What we are going to -- our recommendation now is that we should have a standard like this for energy efficiency in D.C. for PUD-style developments, but we have gotten recent indication that LEED may be bumping up its standards and may be coming as progressive or more than these standards and may have energy efficiency prerequisites and requirements as part of the LEED Program.

So we will be monitoring that over the next few months. And assuming your acceptance of this recommendation, we will come back to you with the more progressive of the two and this may become moot as LEED progresses.

A second recommendation has to do with energy efficiency. This is another of the issues that Harriet is talking about that we're working closely with DDOE and other agencies. Our recommendation here is that the city has a lack of regulation for outdoor lighting.
And there is a lot of efficiency, energy efficiency, lost in, you know, shooting lights upwards, rather than downward and in the types of bulbs that are used. And this is a gap in our current regulation structure. The City Council has recognized the same gap and has asked DDOE to look into standards for model lighting.

We are going to, certainly, follow along with their process and work with them and we will defer to their findings on where the appropriate place for this recommendation is. If they determine that the appropriate place is zoning, we will come back to you with zoning text for this. If they determine it is somewhere else, we will come back and we will tell you that.

Our sixth recommendation has to do with set-back requirements. You see on the screen Sidwell Friends and the National Realtor's Building, a couple buildings in D.C. that were built with light shelves and the
graphic on the bottom center shows how a light shelf works. Although, it's kind of hard to see it, it is basically a series of mirrors that project light further into the interior of the building and reduce the need for interior lighting somewhat.

There are also other sustainable features that are often on the side of the buildings, photovoltaic panels being one. This recommendation is to make sure that these things are explicitly allowed in our side yards.

Right now, we have a list of things in our -- that are allowed to project into the side yards, things like air conditioning units that come out of the buildings, but our list doesn't include sustainability features. So we want to make sure that these sort of things are explicitly called out as exceptions to -- allowed in yards.

And certainly, we want to refer the same recommendation to Public Space, so that
they can consider these sort of things in public space as well.

In talking about energy generation, this is an issue that we certainly need to address. It's not addressed in the Zoning Code right now, so there -- while it may not be prohibited, it's certainly a question how it is or should be treated.

Our recommendation here is to make sure that wind and solar power generation are permitted as accessory to any particular building. So if you want to put a solar panel or a small wind on your house, you can do that. And certainly, we need to be mindful of things like Historic Districts and national monument areas.

And as a colloquy to this talking about primary wind, we need to address where in our city wind as a primary use, so when you are generating power for the sake of power generation rather than just for a particular use, where do we allow that in the city? And
our recommendation is that we have industrial land and high density land where this may be appropriate.

Our eighth recommendation, when you talk about solar generation, the logic next step is talking about protection of access for that solar generation. There is quite an investment that goes into solar panels and we need to be mindful of what the rules are for when those solar panels are protected, but also when development rights are protected.

And this is basically a recommendation to codify the existing practice, so that anyone would continue to be able to build a building to their existing matter-of-right standards. Height above that, whether through a height variance or a PUD, would be subject to the same test it is now for light and air. We would just specifically need to call out that solar panels need to be taken into consideration for additional density.
We have done some studies about where there are Districts, high density districts that abut low density districts and it's actually a lot more rare than we would have thought. There are only two instances in the city actually where 90 foot zones, greater than 90 foot zones about directly low or moderate density residential and one of those is historic anyway.

So this is not necessarily going to be a huge conflict, but we want to certainly codify our understanding of it.

And the final recommendation under this section is District Energy. This is another example of a technology that exists, but isn't defined or addressed in our code. And we want to make sure that we identify these things and we define and address how and where they are permitted.

District energy is basically when multiple buildings share heating and cooling or other components, so that you have a single
HVAC system for a large group of buildings. And it basically increases the efficiency of those systems to do it on a larger scale.

And we have examples in the -- in current -- in the current District. There is a Congressional District Energy System for Congressional Office Buildings and there are a couple other examples in the city, but we wanted to make sure that this use is defined and expressly permitted whereas now, it's just not addressed.

Those are our recommendations for energy generation and I make us all available for questions on these recommendations.

CHAIRMAN HOOD: Okay. Who would like to start us off this time? Commissioner Keating?

COMMISSIONER KEATING: Yeah, I just had a quick question around the wind energy idea. Do we have any wind right now in the District? I know there is something in front of the -- in front of --
MR. SHANE: Very limited. Sort of demonstration scale on a few buildings. I think they showed the Botanic Gardens in the picture there. There -- in general, we have low wind potential here.

COMMISSIONER KEATING: Okay.

MR. SHANE: But we do have, particularly, at areas along the Potomac and the Anacostia, those are our higher wind potential corridors. So there are some areas, including some, you know, high growth areas in south -- near southeast and southwest that have potential for wind.

And some of the -- we have Renewable Incentive Programs for instance, in the -- at the Department of the Environment now that have focused previously only on photovoltaic solar, but -- and they are expanding those to explicitly include wind where it can be shown to be viable.

COMMISSIONER KEATING: I guess the same question with the geothermal. Is there a
pocket that extends beneath the entire District that is accessible?

MR. SHANE: Well, geothermal is very much accessible almost throughout the District. I mean, we don't -- there is probably areas where you hit bedrock quickly and it becomes very expensive to do geothermal, but otherwise we have a lot of areas where we have -- I don't know exact numbers.

And we actually are trying to figure that out, but we understand, I think, there to be 60 or more geothermal systems in place already. And we have -- many of those are residential scale. There is residential systems being added all the time.

And in addition to that, there are some -- there are a number of proposals for large scale commercial geothermal.

COMMISSIONER MAY: The National Park Service has some geothermal facilities. Our food service kiosks on The Mall and the
new -- the Visitor Contact Station associated with the new Martin Luther King Memorial will be geothermal.

CHAIRMAN HOOD: Okay. Commissioner Turnbull?

COMMISSIONER TURNBULL: Thanks, Mr. Chair. Mr. Parker, I was just thinking on your B8, the Solar Access Protection.

MR. PARKER: Um-hum.

COMMISSIONER TURNBULL: One of the places where I see this coming up or could come up a lot is on BZA cases. And having sat on enough variances and special exceptions with neighbors complaining about light and air, I could see that -- how far you could -- somebody wants to build on and says well, no, you are blocking my solar panels.

So I could see a lot of small case things coming up like that.

MR. PARKER: That's a fair point.

Although, I should clarify that when we talk protection of solar access, we are talking
rooftop..

COMMISSIONER TURNBULL: Right.

MR. PARKER: And so an addition on the back of the house isn't going to block your neighbor's roof. It's only if your neighbor is trying to go up.

COMMISSIONER TURNBULL: Well --

MR. PARKER: And it does happen.

COMMISSIONER TURNBULL: It does, yeah.

MR. PARKER: But --

COMMISSIONER TURNBULL: So I mean, I guess that will be one of the fine points on how you write this thing.

MR. PARKER: Right.

COMMISSIONER TURNBULL: We have had any number of -- sat on enough BZA cases where some architects have been -- some of the architects who have been designing these do light and shadow studies. So it makes it very clear what the impact is. Some don't, so it's hard to tell.
You can sort of guess. You can sort of figure it out.

MR. PARKER: Right.

COMMISSIONER TURNBULL: But I could just see a lot of BZA time spent on these things.

MR. PARKER: Well, at the very least, I mean, right now we have protection of light and air, which is a very nebulous standard.

COMMISSIONER TURNBULL: Right.

MR. PARKER: At least we are adding a little definition to the standard.

COMMISSIONER TURNBULL: Yeah.

Okay. Thank you.

CHAIRMAN HOOD: Commissioner May?

COMMISSIONER MAY: Can we start the clock? Thank you.

CHAIRMAN HOOD: I'm sure you won't use all your time.

COMMISSIONER MAY: No, no, never.

Tell me exactly what it means to be carbon
neutral, someone?

MR. PARKER: You produce as much energy as you use.

COMMISSIONER MAY: So by 2030, buildings are going to be producing as much by solar or wind or geothermal as they use? This is not something where they -- you can go and just buy windmill generated power and become--

MR. PARKER: Correct.

COMMISSIONER MAY: Okay. That's a pretty aggressive standard. You mentioned windmills that you want to be sensitive to Historic Districts and things like that. I think you need to be more sensitive than that. I think there is a certain aesthetic consideration that needs to enter into the equation on wind generation that, you know, if we only think in terms of Historic Districts or areas that may be, you know, of federal concern or monumental areas, things like that, I don't think -- I think you are just sort of writing off significant portions of the
community that need to have some of those same aesthetic protections.

I mean, we see it now with the fact that, you know, there is some level of policing Dish TV type things in Historic Districts. And there is virtually none anywhere else, even though they are not allowed on the front of the building anywhere.

And so, you know, we don't want to create that kind of a situation with things that are potentially unattractive being unevenly enforced.

I also think that the -- I have an issue with the diagram in the report. I lost the page. Oh, this one on page 24.

MR. PARKER: Oh, the diagnosis?

COMMISSIONER MAY: Well, the picture of a building with windmills at the top within the rooftop structure envelope and then a lower building that has very tall windmills that use that same envelope, because I think that's a very different image. I
mean, it may be perfectly appropriate in certain Districts.

MR. PARKER: Okay.

COMMISSIONER MAY: But this as a rule in the District, I think, is a non-starter, but that's just my own sensitivity about it.

MR. PARKER: Okay.

COMMISSIONER MAY: The protection of solar, I would just echo Commissioner Turnbull's concern, because I can imagine at the -- you know, the prospect of a big PUD going up next to your property, somebody might install a little bit of solar to stop it. And I don't know if that -- if we want things like that to happen or not, but I think that there is a risk of unintended consequences if we try to codify something in that fashion.

Another item I would mention is that in the discussion of District energy, there was a -- in your report, it says that it is questionable in this area using District
energy for heat, but less so for cooling. That wasn't mentioned in your report at all. I'm wondering whether you -- I mean, is this going to be written in such a way that it is it doesn't really matter whether it is heat or cooling?

MR. FARR: Our intention was not to distinguish.

COMMISSIONER MAY: Yeah, okay. I just -- having been responsible for District energy plants for the District before I know that there are some benefits to them, but they are also long-term maintenance obligations and if there is not that commitment to maintain it, you wind up creating serious problems.

And the District is still facing some of those serious problems right now in D.C. Village, St. Elizabeth's and possibly other places, so it's just a word of caution about District energy.

I'm curious about the statement that there was low wind potential, because I
have noted on the report that it was a Type III, Class III wind rating for the District. What does that mean? What does Class III mean?

MR. FARR: Commissioner, Class III is the sort of lowest end of what is starting to be considered commercially viable. Class IV is more mainstream considered commercially viable, but you have the additional factor of the diversity of building profile and landscape profile within the city that really limits or makes uncertain the consistent wind velocity and direction.

So it's -- I hold to the idea that it is marginal and I think the open spaces along the river is likely to be the most consistent wind asset you have.

COMMISSIONER MAY: So it may be that we want to actually consider taking -- well, taking wind generation or power generation potential into consideration.

MR. FARR: In some way.
COMMISSIONER MAY: I don't know. Again, I'm just -- maybe I'm worried about nothing, but I'm worried about the potential that a lot of these things might be springing up in places that we find unattractive in some way and they really are of marginal benefit.

I'm all for the idea of trying to do it and trying to do as much as you can, as I am with solar and many of the other measures, it's just, you know, why open the door if it's of marginal value?

MR. FARR: To add one sentence --

COMMISSIONER MAY: Sure.

MR. FARR: -- I think citizens across the country are interested in doing it even when the facts don't necessarily support it as a terribly viable thing. So I -- the argument I would say is that people will want to do it. So providing guidance on when and how they can do it well, would be an argument in favor of including it.

COMMISSIONER MAY: Um-hum.
MR. FARR: Even if it's not perceived to be economic.

COMMISSIONER MAY: Okay. Fair enough.

MS. TREGONING: And just to respond to the Commissioner's question about LEED buildings and how they fall out. The first 40 that have been certified in the city, one was platinum, 21 were gold, 19 were silver. And we will come back with more information about that, but that's the first 40. That's the benefit of this being televised, I got that.

CHAIRMAN HOOD: Do -- can you share with us that one that was platinum?

MS. TREGONING: It's --

MR. PARKER: That must be Sidwell.

MS. TREGONING: -- Sidwell Friends School.

CHAIRMAN HOOD: Okay. Thank you so much. Okay. Any other questions? All right. Mr. Parker, you can continue.

MR. PARKER: All right. Portion 3
has to do with Water Conservation and Sensitive Resource Protection. And for this one, we're going to -- the major issues here are on the board. For this one, we're going to start with Don Elliott from Clarion Consultants in Denver.

MR. ELLIOTT: Thank you, Commissioners. Thank you staff and citizens.

The third major issue is what we call Water and Sensitive lands. We have grouped together a number of diverse topics that were covered in our diagnosis just for the sake of trying to cover them fairly quickly and organized a discussion.

Water is of no surprise to anybody in terms of its importance to urban living. This is an area where my thumbnail summary is. This is an area where the desire is there, but the framework to implement it is weak in D.C. And there are clear opportunities to improve.

Basically, Washington gets 90
percent of its water from the Potomac, but it is supplemented by aquifers and local sources where, basically, you need to use and capture that water well. And it is variable. As little as 2 years ago, you had a month where you had 50 percent of what you expected to have during one of those key months.

Go ahead, Travis. Your plan does address this. You have at least three -- you have three Comprehensive Plan policies, one addressing landscaping, but, of course, landscaping also uses water. You have got one for moating water conservation and another one talking about the water issue. So it's something that is on the radar screen as far as the Comp Plan is concerned.

Go ahead. The COG or DC COG has thought about and has addressed in terms of policy or excuse me programs, it has Water-Wise and created a water supply in Drought Awareness and Response Plan. So the issue of variable water and its importance is -- has
come to the attention and been addressed by
the Council of Governments, but you have no
regulations.

You do not have regulations in the
zoning dealing with this. And I think there
is a misconception in many circles that isn't
this a Building Code issue? Kind of like
energy. Isn't this just a matter of getting
the plumbing right in the building? And the
answer is well, a lot of it is in Building
Code, but there are also zoning issues.

In many parts of the country, water
use outside buildings exceeds water use inside
buildings. What you save by low efficiency or
high efficiency water inside the building, you
just wasted by pouring it on the ground
outside the building or more.

So there are serious water
consumption issues that do not occur through
the Building Code that do occur through the
zoning type issues.

Let's go on. Second, grouping of
issues, talk here is tree cover. This is something sensitive. You know, 10 years ago, we probably didn't talk about this as an environmental resource. We talked about trees as pretty. We talked about them as green. We talked about them as hiding parking lots and bad buildings, but we didn't talk about them as an environmental resource and we now do, because preserving the old ones and planting new trees can increase sequestration of CO2, cleaning air emissions.

And a mature tree, the difference between how much CO2 is absorbed by a mature tree and a newly planted tree is huge. So we have come to a new appreciation of the need to preserve old trees, not just say well, take them down and put up some new ones.

Also shading reduces the heat island effects, it reduces the need for energy consumption for air conditioning. Once again, this is an area where it is well-addressed in your Comp Plan. The Comp Plan says we are
aware of this, we should do something about it.

You have a Street Tree Planning and Maintenance policy, you have tree requirements in new development and you have building green and healthy communities, some principles in the guiding -- in the framework.

Go ahead. You also have some programs and some things, you know, your Casey Tree inventory is a model for this part of the country and it is cited in other parts of the country documenting what your street trees are and perhaps more importantly where you have the opportunity of planting additional trees, 25,000 additional tree planting spaces. But you don't have incentives to enhance or replace tree cover that you have now.

Go ahead. You do have regulations.

And I guess my thumbnail sketch here is this area has been addressed in regulations, but one key aspect has not. You have an Urban Forest Preservation Program, you have tree
removal limitations and there are penalties on these things on damaging trees on both public and private property.

There are public notification requirements for removal and replacement of trees on public property. We, of course, have air quality regulations. And you have Zoning Regulations related to the landscaping of parking lots, which used to require -- they still require 5 percent of the area to be landscaped, but you are moving that up to 10-- the recommendation is to move it to 10 percent of the land area, 30 percent tree canopy.

So in terms of parking lot damage to existing trees, replacement of trees on public property, you have got regulations in place. What you don't have is regulations to encourage the preservation and the replacement of tree canopy, in general, throughout the District to increase tree cover.

In many cities, you know, including Delhi, India have adopted very aggressive
benchmarks to try to increase and maintain the tree cover. So this is another major area of this that I wanted to address.

Finally, kind of just sensitive lands in general, we have grouped them under the issue of slopes, streams and storm water. Of course, managing runoff and erosion helps protect water quality and tree cover. You have a lot of Comp Plan policies. I only cited 6 of them here and I won't read them, but you have 18.

You have 18 Comprehensive Plan policies that address slopes, streams and storm water. Clearly, this has been on people's minds.

Go ahead. You have some incentives. You have DDOE's Low Impact Development Program. You have their Low Impact Water Program. You have The Anacostia Waterfront Initiative, in terms of programs.

Go ahead. And you have quite a few regulations in place dealing with this. You
have an Overlay District for Tree and Slope Preservation. You have a Waterfront District, floodplains, of course, runoff reduction regulation. So you have addressed a number of these things. What you have not addressed in the regulations, Zoning Regulations is buffers for steep slopes in general.

You have a mapped overlay area, but you have many street slopes in the District not included in that area and you don't have -- so you don't have buffers to keep development away from those steep slopes to reduce erosion.

You also don't have floodplain regulations that keep vulnerable populations out of floodplains and also potential polluters in floodplains. So there are some weaknesses both in terms of steep slopes and in floodplains.

MR. PARKER: Thank you, Don. So we have got 9 recommendations here under Water and Sensitive Resources that culminate in No.
18, which is sort of going to tie them all together. But the first recommendation here is similar to our earlier recommendation for side yards for energy efficiency.

We are talking about making sure that structures for water conservation are permitted in the side and rear yards. In most cases, these might not be defined as structures, but we want to make sure we explicitly allow things like cisterns and rain barrels in the side yards.

A second recommendation, you heard Don talk about our lack of buffering for a lot of environmental reasons. We talked a lot in the group about the protection of sleep slopes, protection of stream beds and the protection of wetlands. And there are some existing regulations on the books in terms of the Tree and Slope Overlay.

DDOE certainly deals with wetlands in a lot of ways, but the recommendation here is to coordinate the mapping of these
sensitive resources and put some buffer limitations on development in and around these resources.

Thirdly, we dealt with floodplains. We have been talking about the floodplain issue for quite some time. We actually had a working group early in our zoning review process that looked specifically at floodplains. And instead of going on with that issue to the Zoning Commission specifically, we moved forward and passed that through the sustainability group.

DDOE also does the -- most of the regulation within floodplain and we are certainly going to work with them on anything here. But a recommendation here has to do with use limitations in the floodplain that don't necessarily exist now.

And two areas in particular, prohibiting uses that are potential contaminates in the terms of a flood event, things that work with chemicals and the like.
And also, prohibiting uses that have vulnerable populations. So things with children or the elderly that might be in danger in terms of a flood event.

Recommendation 13 has to do with Tree Cover Protection. You heard Don talk a lot about the benefit of trees and we do have a lot of existing attempts at tree protection. We have the Urban Forestry Act which is a universal standard across the city that protects trees, large trees above 55 inches in circumference. And we also have the Tree and Slope Protection Overlay that protects certain residential areas of the city, but certainly not the majority of the residential in the city.

So our recommendation here is to take, you know, the tree protection ideas from the Tree and Slope Overlay and apply those more broadly to residential areas across the city. Specifically and most appropriately, in single family areas, we propose a trigger of a
25 inch circumference above which trees that are removed would have to be replaced in kind, either on or off the lot.

And then a higher standard of 75 inches would actually require special exception for removal. And then those limitations are broadly taken from the Tree and Slope Overlay.

I want to pause here and allow John Thomas from DDOT's Urban Forestry to address this issue a little bit and it's benefits to our tree protection goals.

MR. THOMAS: Hello. Yeah, the -- currently, we are at -- the District's canopy cover is at 34.8 percent. And the Mayor recently announced with DDOE's Director and our Director to achieve the goal of 40 percent by 2035.

The current bill that we have now, the Tree Bill, really acts in a single instance. It kind of protects a single tree at a particular moment in time. Areas where
we have the Tree and Slope Overlay, you know, it's taking a look at the larger picture. It's providing wildlife habitat. It's allowing the buffer for storm water and watershed protections to stay.

In many of those areas, when you get to that level of protection, you are protecting native species and other things, so it's really a much more effective tool than protecting a singular tree. But both together in concert will create a very effective program.

Two things to note with trees in I think some of the slides up there, a large portion of the District is a combined sewer overflow area or combined sewer system. So we have multiple overflows. And the only thing we are going to be able to do is, if you can see the slide, try to reduce some of that impervious space and try to expand some of the potential vegetation areas for tree canopy to help reduce some of those overflows, which,
you know, we get fined for and EPA monitors.

And the opposite of that is then we have this forest area where we have to get permits through DDOE and EPA. You know, we need to be -- these Tree and Slope Overlays and greater protections will really help us when we go to the table to keep those MS-4 permits going.

The next slide shows that the vast majority of the area in the District that needs protection is private and federal. D.C. in the middle there has a very small area of D.C.-owned properties. So those areas that we already are either managing schools and things in that place, but we really need to enhance our protections on the private space.

As far as the federal, we don't really have any role or jurisdiction there, but we'll certainly try to look to have partnerships. And then to the right you can see that expanding that cover is going to help us protect several of our waterways and
overflows which will really help with our rivers and reduce a lot of the pollutants that get into our waterways.

Currently, we have about 128,000 street trees in the system and we are working on inventorying all the park areas that D.C. owns, so we don't have an accurate inventory there, but it is certainly -- urban forestry would be great to combine some of these other protections that are citywide with the Tree Bill and with proper oversight, I think, we can, you know, really help in these areas.

MR. PARKER: Thank you. If it's all right with you, I think we are willing to break here.

CHAIRMAN HOOD: Can we get the break?

MR. PARKER: Yep.

CHAIRMAN HOOD: I want to thank Mr. Parker as always, what we do, and I want to thank him for making sure that we continue to do our normal practice. When we have a young
person in the audience and tomorrow being a school day, we would give the young person's mother or sister, whoever it is, an opportunity to come up and give us -- provide testimony.

And if the young person wants to come up and provide testimony, he can also do that, too. So if everyone would just indulge us, we will go ahead and do that, at this time. And thank you, Mr. Parker, for reminding us of our process and what we normally do.

MR. PARKER: Yes.

CHAIRMAN HOOD: If you can hand it, your testimony, to the young lady to the left? And you can take a seat at the table and they will show you how to turn the microphone on. I'm going to have to let Chairman Gray know that we have young people that come down here, too.

MR. PARKER: But we don't have to be here on Saturday to do that.
CHAIRMAN HOOD: Is your mike on?

MS. LITTLETON: Yeah.

CHAIRMAN HOOD: Okay. Introduce yourself and let's start with -- introduce yourself and let us know what school you go to, if it's already in here, if not let us know that and then you can start your testimony.

MS. LITTLETON: Okay. My name is Ally Littleton and I'm a 5th grader at Oyster Adams Bilingual School. I recently won an essay contest for 10 year-olds sponsored by the Marriott Corporation. The topic was Greener is Cleaner.

My essay was about how it would be good for the environment to change Zoning Laws so that people could rent out apartments or rooms in their houses. So I would like to say that my essay supports the Office of Planning's Recommendation No. 2 to allow accessory dwelling units for single-family homes as a matter-of-right here in D.C. A
trend that seems to be taking hold in cities
across the country.

House-sharing for greener living.

I recently moved into a new house. In my old
house, we rented out our basement to a young
couple. The law says that we can't rent our--
an apartment in our new house without a
special exception, even though it is much
bigger than our old house.

The same law affects many houses
and people around the country. My ideas have
the Government change the law that says there
can't be more than one family living in a
house at one time. Houses are getting bigger
and families are getting smaller. This
combination is not green.

In 1940, the average number of
people living in each house was 3.7. Now, the
average number is 2.6. People now have an
average of 900 square feet of living space per
person. But in 1950, people had an average of
290 square feet per person.
There is definitely enough room to fit two families in many of today's homes. If two families lived in one home, the use of heat and air conditioning wouldn't be much more than if one family were living in the home.

Each year in the United States the population is increasing by, approximately, 2.67 million people and about 1 million new houses are being built. Building a new house generates about 50 tons of carbon dioxide, which causes global warming.

After a new home is built, it will emit, approximately, 450 tons of carbon over time while people live in it. So the total carbon produced by a home is about 500 tons.

Remodeling a home to add an apartment generates about 15 tons of carbon. Assuming two families use 25 percent more energy than one family in a home, the additional carbon produced by a second family is 112.5 tons over time. That plus the 15
tons of carbon generated by remodeling to add the apartment equals 127.5 tons over the lifetime of the two-family home.

That means that carbon savings over time from sharing a house instead of building a new house would be 372.5 tons of carbon. There will also be savings, because more people could live closer to their jobs and public transportation instead of living in the far out suburbs where there is land to build new homes.

If the laws change and 100 -- 1 percent of the households in the top 10 metro areas rent out apartments, 305,000 new homes won't be built saving 113,610,940 tons of carbon. That's like taking 19 million cars off the road for a year. Probably even more than 1 percent would do it if the law allowed it.

Global warming hurts our planet. People want to help and would gladly rent out apartments in their homes. They would even
make money which would help in this economy. All we need is to convince our political leaders to change the law, so we can do more to save Earth. Thank you.

CHAIRMAN HOOD: That was very well done and I'm going to applaud you.

(Applause)

CHAIRMAN HOOD: So you say you won an essay contest? Was it a science project? See it's over my head. I'm going to have to read this again, so I can understand it. But this was very well done. And if you don't mind, we may have some questions.

MS. LITTLETON: Okay.

CHAIRMAN HOOD: Do you mind answering a few questions?

MS. LITTLETON: Okay.

CHAIRMAN HOOD: Colleagues, any questions? Okay. We don't have any. But thank you so much for joining us tonight and keep up the good work. Okay.

MS. LITTLETON: Thank you.
CHAIRMAN HOOD: Tell your principal that we said you did a great job.

MS. LITTLETON: Thank you.

CHAIRMAN HOOD: Thank you.

MR. PARKER: I couldn't and, in fact, didn't say it better myself. Just five more recommendations under --

CHAIRMAN HOOD: I think we can go home now.

MR. PARKER: Five more recommendations and these will all also, as I remind you, be tied together in Recommendation No. 18. But Recommendation No. 14 has to do with Green Roofs. One thing that we don't want to do is limit the potential to build green roofs in our city and a lot of buildings build right up to their zoning height under the current rules.

We under -- under our existing Zoning Regulations, we allow a 4 foot exemption above the zoning height for parapets. And our recommendation here is

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
(202) 234-4433
WASHINGTON, D.C. 20005-3701
www.nealrgross.com
simply to allow that same 4 feet to be used for green roofs. So you can just build the green roof within the parapet allowance. Green roofs are generally between 6 inches and 3 feet, so this should be more than enough to allow for green roofs to be built above the zoning height without any impact on, visual or otherwise, the height.

Recommendation 15 has to do with Water Conserving Landscaping. Right now, our Zoning Code doesn't deal with this issue at all. This is an especially important issue when we talk about water conservation and certain varieties of plants either hog a lot of water or change the ecology of an area and this recommendation would identify using DDOE reference plants that are native or that are low water consuming.

There are a couple of things that we can do with this identified list. The first is for large projects, commercial scale projects, landscaping could be limited to this
list, but for the larger part of the city, we get at this through incentives. And we would certainly do that through the site design requirements that I'm going to talk about under our GAR recommendation.

Recommendation 16 has to do with parking lots. You will recall under our parking discussion last year, we recommended and you have given us positive guidance on changing the landscaping requirements from 5 percent to 10 percent and having a 30 percent tree canopy coverage in parking lots.

This recommendation would take that 10 percent landscape requirement a little bit further and put some standards for how that would have to be distributed in a parking lot and how it would have to be laid out to encourage the reduction and the filtering of runoff.

And certainly, we would want to encourage pervious pavement as well in parking lots. And I'm going to talk a little bit more
about that on the next slide.

In terms of pervious pavement, we right now don't get at this issue much in our existing regulations. The Tree and Slope Overlay certainly puts a limit of 50 percent on impervious surface. We don't deal with this much else in the code. And even there, you could still pave your lot 100 percent with impervious pavers or impervious pavement.

So we want to get at this issue also through site design requirements in terms of the GAR. And all of these things you'll notice green roofs, pervious surface, native water, conserving landscaping, tree planning, the way that these issues are dealt with in most codes are piecemeal.

There is individual recommendations and individual requirements for pieces of this in certain projects in different codes, but there is increasing amount of work done on a system that would allow this to be addressed comprehensively through a set of flexible
design requirements that is being called the Green Area Ratio and would be consistent with our site design goals throughout this issue area.

The Green Area Ratio is similar. It's calculated similar to Floor Area Ratio. It is a system that calculates as the numerator site design elements that encourage air quality and water quality and runoff reduction, things like green roof, vegetative walls, pervious paving and the like.

These things are all given a value and that value becomes the top -- the numerator of the equation. The lot area, just like FAR, becomes the denominator of the equation. And by providing -- you know, choosing from among the possible site design alternatives for your site, you can meet a target score under GAR.

So our recommendation is to adopt a point threshold system like this to set requirements for our green site design. It
would help us meet these goals of storm water
runoff, air quality, urban heat island
mitigation and do it in a way that is flexible
and integrated.

   It would involve, you know, setting
some performance rankings that would vary by
zone and by building type, so you would have
to meet a higher score for a single-family lot
where you have more green space to work with
than you would for a row house, for example.

   In terms of applicability, right
now, the city is going -- is making great
strides and DDOE, in specific, is dealing with
some of these issues on larger buildings. We
have got the Green Building Act which
addresses buildings of over 50,000 square feet
and we have got new Storm Water Regulations
that deal with buildings over 5,000 square
feet or disturbances of over 5,000 square
feet.

   But as comprehensive and as great
as those are, those address less than 20
percent of the buildings in the District. 80 percent of the buildings in the District are single-family homes or flats or small scale commercial buildings. In fact, the number is actually much more than 80 percent of the buildings fall into those categories.

So this is a system that would tackle that other 80 or 85 percent of buildings in the city and would help us meet our policy goals for the remaining majority of the city in terms of the -- in terms of encouraging the types of things on the right hand side of the screen here.

This is a system that -- so that builds on DDOE's storm water requirements and urban forestry by applying these concepts to a broader swath of the city. It would be a flexible system consistent across the board, have a higher environmental value for new development in the city and again, it provides targets based on the relative level of the urbanism. So it's applied differently, based
on the density and the type of building, in particular areas of the city.

This is something that originated in Europe, in Germany and has since been adopted in Seattle. Seattle has -- calls theirs the Green Factor. And they have a system that is basically what I have described to you that raises the bar for landscape area and awards credit to certain types of futures that Seattle wants to encourage.

And they have -- actually, they like their system so much they have recently expanded it.

The next slide shows, basically, now they rate different things. And conserve as a basis for how we could start to rate things where on the far right, green walls and green roofs get the highest value and trees and other natural landscaping in the middle towards the smaller end is turf grass and other simple landscaping with asphalt and hard surfaces getting no credit.
And we have been working closely throughout our process with Melissa Keeley at the University of Maryland. There is a lot of local work going on on this process in terms of trying to rate the environmental benefits of particular site design characteristics. And we have got a lot of information from her that -- some of which is included in this report, some of which we will continue to work with her to refine.

And if this sort of concept and idea is to your liking, we will continue to pursue it and bring back a much more detailed analysis of how it would work and how these ratings would take place in D.C. That's it for this issue area and we're available for questions.

CHAIRMAN HOOD: Thank you, Mr. Parker. Let me just ask this question. The gentleman all the way to the right, I'm sorry, what is your name and what agency?

MR. THOMAS: John Thomas. I'm the
Associate Director for Urban Forestry at DDOT.

CHAIRMAN HOOD: Urban Forestry.

Okay. Let me ask this, Mr. Parker. This excellent PowerPoint presentation, are we going to get copies of that?

MR. PARKER: Of course, if you don't already have them, yeah, I will get you a copy.

CHAIRMAN HOOD: Do we already have?

MR. PARKER: It's my own fault. I'll get it to you first thing in the morning.

CHAIRMAN HOOD: Oh, okay. Well, you don't have to rush to get it to me first thing in the morning. I wanted to ask a question of Mr. Elliott and then I'll go to my colleagues.

You mentioned about something very interesting. Well, let me go back to Mr. Parker. Mr. Parker, are we also -- is WASA also in this discussion? Are they at the table also?

MR. PARKER: Very much so. WASA is
working on or has recently implemented a fee for -- a fee based on impervious surfaces that is going towards the new combined sewer changes. And they are going to be working with DOE and with us and with others on definitions for what makes a pervious surface, what makes an imperious surface. And so they will certainly be involved in all those discussions.

CHAIRMAN HOOD: Thank you.

MR. SHANE: I could just expand on that, if I can? I was actually in a 2 hour meeting with WASA folks today, DDOE and WASA, talking about how -- this impervious area charges and the new fees and other incentives and programs to promote these same types of practices are being coordinated between our two agencies.

In addition to the fee structures that we have changed, there has recently been legislation from the Council mandating updates to the storm water and improving storm water
management and we are working. I think Travis mentioned the rewrite of the citywide storm water regulations are in progress now.

CHAIRMAN HOOD: Okay. Mr. Elliott, you mentioned that we are conserving water on the inside and we are just not doing anything as far as zoning is concerned on the outside. Could you help me kind of understand that? Can you elaborate just a little more on that for me? Because I -- that was a very interesting comment you made. You mentioned about conservation on the inside and what we are doing outside?

MR. ELLIOTT: Well, I was just analogizing to the situation with energy. People tend to think that how much energy you use in your house is really a matter of the Building Code. If you want to make houses more efficient, make them -- just make them live to a higher standard when they build the house.

And I was pointing out that some
people think that's true for water and that if we just mandate low flush toilets and we mandate low water use shower heads, that would solve it. And it's one of the interesting facts out there that, again, I don't know the figures for D.C., but in many parts of the country, if you parse out, where is the water being used? Inside the house or outside the house? It's higher outside the house.

And there are communities in California that have drought problems which have physically banned the installation of facets on the outside of the house, because they know that's where the water is going to go.

And so, basically, I'm not sure -- I would say there was nothing being done outside the house. I was trying to point out that zoning has a real role to play in conserving, because a lot of the water we use is really poured on the ground.

CHAIRMAN HOOD: Okay. Okay. All
right. Commissioner Keating? Thank you.

COMMISSIONER KEATING: How quickly could we have these -- this GAR standard put together?

MR. PARKER: Well, we will bring it back to you with everything else. I mean, right now we are on schedule. Well, we are quickly falling behind schedule, but we're on track to have the working groups wrapped up early next year and we would like to get all these concepts we have talked about back to you by mid-next year in the form of text. So we will work out hearts out to get it back to you.

COMMISSIONER KEATING: Is that at the top of the list? I mean, we see more and more of these amenities coming through in these projects, a green roof or green something, and yet we don't really have a way of evaluating kind of what is that? Is it good? Is it bad? Is it just decorative and not really something that's making a
contribution and it would be great to have --
you know, I'm a numbers' guy, so it would be
great to have something to measure against.

MR. PARKER: Absolutely. And we
have got a lot. We have been looking at a lot
of numbers about the various values and we'll
certainly bring all that back to you.

COMMISSIONER MAY: Commissioner
Turnbull, do you have any questions?

COMMISSIONER TURNBULL: Not at this
point.

COMMISSIONER MAY: Okay. I have a
couple. Well, questions, comments. You know,
a lot of -- this is the area where I think it
seems like we are stepping in a couple of
different areas. Some of these things are
zoning and some of them are not zoning or not
traditionally zoning.

And so I think that, you know,
again, it's one of those areas where it would
be helpful to know what's happening on the
other side of the picture. It would be
helpful to know some -- I don't want to know--
I don't want a briefing on the whole Building
Code.

MR. PARKER: Okay.

COMMISSIONER MAY: But there are
areas where there are things that are
happening in the Building Code that are, you
know, in line with this, because I really --
you know, in some areas, it makes perfect
sense that we would be venturing into -- he
just showed me his own little timer, since we
don't have the 7 o'clock -- 7 minute thing
going.

The -- you can keep that going.
Okay. All right. Thanks. The -- now, I've
lost my place. The -- some of these things I
almost don't want to have sort of included.
For example, like rain barrels. I'm not
saying that we shouldn't be in there or
shouldn't be promoting them. I think we
should. I have one. I don't know if it's
legal from a zoning point of view or not.
But I can't imagine that it would be a problem from a zoning point of view. And do we -- you know, there may be some areas where we don't really need to go into it. And maybe what we have is sort of a disclaimer that, you know, these things are just not covered by zoning and they can be promoted through other means or something like that.

Just because I don't -- it shouldn't -- it may not -- we may not want to get it that complicated. We may want to when we decide that balance and we do, but I just throw that out there as a question.

The other overall comment I have about this particular section is that there are a number of areas where it seems like you are setting up systems and ideas that are going to require more management by someone. And potentially more zoning work by someone, whether it means more PUDs or more complicated PUDs or more analysis for the Office of Planning when there is a PUD.
I'm not saying that that should be a reason not to do it, not at all. It's just that we ought to go in sort of eyes wide open, because we don't want to come to the end of the process and then realize oh, my gosh, we have got to triple the size of the Office of Planning or the Office of Zoning or what have you and how are we going to handle this?

So it's just a thought, because I -- some of these things, I think, require a level of review and analysis. And as you probably know right now, the process by which one gets building permits is not as swift as many people would like it.

So and then the last question I have is -- well, I have two questions. Would the GAR actually provide -- apply only to new construction or would it apply to anything?

MR. PARKER: That's a great question. It's something we talked about at the end of the working group. It would certainly apply to new construction. There is
two ways that we can make a limit. We can either set a threshold, you know, 100 percent of the value or more it applies or we can do two things. We can have one standard for new construction and one standard for renovation.

So there's really two ways we can go about that. We don't have a preference yet.

COMMISSIONER MAY: Um-hum.

MR. PARKER: But we will certainly do more research on both of those.

COMMISSIONER MAY: Okay. Because I think the -- you know, some of this stuff is, you know, carrot and stick or carrot or stick and certainly when it comes to -- well, you may have greater leverage in new construction than you do --

MR. PARKER: Absolutely.

COMMISSIONER MAY: -- in renovations. So and then the last question is in Seattle where they have applied this, is it actually a component of zoning? Is it a -- is
MR. PARKER: It is in the Zoning Code.

COMMISSIONER MAY: And it's only zoning?

MR. PARKER: I believe so, yes.

COMMISSIONER MAY: Okay.

MR. PARKER: Or maybe not.

COMMISSIONER MAY: All right. Thanks. I had 3:05 left.

CHAIRMAN HOOD: No time shall be ceded. Okay. Everybody is finished asking questions? Okay. All right. Mr. Parker?

MR. PARKER: All right. We will carry on. There are just some short sections left. Our first section is -- has to do with Food Security and I'm going to turn it again to Don Elliott.

MR. ELLIOTT: This is a short section. The background in our diagnosis facts are summarized on the screen. These are some interesting statistics. The average food
item in the U.S. travels 1,400 miles before it
gets to your table.

In 2005, the U.S. became a net food
importer for the first time in its history.
60 percent, interestingly, of America's 10
million vegetable producers are located in
urban census tracts. It is not true that you
can't grow food in urban census tracts, a
large part of our food is grown in urban
census tracts.

In London, 14 percent of Londoner's
have gardens. They produce 18 percent of the
city's food supply. U.S. food prices are
expected to continue rising as cost and fuel
transport -- to transport them rises. Some of
you may remember the stories about the
tortilla riots in Mexico last year as we
divert crops into alternative energy, food
prices rise and as gas goes up, food prices
rise. And D.C. already has 37 community
gardens.

Go ahead, Travis. You have thought
about this in the Comp Plan. There is a capacity, a goal on capacity building for community gardens and garden club groups. There is a domestic gardening policy. You don't really have incentives. You have policy, but you don't have incentives. But there are national programs like Active Living By Design that, of course, D.C. residents have access to.

You have addressed this partially in Zoning Regulations. You do allow food production in some zones explicitly. And -- but there are opportunities to do more. There are many opportunities to expand, Farmer's Markets, community gardening and home gardening.

MR. PARKER: Thanks, Don. So we have three recommendations under the food security and based on that Comp Plan guidance and our work with the working group.

The first again is just a matter, not necessarily an issue, but just removing
potential barriers from the code and making
sure that we explicitly allow food production,
composting services, urban gardens in our
residential areas, so that it's not a question
of these things being permitted.

This would allow community gardens,
rooftop gardens, etcetera. And in tying this
back to the GAR, we would -- certainly could
encourage these by providing a higher value in
terms of your GAR rating for gardening or food
production as well.

Recommendation 20 is about
Individual Food Sales. Right now, food sales,
whether it is just seasonal sales of cucumbers
or what have you, are considered by the Zoning
Administrator to be commercial use and,
therefore, technically, although probably not
enforced, aren't allowed in a Residential
District.

This is certainly something that we
want to address and it certainly has a
temporary use or a seasonal use or a certain
number of times a year allow the sales of local food products.

And the final recommendation out of this group has to do with Farmer's Markets. Again, like temporary food sales, these are not currently an allowed use in Residential Zones. Nearly half of our existing Farmer's Markets are in Residential Zones or in or around Residential Zones, so we want to include in our regs a definition of Farmer's Markets with standards for them and where they are allowed.

Those are our three recommendations for food production. We can stop here or we've got two more recommendations. I'll just carry on with the last two categories.

Our fifth of six is Green Jobs. We have one recommendation here and I'm going to turn it to Don Elliott to talk about the background on green jobs.

MR. ELLIOTT: All right. Green jobs is something that sounds great to
everybody, but, frankly, not very many cities have taken the trouble to figure out what they mean by it. Well, D.C. has.

And I'm -- please, bear with me, because I'm going to read this. This is an unusual description of green jobs, but one I think is very appropriate for the District. And it influences why we are making the recommendation we are. But here is how D.C. has defined green jobs.

"Career track employment opportunities in emerging environmental industries as well as conventional business and trades created by a shift to more sustainable practices, materials and performance.

The definition includes both lower and higher skilled employment opportunities that minimize the carbon footprint of all necessary inputs directly resulting in the restoration of the environment, the generation of clean energy and improved energy
efficiency, the creation of high performing buildings and the conservation of natural resources."

What is different about this definition is that it doesn't kind of assume that green jobs are manufacturing jobs or processing jobs. D.C. is a Government center and office center in addition to a blue and green color working area. And this definition is very broad and it is appropriate, given the labor force and the economy you have.

However, it means that it is kind of hard to target the range of things that can be green jobs in Washington, D.C. ranges all the way from processing and production of solar panels to sitting in an office and working on administration or research or management of these industries.

So let's go on to the next slide, Travis. This is the one area that we studies where you really don't have a Comprehensive Plan policy. You have, of course, employment-
related policies, but there isn't one on trying to encourage jobs in what we hope will develop as a new green economy, a job generator.

You have programs and initiatives, the Green Color Job Initiative, the Sustainable Business Network of Washington. You have some Zoning Regulations. You have got a use definition that permits intermediate materials for cycling facility, clearly, a green activity.

And then because of this broad definition, many of your Zone Districts do allow businesses that you would fall into the category of green businesses. But you are missing provisions that allow flexible locations for start-up, small scale incubator businesses. And I'll let Travis take it from here.

MR. PARKER: All right. The issue here has to do with, again, location for small green businesses and small scale green job
production. This is not an issue for Industrial Zones. All of these types of uses are allowed in Industrial Zones. This is more an issue for Commercial Zones.

While a lot of it -- the office style and retail style businesses that are included in that definition are allowed in these zones, the start-up of a solar panel construction or bicycle repair are not necessarily allowed in our Commercial Zones. They would fit under the definition of, you know, PDR or industrial uses.

So the idea here is to ensure that, you know, in a small sought -- on a small scale in terms of, you know, start-up businesses, incubator-sized uses, that we allow those uses within our Commercial and Mixed-Use Zones, even where, you know, technically, because of what they are doing, they fall within that PDR category, but because of their size and their impacts, they should be allowed in Commercial Zones.
And our final recommendation category has to do with Large Area Development. And to wrap up our consultant presentation, I'm going to turn to Doug Farr.

MR. FARR: Thank you, Travis. The Comprehensive Plan calls out an interesting area of new methods of land regulation as it pertains to the District's large sites and calls for innovative land regulations, such as farm-based zoning and the application of sustainable design principles, such as green building and low impact development on a large scale.

Whoever wrote this may not have known it, but they essentially described the project that is in the next bullet called LEED for Neighborhood Development, which is a new rating standard issued by the U.S. Green Building Council to cover this very circumstance of larger land developments where the goal is not to certify individual buildings, but the entirety of the...
development.

And that includes the location of the development, the pattern of streets, the mix of land uses within it and then the performance, the environmental and human performance of the buildings and the infrastructure all taken together.

So that's what LEED-Neighborhood Development does. It's in its pilot phase wrapping up this summer. It will be adopted formally and available for certification like in the fall, well in advance of any time D.C. might adopt these standards.

This is not an alien approach here. In the District, there are 9 projects in the LEED-Neighborhood Development Pilot Program which started in 2007 and is wrapping up this summer.

We have had testimony a couple meetings ago from local practitioners who are involved in these pilot projects. And they, I think, had positive things to say about this
being a positive standard.

And it is worth noting, too, that urban sites unlike the building certification where urban sites don't necessarily score much better than suburban sites, that's not true for LEED-ND. So the urban sites that we are talking about, having -- being previously developed, being approximate to transit service, having density and so on will tend to score very well.

So it's -- I think it's a favorable tool that might apply here.

MR. PARKER: All right. Thank you, Doug. So the final recommendation for tonight has to do with -- we have got, you know, a lot of sites in D.C. that are 10 acres or more that would fit the traditional large tract review. And these sites are a mix of federal and District-owned and privately-owned.

But in general, when we have developments of that size come in, it goes through a planning process and we go through a
separate zoning process to assign the appropriate zoning to these sites.

Our recommendation is that that process should include environmental standards, you know, based on LEED-ND. Maybe not require LEED-ND-certification, but at least have those developments meet the standards equivalent to that. And we will certainly continue to work on further details on that.

That concludes our presentation tonight and we're open to questions for any or all of it.

CHAIRMAN HOOD: Okay. Let's do all of it. Commissioner Turnbull?

COMMISSIONER TURNBULL: Yes, thank you, Mr. Chair. Mr. Parker, on the last one, the LEED-ND?

MR. PARKER: Yes, sir.

COMMISSIONER TURNBULL: Is there an automatic threshold? 10 acres or is there --
MR. PARKER: Well, that's a good question. We're open to thinking about it. This is -- this could be applied to projects, yeah, that come in under what would normally be a residential scale, large tract review. Generally, we were -- we are thinking of the type of project -- you know, the Reservation 13 style when things come in and go through a planning process.

So we haven't narrowed down whether there will be an acreage threshold or whether it is a type of development.

COMMISSIONER TURNBULL: Or a density threshold?

MR. PARKER: Right. So we will put some more work into that.

COMMISSIONER TURNBULL: Would this -- obviously, is this an option? I mean, could it be a PUD or not?

MR. PARKER: Certainly PUDs would have the option to go through something like this as an amenity. Our thought is that for
the large plan sites, that that -- this would be a requirement.

COMMISSIONER TURNBULL: A requirement.

MR. PARKER: The neighborhood scale sites, the, you know, multiple development, the new community style sites that this would be a requirement. But for smaller, you know, single for multiple building PUDs, this could certainly be an amenity.

COMMISSIONER TURNBULL: Okay. Thank you.

CHAIRMAN HOOD: Any other questions? Commissioner May?

COMMISSIONER MAY: The -- when we -- going back to the food portion of this.

MR. PARKER: Um-hum.

COMMISSIONER MAY: When you think about the Farmer's Market and such, are you going to get into the issues of the origin of the food? I mean, is it -- because it's -- I know that's an issue with -- it was an issue
at Eastern Market with the farmer's line. It was -- there were certain things that were written into the Act that covered Eastern Market and the amount of food that was theoretically to come from local farms and, you know, certain times, much of the food was actually just coming from the Florida Avenue Market.

So I just wonder if you've thought about that yet? But I think that's something that you might -- if we are going to get into that area and we're going to try to promote local produce, you have to.

MR. PARKER: That would make sense to apply to the temporary food stands as well.

COMMISSIONER MAY: Yeah.

MR. PARKER: Absolutely.

MS. TRECONING: I was just going to say that there are many parts of the city that really don't have any access to fresh and healthy food. And so while the producer's only market does make sense in some parts of
the city and maybe that's something we would want to go to eventually, I know farmers who go to markets every day of the week and they couldn't add another market if they wanted to.

And yet, we have parts of the city where there is just no -- very little access to fresh produce of any kind. So that could fill a need even if it wouldn't meet the higher standard of a producer's only market.

COMMISSIONER MAY: Don't misconstrue my question about that as being an advocacy -- advocate for, you know, locally grown only. It's just, you know, a question you will need to understand and answer somehow for the satisfaction of some, I'm sure.

With the LEED-ND, and this is something that touches a number of areas, I wasn't quite sure where to insert it, but there -- I'm hoping that in the -- perhaps in the context of either this portion of the new regulations or maybe it's just in others, but that we get at some of the issues that we have
had lately with, or at least I have had lately
with, PUDs where we have a fairly high density
of development, a fairly high lot occupancy,
but the lot occupancy -- I wouldn't say fairly
high.

Maybe it's -- you know, it might be
50 or 60 percent lot occupancy in a
residential development, but a good 10 or 15
percent of the lot is actually roads and
alleys that service the buildings.

And I'm not saying that I'm
outright opposed to that kind of development,
but we need to clear up that, I guess the
categories of lot occupancy or lot
permeability. And I think that there is a
really big difference between having say a
green space and having an alley with permeable
pavers.

And so, you know, somehow we need
to get our hands on that and if we're going to
explicitly allow that kind of dense
development with the houses that back right up
to the alley and you park underneath, it
almost needs to be a new housing type, because
you may not want it in certain areas. You may
want it in others.

MR. PARKER: I think that's a
problem that we have identified with our code
is that lot occupancy is in our code as a
building control. And people assume that it
is to deal with open space, but it -- the way
it's written and the way it was put in place
doesn't limit you from paving the entire rest
of the lot and that's something, yeah, we
certainly have on our radar.

COMMISSIONER MAY: Very good.
Thank you.

CHAIRMAN HOOD: Thank you. I
think, Mr. Farr, you spoke about
Recommendation 22. I think you actually
alluded to it. And one of the things that I'm
looking at, we've got some correspondence from
one of the community folks ready to leave, and
if you didn't, I'll just refer back to Mr.
Parker.

But it says -- his comments on Recommendation 22, and I just want to hear you expound on it. "This is much more an economic development issue, zoning should stay out of this." I don't know, who will respond? Maybe I'm wrong. Was that you, Mr. Parker?

MR. PARKER: Yeah, I can talk to that. Yes.

CHAIRMAN HOOD: Okay.

MR. PARKER: I mean, certainly encouragement of these types of uses is an economic development, but making sure that they are allowed is zoning. And that's the extent of our recommendation, is that making sure that these small incubator type green jobs and green businesses are allowed in our Commercial/Mixed-Use Zones, permitted.

You are absolutely -- your comment is absolutely right in terms of encouraging them or tax incentives, that sort of thing is outside of zoning.
CHAIRMAN HOOD: Okay. All right. That's all I have. Anything else, colleagues? Okay. Mr. Parker?

MR. PARKER: I'm done.

CHAIRMAN HOOD: Okay. Good. Let me do this before we get to the end and I don't want to forget. Let me thank all the agencies. I'm not going to name you, but let me thank all the agencies that joined with Office of Planning in this collaboration. This is something, I think, that has been mentioned early on by a number of community groups and I hope that we are getting some satisfaction that now we are collaborating, but I'm sure I'll hear about it if we are not tonight.

But also let me thank you two gentlemen. I think both of you are from Chicago?

UNIDENTIFIED SPEAKER: Denver.

CHAIRMAN HOOD: Denver, Denver. Well, we want to welcome you and thank you for
all the work that you are helping Office of Planning do. We appreciate your attendance. And everyone, Office of Planning is well-attended here tonight and we appreciate everyone's attendance.

When you don't have anything to do sometime, come on back and see us and sit down here and watch what we do.

Okay. Let's do this. We -- again, I thank everyone so far, especially for that great presentation put together, Ms. Tregoning, by you and your staff and the consultants.

Let's move right along with our witness list. I'm going to take proponents. We're going to take proponents first. Tambra Stevenson, Metropolitan Washington Public Health Association, come forward and have a seat. I'm going to ask you two gentlemen if you could just take a seat back in the first row there?

Mr. Kyrus Freeman, Holland and
Knight; Britt Gordon-McKeon; Alma Gates; Gene Solon. Let me see how many I called. I think that's six, as far as my -- someone must not be here. Okay. We can get one more in, Nancy MacWood. Okay. Ms. Stevenson, you may begin.

MS. STEVENSON: Good evening. My name is Tambra Stevenson. I'm Vice President of the Metro Washington Public Health Association and a resident of Ward 8, the Hillsdale Community.

This evening I will be delivering testimony in support of the proposed policy addressing Food Production Security, Community Health and Green Jobs, as well as several recommendations for improving the proposed policy.

The specific recommendations in this testimony represents current local and national efforts in creating healthy sustainable communities.

First, I want to commend the work of the Office of Planning to reach this stage.
The Association would like to thank the Office of Planning for having the vision and determination to spearhead this effort, specifically the long hours and hard work of Travis Parker and Michael Giuliani and others stand out as examples of how the city should work with the community to bring about sustainable change and healthy community improvements.

We feel that the planning effort leading to the sustainability proposal has been well-served by the many efforts to reach out to the community and incorporate the input of residents.

Second, before I get into substantive comments, I would like to make you aware of the efforts of the Association, which we have taken -- undertaken in -- to ensure that the recommendations have been fully vetted with the members and residents we represent.

Almost two years ago, we began an
outreach initiative called DC Voices for Meal Choices with George Washington University, their school public health and health sciences on recommendations for zoning to help improve the zoning as well as provide incentives to reach the goal of the sustainability plan.

The particular aim of that initiative was to create informed residents in a healthy sustainable D.C. attracting employers while improving the health of residents. So basically, have menu labeling information available for residents to make informed decisions was the goal.

We know that this year alone here in D.C., people spend over $2 billion on food eaten outside of their home. In 2004, D.C. was the city that spent the highest amount of money on eating out.

Research shows that eating food outside of the home is linked higher to the amounts of body fat and may be a cause of the high level of overweight and obesity in the
U.S. In the public health community, we know that the health of the public and environmental sustainability are intrinsically linked, which we refer to this linkage as the built environment, which plays a critical role in the social determinants of health as seen in the PVS documentary "Unnatural Causes."

Consequently, we know that Zoning Laws can play a key role in building communities, as we have seen it with Zoning Law changes that impacted adverse health effects in alcohol consumption in California by implementing these laws in the mid-1980s, they were able to curtail the amount of alcohol consumption, the violence that came about from alcohol consumption as well.

So we know that similar Zoning Laws can curtail overweight and obesity here in D.C., which currently has over half of the residents that are obese. This is the 15th highest in the nation for all adults.

And the number of overweight
children ages 10 to 17 in D.C. is higher than any other state.

Currently, we have more than a fourth of residents in D.C. mostly live east of the river, where I am, that live in high need neighborhoods, defined as food deserts. And these areas lack food security, meaning people who live in them have difficulty getting nutritional and affordable food.

D.C. spends also about $250 a person on each year -- each year on medical costs from these diseases related to obesity. And we know that in 2001 the Surgeon General recognized that many healthier food choices in restaurants is an important part in improving the health of Americans.

And this effort culminated in a joint effort that resulted in support with City Council Member Mendelson's Office, which we plan to hopefully get support in introducing legislation on menu labeling. We look forward to proposed recommendations,
which serve as a framework, to be taken under consideration this evening.

Now, let me move into specific points that the Association believes should be modified more substantially. We do support Recommendation 19, Local Food Production. However, we also believe that recommendation should include cooperatives --

CHAIRMAN HOOD: Let me ask you a question. How much more do you have?

MS. STEVENSON: Um --

CHAIRMAN HOOD: Can you summarize for us?

MS. STEVENSON: Yeah.

CHAIRMAN HOOD: And highlight? Because what I do for you, I'm going to have to do for everybody else.

MS. STEVENSON: Okay.

CHAIRMAN HOOD: So if you could take another minute, so everybody is going to get an extra minute.

MS. STEVENSON: Okay.
CHAIRMAN HOOD: Okay.

MS. STEVENSON: No problem. Um, so in the run of things, we support all recommendations. We have a few modifications which I can submit in a document later on. And so what I'll just mention that goes beyond that includes additional legislation. Well, not even legislation, really additional recommendations on adopting wellness opportunity zones.

I feel that there hasn't been a strong linkage between health and the environment. As we note it to be, a letter was sent to the City Administrator back in April 2007 by having the wellness opportunity zones, you can encompass many of the different elements that were mentioned today and also make the linkage between the economy, the health and zoning plays a critical role in laying that framework.

And it was mentioned as part of the Mayor's 100 days and since he looks for the
city to be a model as it relates to green, we want the same to be done.

So what I'll do is just submit my recommendations.

CHAIRMAN HOOD: Okay.

MS. STEVENSON: And hopefully we can go forward from there.

CHAIRMAN HOOD: Okay. That will be good. Thank you.

MS. STEVENSON: Um-hum.

CHAIRMAN HOOD: Mr. Freeman?

MR. FREEMAN: Good evening. My name is Kyrus Freeman. I'm an attorney at Holland and Knight. In addition, I'm recently a LEED-accredited professional. And as you might know, we have a lot of experience working on projects before the Commission and in the District that incorporates sustainability features or meet various levels of LEED-certification.

I submitted a copy of my outline. I'll try to be pretty quick here. In general,
we are happy to support a number of the recommendations in the Office of Planning's proposal. They are listed as Item C. We support Recommendation 6, 7, 9, 10, 14, 19, 20, 21, 22, all the recommendations regarding food security.

We would like to get a little more information regarding some of the recommendations before we feel this -- we can make an informed decision. And we, of course, don't support some of the recommendations, as you might imagine.

For those recommendations that we do support, we support those which we think are clear to understand, easy to apply and yield consistent and predictable results in both matter-of-right developments and PUDs and those recommendations which remove existing impediments to incorporate sustainability features.

We do not support recommendations which we think exceed the appropriate scope of
the Zoning Regulations. I think Commissioner May, not to put words in his mouth, but I think he even indicated that some of these areas seem to go beyond the scope of what zoning is intended to cover.

We also don't support including recommendations that we feel are already addressed by other laws or regulations. The District recently adopted, as you know, the Green Building Act. A lot of these recommendations, we think, are already covered in the Green Building Act.

And imposing requirements either similar to or which, in our view, exceed what would be required under the Green Building Act, we take issue with.

And we cannot support things that we think contradict other laws or regulations. So -- and I hate to say this, but we also -- I shouldn't say I hate to say this, but we also think a lot of these recommendations would eliminate matter-of-right projects.
Unfortunately, a lot of folks don't want to hire or shouldn't have to hire zoning attorneys to come to the BZA or the Zoning Commission in order to get a building permit.

So we don't want to kind of create additional regulations that would increase the burden on individuals. However, if they need a zoning attorney, feel free to call.

Let me just quickly talk about some of the things we support. I'll just run through them quickly. Again, we support things that remove impediments. We think Recommendation No. 6 is great since it provides an opportunity and incorporates sustainability features.

No. 7 again is great because it permits folks to do additional things on their property.

No. 9, we think, is great again because it expressly permits folks to do things which incorporates sustainability features.
all the food security recommendations, we think, are great for a number of reasons as outlined in our testimony and so eloquently stated today.

Let me just spend a couple of minutes on things we disagree with. Our -- my outline covers all of them, but I'm just going to hit a couple of them. No. 4, Increased Energy Efficiency. As I said, the D.C. Green Building Act already requires certain buildings to be LEED-certified.

The Architecture 2000 Standard requires -- is more progressive than what the LEED requirements demand. So in our view, requiring a standard which exceeds a standard expressly enacted by the D.C. Council would be legally problematic.

With respect to No. 8, the Solar Access Protection. We -- I think I heard a couple of Commissioners ask some questions about how that would practically work. We want to make sure it is crafted in a way that
provides balance. There are a number of great developments, which might be adjacent to some lower scale projects and we wouldn't want to create a situation in which an individual could install a solar panel that might theoretically slow down a project or otherwise lead to inappropriate results or unnecessary extractions.

With respect to buffers, we think those are great ideas. We just think those are already covered in other regulations, specifically D.C. Department of Environment and United States EPA Regulations.

With respect to, again, No. 13 -- I'm sorry, Recommendation 15, the Water Conserve and Landscaping, I didn't get the gentleman's name who mentioned that he was just in a meeting today with D.C. WASA, D.C. Department of the Environment and the D.C. Council. We think those are the proper agencies to implement those regulations and enforce those, not the Zoning Commission.
With respect to 18, I know Commissioner Keating would like to see this at the top of the list, and maybe I'm a little slow, but I don't understand the Green Area Ratio quite frankly. I'm not sure whether it is a requirement, whether it is an incentive. I'm not sure how easy it would be to apply for individual that doesn't have a zoning attorney. I would like to see a little more information to be able to understand how that would really work.

With respect to No. 23, require LEED-ND for large areas. Again, we have the Green Building Act. If the District wants to impose LEED-ND, the Green Building Act would be the place to do that. Thank you.

CHAIRMAN HOOD: You can have an additional minute, if you --

MS. SCHELLIN: I already gave him.

CHAIRMAN HOOD: He already took --

oh, we already gave you a minute.

MS. SCHELLIN: I already added it.

MS. GORDON-McKEON: My name is Britt Gordon-McKeon. I'm a D.C. resident and a volunteer with the Coalition for Smarter Growth. And I support most of the recommendations, but I wanted to speak specifically in support of the Land Use and Mobility Recommendations.

The Transportation Demand Management Recommendation No. 1 is a really important valuable step to encourage and, in some cases, require Transportation Demand Management Measures and the ones listed here are very important. And also other ones that would be valuable to add could include unbundling the cost of parking from the cost of renting or buying a home as well as
encouraging parking sharing for buildings.

For recommendation No. 2, supporting that for its importance not only for, you know, the energy efficiency matters spoken about, but also providing affordable housing and, you know, appropriate level of density for our neighborhoods in light of declining family sizes having the number of residents that these neighborhoods can support in order to strengthen the neighborhood, strengthen local businesses and provide greater access to transit.

And for Transit Oriented Development, it's, you know, an important -- are important measures for our city, so that we can take full advantage of our transit system and create, you know, safe appealing excuse areas around our transit system. Thank you.


MS. GATES: Good evening, Chairman
Hood and Members of the Commission. My name is Alma Gates and I'm representing Neighbors United Trust. Overall, I support an effort to formalize environmental components in the Zoning Code.

However, there is still a substantial amount of work to be done and time needed to get this section right. Some recommendations appear in conflict with others. Trees versus solar panels.

I did attend all seven sessions, the task force meeting and will focus this testimony on two of the recommendations.

Integrated Land Use and Mobility, Recommendation 2. If the overall purpose of the zoning re-engineering is to create regulations that permit an increase in matter-of-right density, while not increasing environmental impacts, the recommendations put forth in this section meet that goal.

Where currently there might be a family of 2 individuals, this recommendation
would allow a family to increase to 6 individuals or 3 times the current number of occupants. It is fair to assume these new family members are already using resources. The use would intensify as these family members are not children.

When the Integrated Land Use recommendation is considered alongside Recommendation 18, Green Area Ratio, questions immediately arise. And in tandem, these two recommendations promote greater density, replacement of traditional green space and would eliminate a significant number of trees in favor of green roofs, harvested rain water and pervious paving.

I just want to read a footnote that was attached to a DDOE handout. "In one year an acre of mature trees absorbs the amount of carbon dioxide produced when you drive your car 26,000 miles."

The work group noted a lack of protection for neighboring properties and
parking concerns under this proposed matter-of-right recommendation. Title 11, Section 223, New Accessory Structure, addresses ADUs and currently requires a special exception.

A special exception requirement should remain for accessory dwelling units to ensure protection of both the neighboring properties and the occupants of the units.

Water Insensitive Resource Protection, Recommendation No. 12, Floodplain Protection. The Floodplain Work Group expanded the original intent of this recommendation to include a focus on neighborhoods that are prone to flooding.

The work group discussion is not reflected in this recommendation. And while DDOE is the Agency with direct oversight for this area, it was noted there was little Agency participation in the planning and approval process on zoning matters.

As a result, proper oversight and neighborhood protection is often lacking when
DDOE is the responsible Agency. That would not change. The work group noted that knowledge of underground hydrology may be key to the impact of below-grade construction and the builder should bear the burden of proof that below-grade construction will not negatively impact neighboring properties.

Such proof is critical in areas of the city where flooding is known to occur, and I have attached a handout there, and often results in receiving -- and often results in the receiving end of a drainage area.

The work group cited a need for readily available maps sanctioned by DDOE that identify the location of existing and potential floodplain, wetland and stream valley areas, riparian streams, steep slopes and other fragile areas that require protection, information from DDOE stating that set-backs would be required to protect the referenced fragile areas.

Change is recommended by DDOE to
the current Flood Hazard Rule provisions through regulations on transfer development rights for sites that extend into floodplain or other fragile area. Regulations addressing the management of groundwater and below-grade construction and final status of new FEMA Flood Insurance Rate Maps.

CHAIRMAN HOOD: Okay. Thank you very much, Ms. Gates. Gene Solon?

MR. SOLON: HI, I'm Gene Solon.

CHAIRMAN HOOD: Turn your microphone on. Yes, just hit -- the light is on.

MR. SOLON: Oh, okay.

CHAIRMAN HOOD: There you go.

MR. SOLON: I, Gene Solon, a southwest D.C. resident, and then I'm going to ad lib, was absolutely impressed by the contribution made by the team over there and their consultants over here. Now, back to the script.

And I approve, in general, the
policy statements contained in Office of Planning Project Manager, Travis Parker's, May 11th memorandum. But I am apprehensive about the on the ground, real life manifestation of some of them, some of the comments, including the following:

"One of the keys to sustainable communities is not just moving trips to transit, but reducing trips overall." And two, "This recommendation offers a way to return to the population densities, population densities that which our neighborhoods were originally built."

The overall development patterns I discerned in near southwest/southeast and the characteristics of the individual launch projects ANC-6D has approved has shaken my confidence that such stated policy will become reality.

Further, neither OP representative, Melissa Byrd, nor anyone at her agency has responded to a memo and attachments that I
personally in public handed to her last February 8th. Below is a copy of that memo, a portion of which I will read.

"I produce the attached table titled "Major Project Activity in Southwest/Southeast D.C." way back in March of 2007. Deputy Mayor Neil Albert deemed it helpful to him. I and others are deeply concerned that it may portend an area development pattern wherein office space exceeds residential space by a margin in vice and influx of commuter vehicular traffic generating an increase in what already is an undesirable level of air pollution.

Commissioners, for at least three years, I've been raising this issue with key D.C. officials, including OP Director Tregoning, but I have received no hard evidence that existing and planned D.C. development patterns effectively discourage what I call polluting commuting.

Please, ensure that the D.C.
Comprehensive Plan requires a commuting reducing office to residential ratio and do whatever you can to get D.C. officials to enforce the plan's requirement. Thank you."

And you have the attachment.

CHAIRMAN HOOD: Thank you. Ms. MacWood?

MS. MacWOOD: Good evening. My name is Nancy MacWood. I'm an ANC Commissioner representing ANC-3C09. I want to comment predominantly tonight on the energy recommendations. And I'll skip the preamble and get right to them.

Recommendation 4, Increased Energy Efficiency. Unfortunately, the proposed recommendation only asks the Zoning Commission to consider requiring cutting edge energy efficiency standards for PUDs. The Zoning Commission should adopt the Architecture 2030 Standard which aims to reduce building energy consumption by 50 percent by 2010 and achieve carbon neutrality by 2030.
The challenge has been adopted by the U.S. Conference of Mayors, the American Institute of Architects and the Green Building Council.

Alternatively, the Zoning Commission should require PUD applications to incorporate the most progressive standard for energy efficiency.

In addition, the Zoning Commission should incorporate EPA's Energy STAR Standards for all PUDs. Building operations are a significant contributor to greenhouse gas emissions and this program provides a blueprint for determining a baseline target for building energy performance based on the type of building and the region.

Further, any development seeking bonus densities through inclusionary zoning should be required to meet Energy STAR Standards. What's the point of providing affordable housing that isn't energy efficient and thus results in higher than necessary
energy bills?

Recommendation 5, Outdoor Lighting.

Here the Office of Planning has cleared the model industry lighting standards should be adopted by the Zoning Commission and I agree.

Recommendation 6, Sustainable Energy Features. Rooftop set-backs and roof coverage limits are among the least enforced zoning requirements. The Zoning Commission should consider allowing exemptions from roof set-backs only for energy conservation and renewable energy production features.

Standards should be developed so that these features are designed to result in the least impact on roof standards.

Recommendation 7, Renewable Energy Generation. Before changing the historic skyline with wind turbines, the Zoning Commission should require a more refined study of their applicability in terms of size and number required for an effective system, type and size of building most adaptable to this
technology and ranking of effectiveness as an alternative clean energy producer in the District.

Recommendation 9, District Energy Systems. The Zoning Commission should consider requiring PUDs that involve more than one building, very large buildings or present opportunities to share a District energy system with existing buildings to provide these systems as a public benefit or amenity.

Recommendation 14, Green Roofs. I urge the adoption of this recommendation. It should, however, be accompanied by a definition that excludes roof gardens from the definition.

Recommendation 18, Green Area Ratio. I agree with some of the comments that were made previously. I don't quite understand this recommendation, but it seems to me that there isn't enough experience with GAR to warrant requiring it be on commercial areas.
There is no experience in the United States with requiring GAR in low and moderate density residential areas. These are the areas where new requirements would have the least impact while imposing cumbersome new regulations.

Finally, all of these recommendations should be carefully considered in Historic Districts. There are competing interests here and some of these recommendations might degrade or be incompatible with preserving and protecting contributing buildings and landmarks.

The large buildings that contribute most to greenhouse gas emissions are outside most Historic Districts, so the need to balance interest may not be necessary in Historic Districts. Thank you.

CHAIRMAN HOOD: Thank you. Did she have her extra minute? Okay. All right. Thank you. Let me open it up for any questions. Commissioners, any questions of
this panel? Commissioner May?

COMMISSIONER MAY: Yes. I have a question for Ms. Gates. This map which has -- indicates properties with and without flood problems.

MS. GATES: Yes.

COMMISSIONER MAY: What would you define as a flood problem? Because these don't seem to be in the -- I don't think these are actually in the floodplain, are they?

MS. GATES: They are not in a formal floodplain and that's part of the problem. They are in a drainage area. And they are -- obviously, there is huge impact there. I'm not sure that FEMA won't be remapping this area as a result of that.

COMMISSIONER MAY: But what's the nature of the flood problems that are occurring now? Heavy rains, sewers --

MS. GATES: Yes.

COMMISSIONER MAY: -- backing up, drains backing up?
MS. GATES: You may be aware of a house on Macomb Street that was actually washed off its foundation. And in the second flood after that was repaired, one entire foundation wall was washed in. So there is a huge amount of water in that area.

And what is happening is -- and WASA will readily admit this, they keep approving all these developments. The pipes at the bottom of the hill are small, because they were the first ones to go in. And as the development progresses up the hill, the pipes got bigger and there was more water.

So at the bottom, you have less capacity.

COMMISSIONER MAY: Um-hum.

MS. GATES: And it's simply the storm/sewer tops just fly off.

COMMISSIONER MAY: Now, is --

MS. GATES: It's very bad.

COMMISSIONER MAY: -- WASA looking at fixing that problem now the way they are
looking at fixing that problem in other areas of the city? I know they are looking at it downtown.

MS. GATES: They are looking at it and they have done a wonderful study, but they have no funding.

COMMISSIONER MAY: No, they have a lot of funding. They are just not putting it into this. They have a -- I mean, they --

MS. GATES: Well, I think it's going to take a lot of $2.44s to make this thing get implemented.

COMMISSIONER MAY: Well, that's why they put in the whole permeable pavement.

MS. GATES: Right, right. And the -- hopefully, it will get implemented, because there are a lot of houses, as you can see, that are really impacted by storm water.

COMMISSIONER MAY: Yeah, okay. Thanks.

CHAIRMAN HOOD: Anyone else? Any other comments for this panel? Okay. We want
to thank you all for your testimony and also for your information provided to us as we move forward in this process. Thank you.

The last proponent I have is, I think, Victoria Wells. Victoria Wells? Okay.

Do we have anyone else who would like to come and testify in support? Anyone else who would like to testify in support? Okay. So we will end with Ms. Wells for support. Can you turn your microphone on, Ms. Wells?

MS. WELLS: Thank you for allowing me to participate and provide comments on the proposed Zoning Regulations.

My name is Victoria Wells. I serve as the State Government Relations Director for the American Cancer Society and we would like to comment on the food security component.

Presently, 1/3 of all cancers can be attributed to diet and lack of physical activity. I also serve as the Co-Chair for the Policy Committee that the Department of Health has convened to create and develop a
State Obesity Reduction Plan. And I also serve as the Policy Chair for the D.C. Cancer Consortium, which addresses reduction of cancer in the District and Policy Chair for the D.C. Action for Health Kids.

So that being said, we would like to at least add some comments and provide a written statement to you within the -- by Monday -- Tuesday.

The Ward 7 and 8 have the highest rates of obesity and those disproportionately higher, they actually see the national rate. Presently, that is 39.9 percent in Ward 7, 71.9 percent in Ward 8. They also have the lowest physical activity rate and the highest number of food deserts in that ward -- in those wards.

Additionally, we spend presently about 1/4 of our budget dollars on addressing health disparities, which is really -- brings us to a really serious situation when you consider that heart -- obesity can lead to
heart disease, not only cancer, but heart disease, diabetes and asthma.

So for that reason, the Department of Health has convened stakeholder groups to hear their positions on what should go into this plan to address reduction of obesity. And so I would just like to provide some of those comments that we can submit in written statements.

Those were from the medical community, from the recreation community, faith-based community, from food retailers and these were all separate stakeholder meetings.

So No. 1, create food enterprise zones to attract food retailers through zoning and tax incentives for under-served communities. Presently, there are only three grocery stores in the -- east of the river, one most recently since December 8. Yet, there is a proliferation of fast food retailers.

So we recommend that you establish
a saturation index that limits fast food establishments in communities where these disparities exist, especially in the areas where children learn and play. Increase grocer food retailers, promote convenience store upgrades that would sell healthy options.

Los Angeles unanimously passed legislation to create a moratorium on fast food retailers in communities with high obesity rates, so this has been found to be an avenue to address this.

No. 2, allow urban gardens as a permitted use in Residential, Mixed-Use and Commercial Districts and designate -- and additionally, in designated areas of public parks and open spaces. Allow new zoning terms to support sustainable food productions, health codes and revisions.

No. 3, bill capacity of D.C. residents to develop and operate community gardens.
No. 4, allow Farmer's Markets and cooperatives, retailers in Commercial, Mixed-Use Districts and transportation hubs. Zoning incentives to promote street vending licenses to create healthy food options should be considered, such as foods -- fruits and vegetables.

New York City has presently started that, they are called "Green Cards," and they have prioritized approving vending licenses to those particular Green Card Initiatives, so that they can promote more vegetables and fruits in those communities.

Amend the Zoning Regs to support shared use of facilities, especially for public and charter schools. The charter schools indicated that this is a real issue for them to have access to supervised physical activity and physical education to their students, because many times they use facilities that do not include gyms and that needs to be addressed.
Improving also work site wellness that was an issue for work site wellness, too, so businesses, small businesses cannot provide those services, so having those shared use would also benefit them.

Improving every street, roadway to be accessible for pedestrian safety, that includes safety and appeal. Create bike trails, walk paths and improve public transportation.

Consider doing physical activity environmental assessments and health impact assessments to be used as guidelines for zoning and land planning. Frederick County actually does that and so that's something we should consider.

And then this one was a really big one. This quote really stuck out that was provided to me by the Joint Health -- Joint Center Health Policy Institute which is -- is that my one minute? I can sum it up in one minute, 30 seconds.
CHAIRMAN HOOD: Yes, just finish your last comment.

MS. WELLS: Okay. Basically, creating community wellness empowerment zones. The quote basically said "Tell me where someone is from, I can tell you how they will live and die. Where we live matters and determines our opportunities for a healthy life."

And we need to address this. It would also allow us to reduce the cost to taxpayers by addressing some of these issues. So thank you and I will be glad to submit the information.

CHAIRMAN HOOD: Okay. We will be looking forward to receiving that. Let me ask, any questions of Ms. Wells? Any questions? Thank you very much.

Okay. Opponents? Ms. Barbara Zartman, Committee of 100; Ms. Marilyn Simon, Friendship Neighborhood Association. And do we have anyone else? Anyone else who is in
opposition? Okay. With that, we will end
with this panel.

MS. ZARTMAN: Okay. Thank you.

CHAIRMAN HOOD: Are you ready, Ms.
Zartman? You can begin. I'm sorry.

MS. ZARTMAN: That's all right.

Thank you, Mr. Chairman and Members, for the
opportunity to testify about the
recommendations of the Office of Planning with
regard to sustainability.

This will be different, although we
do come to many of the same conclusions that
some of the earlier speakers have.

But first and foremost, this is a
prime example of putting the cart before the
horse. As OP acknowledges on page 12 of their
memorandum, they want you to enact the
sweeping District-wide changes to the
protections and requirements in the current
regulations with the understanding that the
much touted neighborhood-specific standards
and protections might not be enacted for a
year or more, maybe much more.

This leaves neighborhoods without protections they now have and marks open season for developments that had previously not been allowed. For example, retail uses that may be required or prohibited based on local needs won't be addressed until long after the base standard has been adopted.

Communities will have no way to effect uses that are added in the interim however unwanted they are. The same is true for low and moderate density Residential Zones. In a test run in a part of Georgetown, OP found that many of its proposed base zoning text standards would not be workable. Yet, OP seeks Georgetown's support for adoption of that base zone and Georgetown's acceptance of the vulnerability for more than a year, at best, before any specific existing protections can be returned to Georgetown zoning, that would be the same for all communities.

Does the Zoning Commission believe

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
(202) 234-4433 WASHINGTON, D.C. 20005-3701 www.nealrgross.com
it should exercise its authority to place
communities in these vulnerable positions?
Would it not make much more sense to adopt as
a first step a limited set of corrections and
clarifications about which there is no
controversy, then work with communities to see
what changes they would want for their areas
in the policies proposed by OP under a
standard that communities could not be less
protected than they are today.

Such a process would be informative
for OP and protective of neighborhoods and
businesses alike. It is one that would not
demand that communities accept a period of
vulnerability. It is one we would urge the
Commission to take.

Our second point is that this re-
engineering process intended to produce a
simplified and clarified set of regulations
often adds huge helpings of complexity.
Surely the Green Area Ratio is such a
proposal. After OP arguments that assist in
using computer checks of underlying zoning and few overlays would be too complex.

OP proposes this well-intentioned, but unworkable, highly detailed point system. No reference is made to distinctions between existing structures and new development, to historic or landmark properties, to residential and commercial or institutional properties.

Do we really believe that lot area can be comprehended by the formula that was in the OP report?

As to the specific recommendations, with several OP proposals, we wonder how much would be better encompassed in Building Code or DDOE or Historic District Review Board Regulations, rather than in Zoning Regulations. And I didn't know all those nice staff people would be here tonight.

We would imagine that many other proposals could be as easily accommodated in DDOT Regulations as in Zoning Regulations and...
more easily changed as technology changes.

We ask that the Commission be particularly mindful of the cost of compliance with Zoning Regulations, sustainability standards in existing neighborhoods.

As to the specifics: No. 1, TDM. One wonders why District Government doesn't practice what it preaches and provide greater Metro fare subsidies for its own employees, just as they would require it in future private developments.

The Accessory Dwelling Unit is a far too sweeping proposal that can increase density markedly, exacerbate parking problems, change neighborhood character and form. These proposals could be considered in neighborhood-specific plans, but not District-wide.

This proposal's impact on runoff groundwater retention and other environmental considerations need to be addressed. It is also true that today to have a second dwelling unit, you not only need the special exception,
but you need a basic business license and a Certificate of Occupancy to assure safety of your tenant.

The suggested ameliorating impact of a cap of 6 persons is more image than protection. Repeatedly during working group and task force sessions, we asked that more attention be paid to a better definition of family, than any number related by blood or marriage persons or 6 or fewer unrelated persons.

What if 3 of the persons are cousins? How many additional persons can live on a site with a woman and her 4 children? How intrusive need neighbors be to get to determine the owner in residence provision is being honored?

Homes near large educational properties know how densely students can be packed into unsafe properties. 8 unrelated persons are common. 16 have been approved by the BZA on the recommendation of the Office of...
Planning. I would make some suggestions about how one might calculate family size.

We have concerns about Transit Oriented Development and some of them are addressed in the Friendship Neighborhood Association's submission. But this is again an area in which broad changes are proposed for adoption and at some later time attention would be paid to, I quote, "context sensitive discussion of density, based on the Comprehensive Plan." Shouldn't we start with the Comprehensive Plan?

The current regulation does not define terms like transit accessible areas or even suggest what might be included. The rest of my statement, I think, is fairly straightforward and includes the many things that we think are good ideas.

CHAIRMAN HOOD: Thank you very much. Ms. Simon?

MS. SIMON: Thank you. My name is Marilyn Simon and I'm speaking on behalf of
Friendship Neighborhood Association. Some of OP's recommendations would implement specific language in the Comprehensive Plan, examples are given in my written testimony.

However, there are other recommendations which are contrary to the clear language of the Comprehensive Plan and would have predictably negative impact on some of the District's neighborhoods.

My testimony today focuses on Transit Oriented Development and the Green Area Ratio. The Comp Plan specifically calls for the creation of a Transit Oriented Development Overlay Zone, which would include some of the provisions included in OP's recommendations.

However, the language of the Comprehensive Plan is quite clear. The overlay is not to apply to every Metro Station and the Comprehensive Plan sets out a process and criteria for determining around which Metro Stations a TOD Overlay District should
apply.

OP chose to ignore the plain language of the Comp Plan and instead recommends that the TOD Overlay Zone be mapped in all transit accessible areas, which they suggest includes all properties within a half mile of a Metro Station, except those which are currently zoned R-1 through R-5-B.

The recommendation also includes properties which are within a quarter mile of a streetcar line or a high service bus corridor.

In addition, in an earlier proceeding, OP recommended that there be no minimum parking requirements for any use in a TOD Overlay Zone. The early recommendation along with the proposed mapping has serious implications for many of the District's low and moderate density neighborhood near Metro Stations or high service bus corridors.

In the earlier proceeding, the Commission was concerned about the impact of
spill-over parking on low and moderate density neighborhoods, if it adopted OP's recommendation to eliminate minimum parking requirement for high density residential buildings.

This Commission should be just as concerned about the elimination of minimum parking requirements for all properties within a half mile of the a Metro Station.

The current Zoning Regulations clearly recognize the issue and the regulation allowing a reduction in the parking requirement for buildings near a Metro Station, the rule making specifically excluded those properties which are within 800 feet of an R-1 through R-4 Zone.

This has provided some protection for low and moderate density neighborhoods near Metro, although spill-over parking remains a serious issue. OP's recommendation to eliminate minimum parking requirements for new and -- new commercial and higher density
residential development within a half mile of every Metro Station would exacerbate existing problems.

My written testimony includes maps that show DDOT's findings of parking utilization near the Friendship Heights Metro with high utilization rates frequently exceeding 100 percent for blocks near the Metro.

OP's recommendation contrary to the clear language of the Comp Plan would increase the number of blocks which would have excess parking utilization rates.

In addition, we have concerns about some of the recommendations for the requirements of the TOD Overlay Zone.

Parking maximums. The imposition of maximums, which are too restrictive, can make projects less desirable to perspective tenants or might cause spark in spill-over, which would negatively impact the quality of life in adjoining neighborhoods.
Overly restrictive maximums perhaps based on an unrealistic view of how well our public transportation system can meet the needs of the buildings, residents, customers and employees might deter development in some neighborhoods where development is desired.

Permitted mixed-use. Many Metro areas currently include Zoning Districts which allow mixed-use, but this is not the case in all areas where OP suggests having a TOD Overlay Zone. And it is contrary to the Comp Plan policy encouraging notal development.

Allowing mixed-use for all properties along corridors, which are planned for notal development, will undercut this goal. An example is Connecticut Avenue, which has commercial loads and residential in between.

Minimum Bulk Standards. These types of requirements, like parking maximums, can get -- curb development where profitable development on a smaller scale might be
possible. But a building meeting the size standard would not be profitable. They also can create an unnatural uniformity for a particular area.

Maximum bulk standards, as specifically mentioned in the Comprehensive Plan for the TOD Overlay District, that section calls for maximum densities, inclusive of density bonuses. This provision is critical not just for the TOD Overlay areas, but for all areas where bonus densities are considered.

Bulk transitions to surrounding residential neighborhoods, as mentioned in OP's report, this is a recurrent theme in the Comp Plan. The OP proposal to include tools such as angled height set-backs is useful, but woefully inadequate.

In addition to these tools, it is necessary to maintain an area of intermediate zoning wherever it currently exists. This is critical to areas such as Friendship Heights.
where a regional center is near a low density residential neighborhood.

As a result of an interjurisdictional planning effort, this Commission adopted a Zoning Map which created a Moderate Density Residential Zone between the low density neighborhood and the high density core of the regional center.

We ask that this Commission follow the clear language of the Comp Plan and limit the mapping of the TOD Overlay Zone and that the Commission will carefully consider some provisions that might deter desirable development and other provisions such as permitting excuse on every property that undercut important policies.

Our comments on the Green Area Ratio are included in the written testimony. We look at some of the perverse incentives in the sample score sheet and ask that this type of provision not be considered as a substitute for important zoning restrictions such as
maximum lot occupancy and if adopted be done only on a pilot basis after its --

CHAIRMAN HOOD: Ms. Simon, I'm going to have to --

MS. SIMON: -- effectiveness is evaluated.

CHAIRMAN HOOD: -- cut you off from that. I'm going to have to be fair. I'm going to have to bring everybody else back up and give them additional time.

MS. SIMON: Okay.

CHAIRMAN HOOD: So I'm going to have to cut you off. We have your submission.

MS. SIMON: Yes.

CHAIRMAN HOOD: Okay. Let me just ask, Ms. Zartman, who referenced collaboration. I know we have talked about this in the past. And I didn't mean to single you out, but I just want to know an example of what we saw tonight, the collaboration. Is this kind of what you were talking about about Government agencies talking to each other
during this process?

MS. ZARTMAN: Oh, I very much think so. And as I say, I had no idea that they were going to be here tonight, but I'm delighted that they are.

CHAIRMAN HOOD: Okay.

MS. ZARTMAN: I do hope that firm thought will be given to just which agency's regulatory framework is best to house some of these things. Some of them will be issues that -- standards that will change fairly readily and you don't want to have to rewrite the Zoning Code every time there is an advance in technology.

You know, I always said they're going to put all those antennas up and that technology was going to change and we would be left with porcupines on the rooftops. And I think that's likely to happen.

CHAIRMAN HOOD: And that kind of leads me to the next question on -- I guess, about the fourth paragraph down, maybe fifth
paragraph. You mentioned in your testimony would it not make much more sense to adopt as a first step a limited set of corrections and with clarifications about which there is no controversy? You cite an example part and cause for the residents might be an example.

What are you actually saying? Are you asking us to take sustainability and make those -- make that conversion and let that play out for a while and see what happens?

MS. ZARTMAN: No, I'm sorry. I was, obviously, not clear.

CHAIRMAN HOOD: Okay.

MS. ZARTMAN: And I mentioned it's applicable to low and moderate residential development. If you change the nature of Residential Zones so fundamentally by allowing institution or commercial uses on a residential block, and you do that fundamentally in the base document of the Zoning Code, the fact that 2 or 3 years later you may get an overlay that says actually,
that's not such a good idea in this particular neighborhood, what are you doing to do, take the institutions out?

The harm will already have been done. And it's going to be done of right. So the impact of communities will have no voice in the impact of the changes in the base zone.

I mean, we are working with OP in the hope that we can get to a point where at least Georgetown, it's being selfish, I grant you, can be protected and hope that that will provide a standard for other at least Historic Districts.

But I think it's, as I said, cart before the horse. Find out what is applicable to the individual neighborhoods, communities. Use what is being proposed by OP as a starting point to discuss, but don't enact those proposals and then say to communities gee, we're really sorry this had an impact we didn't anticipate, but, you know, it's the law now.
CHAIRMAN HOOD: There was a pilot program that was mentioned, I think. Mr. Parker, you mentioned it in another hearing that was going to take place. Has that taken place?

MS. ZARTMAN: I think that's what I'm referring to.

CHAIRMAN HOOD: Okay. So that's-- okay. But has -- so you are saying that that has -- it's effectively not working?

MS. ZARTMAN: I think the Office of Planning found when they put a great deal of staff time and effort into doing actual maps of several blocks of West Georgetown, that many of the concepts it wants to embody in the base plan just really won't apply.

We already have more mixed-use than we want. The front building line doesn't work in existing neighborhoods. A whole bunch of fundamental things that we think are very important and they are important to the character of a community that the city relies
CHAIRMAN HOOD: Okay. I won't prolong it, but I need to get clarification on that whole process, because I thought it was just, basically, a discussion. And I don't know what happened. You know, I didn't think it was nothing necessarily implemented. Maybe I'm just confused and maybe it's late for me. I'll catch up with the meeting and I'll ask that question.

MS. ZARTMAN: This is my third hearing today, so --

CHAIRMAN HOOD: Oh, yeah. I saw you earlier. Well, I didn't see you, but I watched you earlier. So okay. Any other questions or comments?

Okay. I want to thank you both. We appreciate you providing us testimony. Thank you. Ms. Schellin, are we going to leave the record -- do we leave the record open? Are we going to leave the record open?

MS. SCHELLIN: I don't think we
asked for anything.

CHAIRMAN HOOD: Okay. I think there was someone who said they wanted to give us something by Tuesday. Ms. Wells, I think it was.

MS. SCHELLIN: Ms. Wells.

CHAIRMAN HOOD: Yes, Ms. Wells.

MS. SCHELLIN: Yes. And then actually, there may have been two people.

CHAIRMAN HOOD: Two people?

MS. SCHELLIN: Someone took my witness list, so --

CHAIRMAN HOOD: Okay. So we'll leave the record open for those two testimonies that they wanted to provide. I see someone with their hand up. If you could just come to the mike? Did you testify tonight or you're just -- oh, okay. Can you come here?

MS. TARCE: I just wanted to --

CHAIRMAN HOOD: You're going to have to fill out a witness card now. So I
want to tell you that before you start talking. You've got to fill out a witness card, unless you just want to talk to staff.

COMMISSIONER KEATING: Talk first.

MS. SCHELLIN: Turn the mike on.

CHAIRMAN HOOD: You've still got to fill out a witness card, and that's why I just wanted to let you know. Okay.

MS. TARCE: My name is Amy Tarce and I'm with the National Capital Planning Commission. I was actually not planning to speak tonight, but just to let the Commission know, we are planning to provide a written letter regarding the sustainable standard.

So we would really appreciate it if you would keep the record open.

MS. SCHELLIN: Yeah, other than that, yeah.

CHAIRMAN HOOD: How much time do you need? I guess you have probably already started working on something, I'm sure.

MS. TARCE: We are. The draft is
already written. We just needed the Executive Director to approve it before we can --

CHAIRMAN HOOD: Okay.

MS. TARCE: -- provide it to you.

CHAIRMAN HOOD: So maybe by next Friday then? We will leave it open for that.

MS. TARCE: That would be great.

CHAIRMAN HOOD: Let's just do this.

I'll let you work with staff and what we will do is just leave it open for those three things. We had two -- okay.

MS. SCHELLIN: And also OP.

CHAIRMAN HOOD: The number seems to be going up.

MS. SCHELLIN: And OP's PowerPoint presentation, but I think they said they were going to submit that tomorrow.

CHAIRMAN HOOD: And I see our ANC Commissioner, I believe, you want to come and tell us you have something you want to submit?

And I think we can just really narrow it down to those five things.
MS. HODGE: Hello, Chairman Hood and Commissioners. I'm Anne Hodge from Advisory Neighborhood Commission 3D. We have a great interest in sustainability, but have not yet perused this in enough detail to provide thoughtful comments and I would certainly like to do so.

CHAIRMAN HOOD: Okay. I think what we can do, we have five requests. Let's leave the record open for those five requests. And if it's six, we'll just do that, but it should only be six requests that come in of people who have come down and expressed an interest of submitting something. So we'll do that.

MS. SCHELLIN: And did you set a date?

CHAIRMAN HOOD: I was going to leave that up to you.

MS. SCHELLIN: Oh, you were?

CHAIRMAN HOOD: Yes. How long, Ms. Hodge, your ANC, you know, I don't expect for you all to have it by Monday, because --
MS. HODGE: No. We -- I don't know. Is it too late -- we meet the first Wednesday in June, that would be the 3rd, so that would be about two weeks from now. Is that too late?

CHAIRMAN HOOD: No, we'll leave it open.

MS. HODGE: Thank you so much.

CHAIRMAN HOOD: Okay.

MS. HODGE: Thank you so much.

CHAIRMAN HOOD: Ms. Schellin is very accommodating, so she will make sure of that. Okay. So we'll do that. We'll leave it open for those six already so noted submissions.

And with that, I want to thank every -- do we have anything else, Ms. Schellin?

MS. SCHELLIN: I would just like to give a specific date. We will actually leave it open until June 8th and then we will place this on our agenda for June 22nd.
CHAIRMAN HOOD: All right.

MS. SCHELLIN: Does that work for OP?

CHAIRMAN HOOD: Anything else?

MS. SCHELLIN: I'm trying to get Mr. Parker's attention. Okay. So that allows the ANC a little extra time to meet and actually provide their report.

CHAIRMAN HOOD: Okay. With that, anything else, Ms. Schellin?

MS. SCHELLIN: That's it.

CHAIRMAN HOOD: With that, I want to thank everyone for their presentation, participation and everything tonight. With that, this hearing is adjourned.

(Whereupon, the Public Hearing was concluded at 10:07 p.m.)