

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:           :
                               :
COMPREHENSIVE ZONING       : Case No.:
REGULATIONS REWRITE:      : 08-06-9
SUSTAINABILITY             :
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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)

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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.

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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

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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:..... 155

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

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1 P-R-O-C-E-E-D-I-N-G-S

2 6:37 p.m.

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

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

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

22 This is one in a series of hearings

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1 on various subjects currently under review as
2 part of a broader review and rewrite of the
3 Zoning Regulations.

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

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

14 Preliminary matters; presentation
15 by the Office of Planning; report of other
16 Government agencies; report of the ANCs;
17 organizations and persons in support;
18 organizations and persons in opposition.

19 The following time constraints will
20 be maintained in these hearings: ANCs,
21 Government agencies and organizations 5
22 minutes; individuals 3 minutes.

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1 The Commission intends to adhere to
2 the time limits as strictly as possible. The
3 Commission reserves the right to change the
4 time limits for presentations, if necessary.
5 All persons appearing before the Commission
6 ought to fill out two witness cards. These
7 cards are located to my left on the table near
8 the door.

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

19 The decision of the Commission in
20 this case must be based exclusively on the
21 public record. To avoid any appearance to the
22 contrary, the Commission requests that persons

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1 present not engage the Members of the
2 Commission in conversation during any recess
3 or at any time. The staff will be available
4 throughout the hearing to discuss procedural
5 matters.

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

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

12 MS. SCHELLIN: No, sir.

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

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

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

22 MR. PARKER: Not a problem. And I

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1 want to set the stage. I'm Travis Parker with
2 the D.C. Office of Planning. We have got, as
3 you can see, an all-star cast here tonight to
4 share their thoughts with you.

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

16 But we want to start tonight with,
17 you know, the 30,000 foot picture, the broad
18 policy picture and I have got my own Director
19 from OP, Harriet Tregoning here tonight. We
20 have got Brendan Shane from the Department of
21 the environment and we have got Chris Delfs
22 from the Department of Transportation, who are

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1 going to give a few broad remarks on, you
2 know, where we are at and where we are going
3 with this process.

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

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

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

20 This unified vision would carry
21 through from the start to the finish of a
22 project from plan to implementation, from the

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1 first conceptual discussion through the final
2 permit approval. It is this vision that will
3 allow us to guide our city towards our goal of
4 a green and sustainable District.

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

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

20 The recommendations before you
21 today are the result of that deliberative and
22 collaborative process. I believe the concepts

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1 embodied in these proposals will help move the
2 District in a very positive direction. Those
3 concepts ranging from Transit Oriented
4 Development to natural resource protection and
5 from energy and water efficiency to green
6 economic development are exactly the type of
7 changes that the District and other urban
8 environments must promote to begin solving the
9 critical problems that face our planet as a
10 whole.

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

16 Such an approach that considers and
17 promotes the goals that our regulations aspire
18 to will increase the likelihood that several
19 steps later when our Agency, the Department of
20 the Environment, applies Environmental
21 Regulations, that the principles, the
22 environmental principles we follow and enforce

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1 will already have been achieved and
2 incorporated into projects.

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

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

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

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1 the Department of the Environment.

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

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

21 And third, by recognizing that
22 natural resources in an urban setting,

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1 including our rivers, streams, wetlands, trees
2 and green space have both intrinsic value and
3 value to us as people and, therefore, working
4 to protect them from encroachment, degradation
5 and destruction.

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

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

21 The fact that the Office of
22 Planning succeeded in presenting such a

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1 collective vision is a remarkable achievement.

2 We want to express our appreciation and
3 congratulations to the Director and staff for
4 their efforts and respectfully, but
5 steadfastly, encourage the Zoning Commission
6 to adopt the proposed amendments.

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

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

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

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

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1 evening.

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

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

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

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1 our communities.

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

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

21 Additional impacts of rising
22 vehicle trips also include economic costs,

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1 like congestion, time lost in traffic. I
2 think we are probably aware of those here in
3 the D.C. region. It also refers to accident
4 damages, facility maintenance and also social
5 costs, like declining human health, community
6 cohesion and inequitable access to services.

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

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

21 Moving more people more efficiently
22 means better developing and utilizing mass

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1 transit facilities and alternative modes of
2 transportation and making explicit strides
3 away from automobile use. It means aiming for
4 reductions in vehicle miles traveled and
5 obtaining more bang for our transportation
6 dollar.

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

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

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1 country.

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

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

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

22 I think in many ways it sort of

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1 exemplifies that we are pulling in the same
2 direction as a Government. And that the point
3 that Mr. Shane made in his testimony that we
4 haven't -- what we are teeing up for you
5 tonight is some broad policy ideas. In
6 particular, areas where more than one agency
7 might have jurisdiction. We haven't decided
8 yet exactly how that jurisdiction is going to
9 be exercised.

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

19 But I would hate to be up here
20 alone, you know, when we are talking about
21 this topic that has so much relationship to
22 the central work of the Departments of

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1 Transportation and the Environment.

2 This is an important thing. I have
3 said before before the Zoning Commission that,
4 you know, we haven't done this comprehensive
5 update of the Zoning Regulations in 50 years.

6 And we will probably do it at least every 50
7 years, right, whether we need to or not.

8 When you think about how much
9 change the city has experienced, much of it
10 very positive change when it comes to
11 environment and transportation sustainability.

12 You know, one of the things I think we have
13 to be thinking about is what is the trajectory
14 that we're on? You know, what's the path that
15 we want to be on?

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

22 So we are trying to be Wayne

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

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

15 You know, we are in the middle of
16 an economic recession, but we have so many
17 transportation choices in the city that people
18 actually had the option in Washington in the
19 last six months of 2008 when budgets got
20 tight, people shed 8,000 registered motor
21 vehicles in the city. They just got rid of
22 them, you know, and they realized they could

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1 have mobility without necessarily having to
2 have that second car or maybe that only car.

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

12 So I think these are very important points.

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

20 So we are, in many parts of the
21 city, really developing large concentrations
22 of green buildings that will help us with our

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1 energy efficiency, but we also have an
2 existing building stock and renovations to
3 that building stock that could be more or less
4 energy efficient in some cases, depending on
5 what our regulations allow.

6 72 percent of the carbon emissions
7 are things that cities like ours are
8 responsible for transportation in buildings.
9 So the topics that we are going to be
10 discussing today are very important in that
11 regard.

12 In tribute to Commissioner May, I'm
13 going to cut my remarks off right now, so that
14 we can continue with the presentation and just
15 thank all of you for attending today's hearing
16 and for -- and thanks to many of you for your
17 work on the task forces that have been
18 laboring to put these regulations together and
19 thank you also to my colleagues from our
20 sister agencies for being here tonight, so
21 that we can have this conversation with you
22 about our sustainable future in Washington,

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1 D.C. Thank you.

2 CHAIRMAN HOOD: Ms. Tregoning, in
3 tribute to what you just said, we're going to
4 be in partnership with you. When we start
5 asking our questions, I want Commissioner May
6 to take the lead on cutting off remarks.

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

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

20 So we are going to start tonight
21 with Integrating Land Use and Mobility, is our
22 first series of recommendations. And this

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1 really gets into a few areas. It gets into
2 the Transportation Demand Management, the
3 Transit Oriented Development, Accessory
4 Dwelling Units and Mixed Use and things that
5 encourage walkability.

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

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

18 And then finally for this topic,
19 initiatives that are underway in the District
20 that we referenced in our sustainability
21 diagnosis. So this -- you are no doubt
22 familiar with that document, so this will be

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1 familiar to you having read it.

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

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

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

21 There is a trend in the Metro D.C.
22 Area, according to the Climate Change Steering

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1 Committee, that transportation emissions are
2 predicted to grow 38 percent by 2030 and 47
3 percent by 2050, so that's Metro D.C.

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

6 MS. TREGONING: Director.

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

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

22 And then to respond to this, D.C.

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1 Department of Transportation is planning a
2 number of transit options and service to meet
3 this growing demand. So the zoning needs to
4 address that whole picture.

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

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

22 It's important to point out in

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1 order -- in anticipation of the next steps,
2 and what Travis will be talking about in a
3 minute, to recognize differences in the way
4 trips are generated from residential land uses
5 versus non-residential.

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

13 By comparison, the Travel Demand
14 Management, the management, if you will, of
15 the trips is -- can only reduce it up to 8
16 percent. So it is actually fairly impervious.

17 The -- once it is built, it is determinant
18 and you can't change it as much.

19 By contrast, non-residential land
20 uses are quite different. The built
21 environment its form, intensity and
22 configuration determines up to about 35

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1 percent of the car trips. At the same time,
2 TDM can reduce trips up to about 32 percent.
3 So that doesn't mean 35 - 32 is zero. It
4 means that 35 could be reduced by 32 percent
5 down to say 25 percent or so.

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

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

18 However, the Comprehensive Plan
19 policy prescriptions, and this is a summary,
20 there is a far longer list that you are
21 familiar with, called out specifically a
22 number of them.

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1 One is across the board design to
2 encourage transit use in transit-served
3 locations. The second one, TOD boundaries was
4 the idea of delineating those portions of the
5 District which are served by transit and treat
6 them differently.

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

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

16 So in terms of existing
17 regulations, there were aspects of the
18 existing regulations that are good that can --
19 are opportunities to be strengthened. Those
20 are the Mixed-Use Districts, which appear in
21 the Zoning Code, but we want to -- we made
22 recommendations on how to strengthen those.

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1 And then Accessory Dwelling Units, also called
2 ADUs, in home occupations, which do occur in
3 the zoning, and we think there is an
4 opportunity also, a number of opportunities to
5 strengthen that.

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

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

13 MR. PARKER: So there are three
14 recommendations that have come from this work
15 that we did with the working group. And just
16 as a background, our working group met --
17 started meeting last year and actually met for
18 about 4 months on not just this issue, but all
19 the issues and our recommendations have been
20 percolating through the system and through the
21 Task Force in March and have been available
22 for quite some time.

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1 The first recommendation under this
2 Land Use and Mobility has to do exactly with
3 what Doug was talking about, TDM. Right now,
4 as he mentioned, we don't, you know, define or
5 address TDM in our current Zoning Codes. Our
6 recommendation here is that we should be
7 requiring large new developments to address
8 trip generation and to include incentives for
9 walking, for biking, for transit and this
10 should be considered a part of the general
11 design requirements, including pedestrian,
12 bike-friendly design.

13 This is something that we have been
14 working closely with DDOT on and they are
15 going to speak a little bit to tonight. But
16 DDOT is in the process of working through
17 potential TDM measures and we will work
18 closely with them on either incorporating or
19 referencing their ultimate, you know, list of
20 desired TDM measures, some of which are here
21 on the screen now in whatever zoning text
22 ultimately gets put forward.

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1 And with that, I want to have Chris
2 Delfs talk just briefly about what they are
3 doing with TDM and how that ties in with our
4 work.

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

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

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1 stations around the city recently.

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

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

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

21 The study will look at best
22 practices in the region and throughout the

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1 country. And the idea is to provide
2 recommendations that are specific to the
3 District. And we intend to work closely with
4 Office of Planning, so we can take a
5 systematic approach for applying them to the
6 new development.

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

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

20 Our existing code does delve into
21 this subject in a couple of ways and it has
22 tried to tackle it in a few different ways.

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1 Actually, we have both matter-of-right and
2 special exception provisions that allow for
3 some form of additional use of single-family
4 home properties, both internal and external.

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

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

18 Our recommendation is to take a lot
19 of this and consolidate it into a single form,
20 into a simpler set of accessory dwelling
21 provisions and, basically, allow, as a matter-
22 of-right, accessory dwellings, both internally

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1 and externally, subject to some fairly strict
2 conditions. And those conditions would be
3 based on the conditions that we use now to
4 define accessory dwelling units.

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

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

22 So we certainly -- this is not an

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1 issue of allowing every property, every
2 single-family home -- property in the District
3 to build a separate structure out the back,
4 but there are a lot of cases where row homes
5 have basements or there are Carriage Houses in
6 existing neighborhoods that have no reasonable
7 or no zoning permitted use right now to
8 Carriage Houses other than storage, garage or
9 potentially an artist studio.

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

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

22 Second, defining what are the

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1 standards by which our development should be
2 regulated in all of those TOD areas. What are
3 the universal standards for developing around
4 transit? And finally, what are the standards
5 that are applicable or that are different in
6 each of these areas? Specifically, density,
7 height, relation to surrounding neighborhoods
8 and what are these variable standards of TOD
9 neighborhoods?

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

17 And there is a lot of information
18 in our report about the work that has gone
19 into that and you are going to hear from DDOT
20 tonight, but our definition of where people
21 can walk to transit and how far people are
22 able to walk to transit. Our tentative

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1 definition is a half mile radius around Metro
2 Stations and a quarter mile linear to either
3 side of a streetcar or high density bus line.

4 And we are defining high service
5 bus lines after some significant work also
6 with MTA as those corridors of buses that move
7 15,000 people a day.

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

20 So when we have defined and mapped
21 these areas, the first important step is
22 determining what, as a city, we feel are the

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1 guidelines for development in these areas.
2 There are a lot of universally applied
3 standards for development around transit that
4 are important to make TOD areas usable and
5 walkable and enjoyable.

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

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

20 Access and orientation to transit,
21 one of the problems that we have had in the
22 past is -- are buildings that put a blank wall

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1 to a Metro stop or to a bus stop. It's
2 important to -- that buildings interact with
3 the transit and that people have access to and
4 from these transit lines and transit areas.

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

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

19 When we have identified these areas
20 and determined what the universal standards
21 are, then we need to go a step further and
22 talk about what are the appropriate densities

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1 in these areas? Not only maximum densities,
2 but minimum densities. One of the big
3 problems with development around Metro
4 Stations, for example, transit are, you know,
5 when you have lots directly on top of a Metro
6 Station that are taking up by a one-story drug
7 store or a big box with 5,000 surface parking
8 spaces.

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

16 And then there should also be
17 discussion about where particular use mixes
18 might be required, rather than just permitted.

19 Where we might want to encourage retail
20 through requirements or encourage additional
21 residential through requirements. These are
22 issues, issues that need to be planned on a

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1 local area basis and can -- and we can set the
2 framework for including these at a later
3 stage.

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

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

20 A key thread in this quilt of
21 mobility is quality public transit services.
22 Through the Transit Development Study, the

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1 Transportation Vision Plan and the more recent
2 The D.C. Transit Alternatives Analysis, DDOT
3 has identified several key corridors in the
4 city that can benefit from a comprehensive
5 framework of transit investments that is poor
6 at land use, environmental quality,
7 sustainability and provide a myriad of public
8 transit choices to District neighborhoods.

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

15 TOD Zones provide opportunities for
16 transit to be given a priority and the
17 redevelopment of sites adjacent to high
18 transit, ridership zones and corridors. This
19 includes the evaluation of proposed curb cuts
20 and loading zones and their impact to transit
21 before construction on the development even
22 begins.

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1 Transit costs increase
2 significantly as a result of travel time
3 delays at transit stops where buses cannot re-
4 enter traffic while vehicles cue at garage
5 entrances and loading zones. During the
6 development of the D.C. Alternatives Analysis,
7 DDOT learned of other challenges to achieving
8 improved travel time savings on public
9 transit.

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

19 However, unlike many local
20 jurisdictions, our use of the public space for
21 public transit operations is often dominated
22 by other bus transportation operators that

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1 illegally park in bus stops designated for our
2 bus services.

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

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

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

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

22 CHAIRMAN HOOD: Okay. Thank you

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1 all very much for the presentation. Who would
2 like to start off with a few questions?
3 Commissioner May?

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

16 So you know, I guess I want to know
17 more about the entire plan to manage parking.

18 You know, I know that there was talk of
19 increasing fees and RPP after the first car
20 and all those sorts of things. I know that's
21 part of it. I know that there is the
22 performance parking thing with meters and --

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1 which make that less affordable.

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

9 MR. PARKER: Okay.

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

12 MR. PARKER: I think you identify.

13 I mean, we had this discussion at the parking
14 hearing about the coordination of on-street
15 management with off-street services, but what
16 we can do is put together a briefing between
17 us and DDOT of what the plans are in the
18 future for off-street management, because
19 that's really the solution.

20 COMMISSIONER MAY: Right. That's
21 the big thing. And that also goes to even
22 things like the accessory dwelling units,

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1 because I know that in some neighborhoods just
2 their existence is more about parking or the
3 problem with their existence is more about
4 parking than it is anything else.

5 MR. PARKER: Right.

6 COMMISSIONER MAY: Parking is an
7 unbelievably big issue for many, many people.

8 Also, when we are getting information on the
9 big picture, I would like to know more about
10 bicycling and the big picture plans. I mean,
11 I know I have seen a lot more bike lanes than
12 before. Bike lanes are great. People don't
13 quite understand them. People in cars don't
14 quite understand them yet.

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

20 The -- and I think it's important
21 to understand -- I mean, there are a lot of
22 things that are happening across the world

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1 with bicycle use that are far, far more
2 aggressive than just painting more bike lines.

3 And if we are going to try to change the way
4 people think about getting around, it has to
5 be about more than just land use.

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

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

22 I do a lot. You know, whenever I

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

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

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

15 COMMISSIONER MAY: Okay.

16 MR. FARR: But I can get to --

17 COMMISSIONER MAY: Doing the math.

18 MR. FARR: -- the citation.

19 COMMISSIONER MAY: No, that's okay.

20 MR. FARR: Yes.

21 COMMISSIONER MAY: I'm just doing
22 the math on my own usage and see where I fit.

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1 But I'm not going to tell anybody.

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

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

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

22 A bike station, the first on the

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

8 So that it is going to, you know,
9 be another -- it's basically a big bike way
10 that people will be able to use to get around.

11 So I think you definitely deserve a more
12 comprehensive briefing about what is
13 happening, but these transportation choices
14 are being added to, you know, all the time
15 along with other things.

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

22 You probably know that we have

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

8 But it really is all about
9 diversifying and expanding the choices. We do
10 expect people to continue to drive in the city
11 and that to be a choice, but for many, many
12 people our household rate of car ownership has
13 now dropped to 63 percent of households in the
14 District. In many neighborhoods, it's below
15 40 percent, you know, and that's by choice.

16 That's not because of their
17 economics, that's -- there are neighborhoods
18 where parking might be difficult, but it's
19 also -- there are also neighborhoods where
20 there are lots of neighborhood convenience,
21 lots of neighborhood choices.

22 MR. DELFS: I would only add that

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1 we are very excited about the Bike-Share
2 Program and we are planning to expand it
3 through federal stimulus dollars. In addition
4 to that, someone had said to me just recently
5 and made a distinction between cyclists and
6 people who just ride bikes as a way to get to
7 work. Meaning that there is a certain culture
8 and maybe a certain bravery of bicyclists who
9 use the standard bike lanes.

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

21 MS. TREGONING: You mean dedicated
22 bike lanes, right? Dedicated bike lanes

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1 separated from traffic?

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

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

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

22 CHAIRMAN HOOD: Anybody else have

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1 any comments? Commissioner Turnbull?

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

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

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

21 So I guess that's the question,
22 too, for us is the availability of transit.

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1 The schedules, we all hear that they've got to
2 cut back, they don't have enough money. We
3 had any number of PUDs that come in and say
4 oh, how can you put a big development here
5 when they have only got six cars on a train?

6 And we have heard these things
7 before where everybody is cutting back. The
8 schedules are not as good as what they should
9 be. So I guess if you could talk to what is
10 in the works, how we get to improve these
11 developments, if the infrastructure isn't
12 there.

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

19 So if 40 percent of car trips in
20 the city are -- this is a statistic that is
21 actually regional. 40 percent of all car
22 trips in the region are 3 miles or less. So

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1 there is the opportunity, especially in the
2 District, to substitute a bike trip, a walk
3 trip or a bus trip for some of those car
4 trips, which takes pressure off the road
5 network.

6 Some of the new bus capacity that
7 we are developing with the Circulator runs in
8 the same area where people would otherwise be
9 on the Red Line downtown on the Metro system.

10 So it takes a little pressure off the core
11 capacity of Metro.

12 So I mean, this has to work
13 together as a system. But part of the
14 predictability that I was mentioning that
15 makes it difficult for people who have
16 choices, to say, you know, I'm going to take
17 the bus, is knowing when the bus is coming.
18 If you are driving, you at least know when you
19 are getting in the car. You may not know when
20 you are getting out of the car, but you know
21 when you are getting in the car and you have
22 that feeling of control over your destiny.

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1 The city is working internally with
2 -- to develop applications for cell phones
3 that will tell you when the Circulator bus --
4 where the next Circulator bus is on a given
5 route, so that you can be sitting at home or
6 sitting, you know, in your office deciding
7 whether or not to take that next call and know
8 when that bus is coming.

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

15 So those are the kinds of
16 improvements that we are talking about making,
17 so that we have more predictability and that
18 we have that interoperability among different
19 transportation systems in the city, so that
20 those places that are feeling pressure from
21 over-use or capacity constraints, we have the
22 ability to move from that over-used

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1 transportation to something that is currently
2 a little bit less used.

3 CHAIRMAN HOOD: Commissioner
4 Keating?

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

14 MS. TREGONING: I can speak to that
15 actually. This is a study that we did as part
16 of a Climate Task Force for COG. And the good
17 news is that it did take into account lower
18 emissions from newer vehicles on the one hand.

19 It did not take into account a relatively
20 recently discovered phenomenon, which is that
21 people are hanging on to their cars longer.

22 So that the emission profile is

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

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

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

22 You know, if there are going to be

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

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

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

21 It made me think, gosh, wouldn't it
22 be nice if we had some very interesting design

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1 and art, you know, kind of like they have in
2 Paris we have all, you know, heard about or
3 seen some of those transit stations that are
4 works of art in themselves. How do you
5 incorporate perhaps some of that and increase
6 usage perhaps versus perhaps some of the bus
7 stands that we currently have which, you know,
8 they are not attractive and may not encourage
9 folks to come to the bus stand to actually use
10 the bus.

11 And so I would love to see a lot--
12 some big ideas incorporated into some of this.

13 You know, I think about, you know, taxi
14 stands. Will taxi stands possibly be
15 incorporated into some of these PUDs, so that
16 taxis aren't just driving around the city?

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

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1 location.

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

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

16 Ms. Tregoning, you mentioned about
17 the District taking or doing very well as far
18 as LEED-certification. And I think you said
19 15 buildings. Are those District-owned
20 buildings? Are those new or old construction?
21 Where do we fall in with that?

22 MS. TREGONING: They're primarily

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1 private buildings, but there are a number of
2 schools and a number of District buildings
3 that are in that list of 50. Most of the 400
4 buildings that are in the pipeline, 416 that
5 are in the pipeline, for certification are
6 private buildings, which is a tribute I have
7 to say to our development community.

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

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

21 I saw, I think it's, ANC-3/4G, they
22 were in support of internal, but not in

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1 support of external and thought that external
2 should still remain as a special exception or
3 the process that we have in place now. Is
4 that what you are saying here also?

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

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

20 CHAIRMAN HOOD: Okay. And I think
21 also, Mr. Parker, the bus stop, I think the
22 threshold was 15,000 passengers who would be

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1 in transport, I think, per day.

2 MR. PARKER: Um-hum.

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

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

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

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

19 MR. PARKER: Right.

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

22 MR. PARKER: No, it's a quarter

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1 mile from a line.

2 CHAIRMAN HOOD: From a Metro line?

3 MR. PARKER: A street.

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

7 MR. PARKER: Will that encompass
8 Maryland?

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

12 MR. PARKER: No. Well, no. You're
13 talking about -- okay, yeah, bus lines that
14 cross into Maryland. Absolutely. We did look
15 at those numbers. I mean, we are, obviously,
16 only zoning our side of it, but if it moves
17 15,000 people and crosses the border starting
18 at our border, that's TOD.

19 CHAIRMAN HOOD: So we have --

20 MR. PARKER: Absolutely.

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

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1 example?

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

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

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

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

19 COMMISSIONER KEATING: Right.

20 MR. PARKER: So I -- and I'm
21 certainly happy to -- when we come to you with
22 -- for decision, you know, layout of options

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1 just to approve one or the other, but should
2 you give us guidance to proceed on both, we
3 will come back with a separate set of
4 conditions for both that you can review.

5 CHAIRMAN HOOD: Okay. Mr.
6 Turnbull?

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

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

21 So I don't have a breakdown, but we
22 can look and see what we can say about the

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1 ones that have already been certified and
2 whatever we can find out about the ones in the
3 pipeline.

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

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

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

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

17 COMMISSIONER TURNBULL: Right.

18 MS. TREGONING: You know, so that
19 is ramping up. You know, they come out with a
20 new set of standards very recently. So it's
21 not like the standard just lies there, that's
22 part of the reason we adopted it that way, so

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1 the District doesn't have to always be
2 updating its own standard. They upgrade it as
3 the practice in the building industry gets
4 more refined and new technology and new
5 techniques enable them to get cost-effective
6 higher performance out of buildings.

7 COMMISSIONER TURNBULL: Okay.
8 Thank you.

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

18 MR. PARKER: All right. And we
19 will try to move it as quickly as possible.
20 The second area we want to talk about tonight
21 is Energy Conservation and Renewable Energy
22 Generation. I am again going to start out

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1 with Doug Farr from Farr Associates.

2 MR. FARR: Thank you, Travis. Here
3 the picture in D.C. is a little different,
4 which is to say what our analysis found was
5 that buildings per capita energy use within
6 the District was very close to the U.S.
7 average. You can see the numbers there.
8 327,000,000 BTUs was just slightly below
9 339,000,000 BTUs, the average in the country.

10 So unlike transit and mobility
11 where the District is way ahead, the District
12 is sort of in the middle of the pack here. So
13 and the projected increases in energy
14 emissions are projected increase 35 percent by
15 2030. And buildings account, as is true in
16 many cities, for 75 percent of the greenhouse
17 gas emissions in the District.

18 The good news and it may delight
19 the Commission to know is that the District
20 has 202 sunny days a year and 66 percent of
21 all daylight hours are sunny hours. So that
22 means -- that translates for buildings into

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1 having solar potential, both for solar hot
2 water and for affordable take -- energy to
3 generate electricity.

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

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

19 Requiring looking for those
20 opportunities in zoning to require buildings
21 to have higher energy efficiencies. Again,
22 Travis will talk about that. And then

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1 finally, permitting renewable and green
2 technologies in systems which tend to be
3 external to buildings and sometimes run afoul
4 of yard set-backs, height set-backs and so on.

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

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

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

22 And as we are talking about those

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1 developments, we're going to have to start
2 thinking as we move through the zoning review
3 process of what are the next generation of
4 amenities? Over the past decade, it has been,
5 you know, some affordable housing and some
6 green targets.

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

14 And our suggestion coming out of
15 the working group was that we go with
16 Architecture 2030, which is a progressive
17 standard that requires buildings starting next
18 year to be 60 percent more efficient than the
19 area average, than the regional average. And
20 that standard bumps up every five years, to
21 that by 2030, buildings are being produced
22 carbon neutral.

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1 What we are going to -- our
2 recommendation now is that we should have a
3 standard like this for energy efficiency in
4 D.C. for PUD-style developments, but we have
5 gotten recent indication that LEED may be
6 bumping up its standards and may be coming as
7 progressive or more than these standards and
8 may have energy efficiency prerequisites and
9 requirements as part of the LEED Program.

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

16 A second recommendation has to do
17 with energy efficiency. This is another of
18 the issues that Harriet is talking about that
19 we're working closely with DDOE and other
20 agencies. Our recommendation here is that the
21 city has a lack of regulation for outdoor
22 lighting.

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1 And there is a lot of efficiency,
2 energy efficiency, lost in, you know, shooting
3 lights upwards, rather than downward and in
4 the types of bulbs that are used. And this is
5 a gap in our current regulation structure.
6 The City Council has recognized the same gap
7 and has asked DDOE to look into standards for
8 model lighting.

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

18 Our sixth recommendation has to do
19 with set-back requirements. You see on the
20 screen Sidwell Friends and the National
21 Realtor's Building, a couple buildings in D.C.
22 that were built with light shelves and the

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1 graphic on the bottom center shows how a light
2 shelf works. Although, it's kind of hard to
3 see it, it is basically a series of mirrors
4 that project light further into the interior
5 of the building and reduce the need for
6 interior lighting somewhat.

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

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

21 And certainly, we want to refer the
22 same recommendation to Public Space, so that

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1 they can consider these sort of things in
2 public space as well.

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

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

17 And as a colloquy to this talking
18 about primary wind, we need to address where
19 in our city wind as a primary use, so when you
20 are generating power for the sake of power
21 generation rather than just for a particular
22 use, where do we allow that in the city? And

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1 our recommendation is that we have industrial
2 land and high density land where this may be
3 appropriate.

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

12 And this is basically a
13 recommendation to codify the existing
14 practice, so that anyone would continue to be
15 able to build a building to their existing
16 matter-of-right standards. Height above that,
17 whether through a height variance or a PUD,
18 would be subject to the same test it is now
19 for light and air. We would just specifically
20 need to call out that solar panels need to be
21 taken into consideration for additional
22 density.

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1 We have done some studies about
2 where there are Districts, high density
3 districts that about low density districts and
4 it's actually a lot more rare than we would
5 have thought. There are only two instances in
6 the city actually where 90 foot zones, greater
7 than 90 foot zones about directly low or
8 moderate density residential and one of those
9 is historic anyway.

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

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

20 District energy is basically when
21 multiple buildings share heating and cooling
22 or other components, so that you have a single

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1 HVAC system for a large group of buildings.
2 And it basically increases the efficiency of
3 those systems to do it on a larger scale.

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

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

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

18 COMMISSIONER KEATING: Yeah, I just
19 had a quick question around the wind energy
20 idea. Do we have any wind right now in the
21 District? I know there is something in front
22 of the -- in front of --

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1 MR. SHANE: Very limited. Sort of
2 demonstration scale on a few buildings. I
3 think they showed the Botanic Gardens in the
4 picture there. There -- in general, we have
5 low wind potential here.

6 COMMISSIONER KEATING: Okay.

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

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

21 COMMISSIONER KEATING: I guess the
22 same question with the geothermal. Is there a

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1 pocket that extends beneath the entire
2 District that is accessible?

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

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

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

20 COMMISSIONER MAY: The National
21 Park Service has some geothermal facilities.
22 Our food service kiosks on The Mall and the

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1 new -- the Visitor Contact Station associated
2 with the new Martin Luther King Memorial will
3 be geothermal.

4 CHAIRMAN HOOD: Okay. Commissioner
5 Turnbull?

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

9 MR. PARKER: Um-hum.

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

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

20 MR. PARKER: That's a fair point.
21 Although, I should clarify that when we talk
22 protection of solar access, we are talking

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1 rooftop..

2 COMMISSIONER TURNBULL: Right.

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

7 COMMISSIONER TURNBULL: Well --

8 MR. PARKER: And it does happen.

9 COMMISSIONER TURNBULL: It does,
10 yeah.

11 MR. PARKER: But --

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

15 MR. PARKER: Right.

16 COMMISSIONER TURNBULL: We have had
17 any number of -- sat on enough BZA cases where
18 some architects have been -- some of the
19 architects who have been designing these do
20 light and shadow studies. So it makes it very
21 clear what the impact is. Some don't, so it's
22 hard to tell.

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1 You can sort of guess. You can
2 sort of figure it out.

3 MR. PARKER: Right.

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

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

11 COMMISSIONER TURNBULL: Right.

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

14 COMMISSIONER TURNBULL: Yeah.
15 Okay. Thank you.

16 CHAIRMAN HOOD: Commissioner May?

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

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

21 COMMISSIONER MAY: No, no, never.
22 Tell me exactly what it means to be carbon

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1 neutral, someone?

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

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

9 MR. PARKER: Correct.

10 COMMISSIONER MAY: Okay. That's a
11 pretty aggressive standard. You mentioned
12 windmills that you want to be sensitive to
13 Historic Districts and things like that. I
14 think you need to be more sensitive than that.

15 I think there is a certain aesthetic
16 consideration that needs to enter into the
17 equation on wind generation that, you know, if
18 we only think in terms of Historic Districts
19 or areas that may be, you know, of federal
20 concern or monumental areas, things like that,
21 I don't think -- I think you are just sort of
22 writing off significant portions of the

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1 community that need to have some of those same
2 aesthetic protections.

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

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

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

16 MR. PARKER: Oh, the diagnosis?

17 COMMISSIONER MAY: Well, the
18 picture of a building with windmills at the
19 top within the rooftop structure envelope and
20 then a lower building that has very tall
21 windmills that use that same envelope, because
22 I think that's a very different image. I

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1 mean, it may be perfectly appropriate in
2 certain Districts.

3 MR. PARKER: Okay.

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

8 MR. PARKER: Okay.

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

19 Another item I would mention is
20 that in the discussion of District energy,
21 there was a -- in your report, it says that it
22 is questionable in this area using District

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1 energy for heat, but less so for cooling.
2 That wasn't mentioned in your report at all.
3 I'm wondering whether you -- I mean, is this
4 going to be written in such a way that it is
5 it doesn't really matter whether it is heat or
6 cooling?

7 MR. FARR: Our intention was not to
8 distinguish.

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

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

21 I'm curious about the statement
22 that there was low wind potential, because I

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1 have noted on the report that it was a Type
2 III, Class III wind rating for the District.
3 What does that mean? What does Class III
4 mean?

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

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

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

22 MR. FARR: In some way.

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

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

12 MR. FARR: To add one sentence --

13 COMMISSIONER MAY: Sure.

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

22 COMMISSIONER MAY: Um-hum.

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1 MR. FARR: Even if it's not
2 perceived to be economic.

3 COMMISSIONER MAY: Okay. Fair
4 enough.

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

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

15 MS. TREGONING: It's --

16 MR. PARKER: That must be Sidwell.

17 MS. TREGONING: -- Sidwell Friends
18 School.

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

22 MR. PARKER: All right. Portion 3

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1 has to do with Water Conservation and
2 Sensitive Resource Protection. And for this
3 one, we're going to -- the major issues here
4 are on the board. For this one, we're going
5 to start with Don Elliott from Clarion
6 Consultants in Denver.

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

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

15 Water is of no surprise to anybody
16 in terms of its importance to urban living.
17 This is an area where my thumbnail summary is.

18 This is an area where the desire is there,
19 but the framework to implement it is weak in
20 D.C. And there are clear opportunities to
21 improve.

22 Basically, Washington gets 90

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

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

17 Go ahead. The COG or DC COG has
18 thought about and has addressed in terms of
19 policy or excuse me programs, it has Water-
20 Wise and created a water supply in Drought
21 Awareness and Response Plan. So the issue of
22 variable water and its importance is -- has

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1 come to the attention and been addressed by
2 the Council of Governments, but you have no
3 regulations.

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

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

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

22 Let's go on. Second, grouping of

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1 issues, talk here is tree cover. This is
2 something sensitive. You know, 10 years ago,
3 we probably didn't talk about this as an
4 environmental resource. We talked about trees
5 as pretty. We talked about them as green. We
6 talked about them as hiding parking lots and
7 bad buildings, but we didn't talk about them
8 as an environmental resource and we now do,
9 because preserving the old ones and planting
10 new trees can increase sequestration of CO2,
11 cleaning air emissions.

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

18 Also shading reduces the heat
19 island effects, it reduces the need for energy
20 consumption for air conditioning. Once again,
21 this is an area where it is well-addressed in
22 your Comp Plan. The Comp Plan says we are

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1 aware of this, we should do something about
2 it.

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

8 Go ahead. You also have some
9 programs and some things, you know, your Casey
10 Tree inventory is a model for this part of the
11 country and it is cited in other parts of the
12 country documenting what your street trees are
13 and perhaps more importantly where you have
14 the opportunity of planting additional trees,
15 25,000 additional tree planting spaces. But
16 you don't have incentives to enhance or
17 replace tree cover that you have now.

18 Go ahead. You do have regulations.

19 And I guess my thumbnail sketch here is this
20 area has been addressed in regulations, but
21 one key aspect has not. You have an Urban
22 Forest Preservation Program, you have tree

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1 removal limitations and there are penalties on
2 these things on damaging trees on both public
3 and private property.

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

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

21 In many cities, you know, including
22 Delhi, India have adopted very aggressive

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1 benchmarks to try to increase and maintain the
2 tree cover. So this is another major area of
3 this that I wanted to address.

4 Finally, kind of just sensitive
5 lands in general, we have grouped them under
6 the issue of slopes, streams and storm water.

7 Of course, managing runoff and erosion helps
8 protect water quality and tree cover. You
9 have a lot of Comp Plan policies. I only
10 cited 6 of them here and I won't read them,
11 but you have 18.

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

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

21 Go ahead. And you have quite a few
22 regulations in place dealing with this. You

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1 have an Overlay District for Tree and Slope
2 Preservation. You have a Waterfront District,
3 floodplains, of course, runoff reduction
4 regulation. So you have addressed a number of
5 these things. What you have not addressed in
6 the regulations, Zoning Regulations is buffers
7 for steep slopes in general.

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

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

20 MR. PARKER: Thank you, Don. So we
21 have got 9 recommendations here under Water
22 and Sensitive Resources that culminate in No.

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1 18, which is sort of going to tie them all
2 together. But the first recommendation here
3 is similar to our earlier recommendation for
4 side yards for energy efficiency.

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

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

20 DDOE certainly deals with wetlands
21 in a lot of ways, but the recommendation here
22 is to coordinate the mapping of these

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1 sensitive resources and put some buffer
2 limitations on development in and around these
3 resources.

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

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

19 And two areas in particular,
20 prohibiting uses that are potential
21 contaminants in the terms of a flood event,
22 things that work with chemicals and the like.

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1 And also, prohibiting uses that have
2 vulnerable populations. So things with
3 children or the elderly that might be in
4 danger in terms of a flood event.

5 Recommendation 13 has to do with
6 Tree Cover Protection. You heard Don talk a
7 lot about the benefit of trees and we do have
8 a lot of existing attempts at tree protection.

9 We have the Urban Forestry Act which is a
10 universal standard across the city that
11 protects trees, large trees above 55 inches in
12 circumference. And we also have the Tree and
13 Slope Protection Overlay that protects certain
14 residential areas of the city, but certainly
15 not the majority of the residential in the
16 city.

17 So our recommendation here is to
18 take, you know, the tree protection ideas from
19 the Tree and Slope Overlay and apply those
20 more broadly to residential areas across the
21 city. Specifically and most appropriately, in
22 single family areas, we propose a trigger of a

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1 25 inch circumference above which trees that
2 are removed would have to be replaced in kind,
3 either on or off the lot.

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

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

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

19 The current bill that we have now,
20 the Tree Bill, really acts in a single
21 instance. It kind of protects a single tree
22 at a particular moment in time. Areas where

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1 we have the Tree and Slope Overlay, you know,
2 it's taking a look at the larger picture.
3 It's providing wildlife habitat. It's
4 allowing the buffer for storm water and
5 watershed protections to stay.

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

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

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1 you know, we get fined for and EPA monitors.

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

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

17 As far as the federal, we don't
18 really have any role or jurisdiction there,
19 but we'll certainly try to look to have
20 partnerships. And then to the right you can
21 see that expanding that cover is going to help
22 us protect several of our waterways and

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1 overflows which will really help with our
2 rivers and reduce a lot of the pollutants that
3 get into our waterways.

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

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

16 CHAIRMAN HOOD: Can we get the
17 break?

18 MR. PARKER: Yep.

19 CHAIRMAN HOOD: I want to thank Mr.
20 Parker as always, what we do, and I want to
21 thank him for making sure that we continue to
22 do our normal practice. When we have a young

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1 person in the audience and tomorrow being a
2 school day, we would give the young person's
3 mother or sister, whoever it is, an
4 opportunity to come up and give us -- provide
5 testimony.

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

13 MR. PARKER: Yes.

14 CHAIRMAN HOOD: If you can hand it,
15 your testimony, to the young lady to the left?

16 And you can take a seat at the table and they
17 will show you how to turn the microphone on.
18 I'm going to have to let Chairman Gray know
19 that we have young people that come down here,
20 too.

21 MR. PARKER: But we don't have to
22 be here on Saturday to do that.

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1 CHAIRMAN HOOD: Is your mike on?

2 MS. LITTLETON: Yeah.

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

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

15 My essay was about how it would be
16 good for the environment to change Zoning Laws
17 so that people could rent out apartments or
18 rooms in their houses. So I would like to say
19 that my essay supports the Office of
20 Planning's Recommendation No. 2 to allow
21 accessory dwelling units for single-family
22 homes as a matter-of-right here in D.C. A

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1 trend that seems to be taking hold in cities
2 across the country.

3 House-sharing for greener living.
4 I recently moved into a new house. In my old
5 house, we rented out our basement to a young
6 couple. The law says that we can't rent our--
7 an apartment in our new house without a
8 special exception, even though it is much
9 bigger than our old house.

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

17 In 1940, the average number of
18 people living in each house was 3.7. Now, the
19 average number is 2.6. People now have an
20 average of 900 square feet of living space per
21 person. But in 1950, people had an average of
22 290 square feet per person.

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1 There is definitely enough room to
2 fit two families in many of today's homes. If
3 two families lived in one home, the use of
4 heat and air conditioning wouldn't be much
5 more than if one family were living in the
6 home.

7 Each year in the United States the
8 population is increasing by, approximately,
9 2.67 million people and about 1 million new
10 houses are being built. Building a new house
11 generates about 50 tons of carbon dioxide,
12 which causes global warming.

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

17 Remodeling a home to add an
18 apartment generates about 15 tons of carbon.
19 Assuming two families use 25 percent more
20 energy than one family in a home, the
21 additional carbon produced by a second family
22 is 112.5 tons over time. That plus the 15

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1 tons of carbon generated by remodeling to add
2 the apartment equals 127.5 tons over the
3 lifetime of the two-family home.

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

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

20 Global warming hurts our planet.
21 People want to help and would gladly rent out
22 apartments in their homes. They would even

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1 make money which would help in this economy.
2 All we need is to convince our political
3 leaders to change the law, so we can do more
4 to save Earth. Thank you.

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

7 (Applause)

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

14 MS. LITTLETON: Okay.

15 CHAIRMAN HOOD: Do you mind
16 answering a few questions?

17 MS. LITTLETON: Okay.

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

22 MS. LITTLETON: Thank you.

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1 CHAIRMAN HOOD: Tell your principal
2 that we said you did a great job.

3 MS. LITTLETON: Thank you.

4 CHAIRMAN HOOD: Thank you.

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

8 CHAIRMAN HOOD: I think we can go
9 home now.

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

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

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1 simply to allow that same 4 feet to be used
2 for green roofs. So you can just build the
3 green roof within the parapet allowance.
4 Green roofs are generally between 6 inches and
5 3 feet, so this should be more than enough to
6 allow for green roofs to be built above the
7 zoning height without any impact on, visual or
8 otherwise, the height.

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

19 There are a couple of things that
20 we can do with this identified list. The
21 first is for large projects, commercial scale
22 projects, landscaping could be limited to this

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1 list, but for the larger part of the city, we
2 get at this through incentives. And we would
3 certainly do that through the site design
4 requirements that I'm going to talk about
5 under our GAR recommendation.

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

13 This recommendation would take that
14 10 percent landscape requirement a little bit
15 further and put some standards for how that
16 would have to be distributed in a parking lot
17 and how it would have to be laid out to
18 encourage the reduction and the filtering of
19 runoff.

20 And certainly, we would want to
21 encourage pervious pavement as well in parking
22 lots. And I'm going to talk a little bit more

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1 about that on the next slide.

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

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

17 There is individual recommendations
18 and individual requirements for pieces of this
19 in certain projects in different codes, but
20 there is increasing amount of work done on a
21 system that would allow this to be addressed
22 comprehensively through a set of flexible

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1 design requirements that is being called the
2 Green Area Ratio and would be consistent with
3 our site design goals throughout this issue
4 area.

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

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

20 So our recommendation is to adopt a
21 point threshold system like this to set
22 requirements for our green site design. It

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1 would help us meet these goals of storm water
2 runoff, air quality, urban heat island
3 mitigation and do it in a way that is flexible
4 and integrated.

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

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

21 But as comprehensive and as great
22 as those are, those address less than 20

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1 percent of the buildings in the District. 80
2 percent of the buildings in the District are
3 single-family homes or flats or small scale
4 commercial buildings. In fact, the number is
5 actually much more than 80 percent of the
6 buildings fall into those categories.

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

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

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1 on the density and the type of building, in
2 particular areas of the city.

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

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

14 The next slide shows, basically,
15 now they rate different things. And conserve
16 as a basis for how we could start to rate
17 things where on the far right, green walls and
18 green roofs get the highest value and trees
19 and other natural landscaping in the middle
20 towards the smaller end is turf grass and
21 other simple landscaping with asphalt and hard
22 surfaces getting no credit.

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1 And we have been working closely
2 throughout our process with Melissa Keeley at
3 the University of Maryland. There is a lot of
4 local work going on on this process in terms
5 of trying to rate the environmental benefits
6 of particular site design characteristics.
7 And we have got a lot of information from her
8 that -- some of which is included in this
9 report, some of which we will continue to work
10 with her to refine.

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

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

22 MR. THOMAS: John Thomas. I'm the

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1 Associate Director for Urban Forestry at DDOT.

2 CHAIRMAN HOOD: Urban Forestry.

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

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

9 CHAIRMAN HOOD: Do we already have?

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

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

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

22 MR. PARKER: Very much so. WASA is

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1 working on or has recently implemented a fee
2 for -- a fee based on impervious surfaces that
3 is going towards the new combined sewer
4 changes. And they are going to be working
5 with DOE and with us and with others on
6 definitions for what makes a pervious surface,
7 what makes an imperious surface. And so they
8 will certainly be involved in all those
9 discussions.

10 CHAIRMAN HOOD: Thank you.

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

19 In addition to the fee structures
20 that we have changed, there has recently been
21 legislation from the Council mandating updates
22 to the storm water and improving storm water

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1 management and we are working. I think Travis
2 mentioned the rewrite of the citywide storm
3 water regulations are in progress now.

4 CHAIRMAN HOOD: Okay. Mr. Elliott,
5 you mentioned that we are conserving water on
6 the inside and we are just not doing anything
7 as far as zoning is concerned on the outside.

8 Could you help me kind of understand that?
9 Can you elaborate just a little more on that
10 for me? Because I -- that was a very
11 interesting comment you made. You mentioned
12 about conservation on the inside and what we
13 are doing outside?

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

22 And I was pointing out that some

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

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

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

22 CHAIRMAN HOOD: Okay. Okay. All

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1 right. Commissioner Keating? Thank you.

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

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

15 COMMISSIONER KEATING: Is that at
16 the top of the list? I mean, we see more and
17 more of these amenities coming through in
18 these projects, a green roof or green
19 something, and yet we don't really have a way
20 of evaluating kind of what is that? Is it
21 good? Is it bad? Is it just decorative and
22 not really something that's making a

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1 contribution and it would be great to have --
2 you know, I'm a numbers' guy, so it would be
3 great to have something to measure against.

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

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

10 COMMISSIONER TURNBULL: Not at this
11 point.

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

19 And so I think that, you know,
20 again, it's one of those areas where it would
21 be helpful to know what's happening on the
22 other side of the picture. It would be

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1 helpful to know some -- I don't want to know--
2 I don't want a briefing on the whole Building
3 Code.

4 MR. PARKER: Okay.

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

14 The -- you can keep that going.
15 Okay. All right. Thanks. The -- now, I've
16 lost my place. The -- some of these things I
17 almost don't want to have sort of included.
18 For example, like rain barrels. I'm not
19 saying that we shouldn't be in there or
20 shouldn't be promoting them. I think we
21 should. I have one. I don't know if it's
22 legal from a zoning point of view or not.

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1 But I can't imagine that it would
2 be a problem from a zoning point of view. And
3 do we -- you know, there may be some areas
4 where we don't really need to go into it. And
5 maybe what we have is sort of a disclaimer
6 that, you know, these things are just not
7 covered by zoning and they can be promoted
8 through other means or something like that.

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

14 The other overall comment I have
15 about this particular section is that there
16 are a number of areas where it seems like you
17 are setting up systems and ideas that are
18 going to require more management by someone.
19 And potentially more zoning work by someone,
20 whether it means more PUDs or more complicated
21 PUDs or more analysis for the Office of
22 Planning when there is a PUD.

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1 I'm not saying that that should be
2 a reason not to do it, not at all. It's just
3 that we ought to go in sort of eyes wide open,
4 because we don't want to come to the end of
5 the process and then realize oh, my gosh, we
6 have got to triple the size of the Office of
7 Planning or the Office of Zoning or what have
8 you and how are we going to handle this?

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

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

19 MR. PARKER: That's a great
20 question. It's something we talked about at
21 the end of the working group. It would
22 certainly apply to new construction. There is

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1 two ways that we can make a limit. We can
2 either set a threshold, you know, 100 percent
3 of the value or more it applies or we can do
4 two things. We can have one standard for new
5 construction and one standard for renovation.

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

9 COMMISSIONER MAY: Um-hum.

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

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

18 MR. PARKER: Absolutely.

19 COMMISSIONER MAY: -- in
20 renovations. So and then the last question is
21 in Seattle where they have applied this, is it
22 actually a component of zoning? Is it a -- is

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1 it only zoning?

2 MR. PARKER: It is in the Zoning
3 Code.

4 COMMISSIONER MAY: And it's only
5 zoning?

6 MR. PARKER: I believe so, yes.

7 COMMISSIONER MAY: Okay.

8 MR. PARKER: Or maybe not.

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

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

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

19 MR. ELLIOTT: This is a short
20 section. The background in our diagnosis
21 facts are summarized on the screen. These are
22 some interesting statistics. The average food

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1 item in the U.S. travels 1,400 miles before it
2 gets to your table.

3 In 2005, the U.S. became a net food
4 importer for the first time in its history.
5 60 percent, interestingly, of America's 10
6 million vegetable producers are located in
7 urban census tracts. It is not true that you
8 can't grow food in urban census tracts, a
9 large part of our food is grown in urban
10 census tracts.

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

22 Go ahead, Travis. You have thought

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

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

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

21 The first again is just a matter,
22 not necessarily an issue, but just removing

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1 potential barriers from the code and making
2 sure that we explicitly allow food production,
3 composting services, urban gardens in our
4 residential areas, so that it's not a question
5 of these things being permitted.

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

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

20 This is certainly something that we
21 want to address and it certainly has a
22 temporary use or a seasonal use or a certain

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1 number of times a year allow the sales of
2 local food products.

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

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

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

21 MR. ELLIOTT: All right. Green
22 jobs is something that sounds great to

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1 everybody, but, frankly, not very many cities
2 have taken the trouble to figure out what they
3 mean by it. Well, D.C. has.

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

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

17 The definition includes both lower
18 and higher skilled employment opportunities
19 that minimize the carbon footprint of all
20 necessary inputs directly resulting in the
21 restoration of the environment, the generation
22 of clean energy and improved energy

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1 efficiency, the creation of high performing
2 buildings and the conservation of natural
3 resources."

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

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

19 So let's go on to the next slide,
20 Travis. This is the one area that we studies
21 where you really don't have a Comprehensive
22 Plan policy. You have, of course, employment-

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1 related policies, but there isn't one on
2 trying to encourage jobs in what we hope will
3 develop as a new green economy, a job
4 generator.

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

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

20 MR. PARKER: All right. The issue
21 here has to do with, again, location for small
22 green businesses and small scale green job

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1 production. This is not an issue for
2 Industrial Zones. All of these types of uses
3 are allowed in Industrial Zones. This is more
4 an issue for Commercial Zones.

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

13 So the idea here is to ensure that,
14 you know, in a small sought -- on a small
15 scale in terms of, you know, start-up
16 businesses, incubator-sized uses, that we
17 allow those uses within our Commercial and
18 Mixed-Use Zones, even where, you know,
19 technically, because of what they are doing,
20 they fall within that PDR category, but
21 because of their size and their impacts, they
22 should be allowed in Commercial Zones.

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1 And our final recommendation
2 category has to do with Large Area
3 Development. And to wrap up our consultant
4 presentation, I'm going to turn to Doug Farr.

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

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

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1 development.

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

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

14 This is not an alien approach here.

15 In the District, there are 9 projects in the
16 LEED-Neighborhood Development Pilot Program
17 which started in 2007 and is wrapping up this
18 summer.

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

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1 being a positive standard.

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

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

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

20 But in general, when we have
21 developments of that size come in, it goes
22 through a planning process and we go through a

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1 separate zoning process to assign the
2 appropriate zoning to these sites.

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

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

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

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

19 MR. PARKER: Yes, sir.

20 COMMISSIONER TURNBULL: Is there an
21 automatic threshold? 10 acres or is
22 there --

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1 MR. PARKER: Well, that's a good
2 question. We're open to thinking about it.
3 This is -- this could be applied to projects,
4 yeah, that come in under what would normally
5 be a residential scale, large tract review.
6 Generally, we were -- we are thinking of the
7 type of project -- you know, the Reservation
8 13 style when things come in and go through a
9 planning process.

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

13 COMMISSIONER TURNBULL: Or a
14 density threshold?

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

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

20 MR. PARKER: Certainly PUDs would
21 have the option to go through something like
22 this as an amenity. Our thought is that for

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1 the large plan sites, that that -- this would
2 be a requirement.

3 COMMISSIONER TURNBULL: A
4 requirement.

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

11 COMMISSIONER TURNBULL: Okay.
12 Thank you.

13 CHAIRMAN HOOD: Any other
14 questions? Commissioner May?

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

17 MR. PARKER: Um-hum.

18 COMMISSIONER MAY: When you think
19 about the Farmer's Market and such, are you
20 going to get into the issues of the origin of
21 the food? I mean, is it -- because it's -- I
22 know that's an issue with -- it was an issue

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1 at Eastern Market with the farmer's line. It
2 was -- there were certain things that were
3 written into the Act that covered Eastern
4 Market and the amount of food that was
5 theoretically to come from local farms and,
6 you know, certain times, much of the food was
7 actually just coming from the Florida Avenue
8 Market.

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

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

16 COMMISSIONER MAY: Yeah.

17 MR. PARKER: Absolutely.

18 MS. TREGONING: I was just going to
19 say that there are many parts of the city that
20 really don't have any access to fresh and
21 healthy food. And so while the producer's
22 only market does make sense in some parts of

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1 the city and maybe that's something we would
2 want to go to eventually, I know farmers who
3 go to markets every day of the week and they
4 couldn't add another market if they wanted to.

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

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

16 With the LEED-ND, and this is
17 something that touches a number of areas, I
18 wasn't quite sure where to insert it, but
19 there -- I'm hoping that in the -- perhaps in
20 the context of either this portion of the new
21 regulations or maybe it's just in others, but
22 that we get at some of the issues that we have

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1 had lately with, or at least I have had lately
2 with, PUDs where we have a fairly high density
3 of development, a fairly high lot occupancy,
4 but the lot occupancy -- I wouldn't say fairly
5 high.

6 Maybe it's -- you know, it might be
7 50 or 60 percent lot occupancy in a
8 residential development, but a good 10 or 15
9 percent of the lot is actually roads and
10 alleys that service the buildings.

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

19 And so, you know, somehow we need
20 to get our hands on that and if we're going to
21 explicitly allow that kind of dense
22 development with the houses that back right up

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1 to the alley and you park underneath, it
2 almost needs to be a new housing type, because
3 you may not want it in certain areas. You may
4 want it in others.

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

14 COMMISSIONER MAY: Very good.
15 Thank you.

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

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1 Parker.

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

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

10 CHAIRMAN HOOD: Okay.

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

19 You are absolutely -- your comment
20 is absolutely right in terms of encouraging
21 them or tax incentives, that sort of thing is
22 outside of zoning.

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1 CHAIRMAN HOOD: Okay. All right.
2 That's all I have. Anything else, colleagues?
3 Okay. Mr. Parker?

4 MR. PARKER: I'm done.

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

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

20 UNIDENTIFIED SPEAKER: Denver.

21 CHAIRMAN HOOD: Denver, Denver.
22 Well, we want to welcome you and thank you for

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1 all the work that you are helping Office of
2 Planning do. We appreciate your attendance.
3 And everyone, Office of Planning is well-
4 attended here tonight and we appreciate
5 everyone's attendance.

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

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

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

22 Mr. Kyrus Freeman, Holland and

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

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

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

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

21 First, I want to commend the work
22 of the Office of Planning to reach this stage.

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1 The Association would like to thank the
2 Office of Planning for having the vision and
3 determination to spearhead this effort,
4 specifically the long hours and hard work of
5 Travis Parker and Michael Giuliani and others
6 stand out as examples of how the city should
7 work with the community to bring about
8 sustainable change and healthy community
9 improvements.

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

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

22 Almost two years ago, we began an

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1 outreach initiative called DC Voices for Meal
2 Choices with George Washington University,
3 their school public health and health sciences
4 on recommendations for zoning to help improve
5 the zoning as well as provide incentives to
6 reach the goal of the sustainability plan.

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

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

19 Research shows that eating food
20 outside of the home is linked higher to the
21 amounts of body fat and may be a cause of the
22 high level of overweight and obesity in the

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1 U.S. In the public health community, we know
2 that the health of the public and
3 environmental sustainability are intrinsically
4 linked, which we refer to this linkage as the
5 built environment, which plays a critical role
6 in the social determinants of health as seen
7 in the PVS documentary "Unnatural Causes."

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

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

22 And the number of overweight

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1 children ages 10 to 17 in D.C. is higher than
2 any other state.

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

10 D.C. spends also about \$250 a
11 person on each year -- each year on medical
12 costs from these diseases related to obesity.

13 And we know that in 2001 the Surgeon General
14 recognized that many healthier food choices in
15 restaurants is an important part in improving
16 the health of Americans.

17 And this effort culminated in a
18 joint effort that resulted in support with
19 City Council Member Mendelson's Office, which
20 we plan to hopefully get support in
21 introducing legislation on menu labeling. We
22 look forward to proposed recommendations,

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1 which serve as a framework, to be taken under
2 consideration this evening.

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

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

11 MS. STEVENSON: Um --

12 CHAIRMAN HOOD: Can you summarize
13 for us?

14 MS. STEVENSON: Yeah.

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

18 MS. STEVENSON: Okay.

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

22 MS. STEVENSON: Okay.

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1 CHAIRMAN HOOD: Okay.

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

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

21 And it was mentioned as part of the
22 Mayor's 100 days and since he looks for the

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1 city to be a model as it relates to green, we
2 want the same to be done.

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

5 CHAIRMAN HOOD: Okay.

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

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

10 MS. STEVENSON: Um-hum.

11 CHAIRMAN HOOD: Mr. Freeman?

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

21 I submitted a copy of my outline.
22 I'll try to be pretty quick here. In general,

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1 we are happy to support a number of the
2 recommendations in the Office of Planning's
3 proposal. They are listed as Item C. We
4 support Recommendation 6, 7, 9, 10, 14, 19,
5 20, 21, 22, all the recommendations regarding
6 food security.

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

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

21 We do not support recommendations
22 which we think exceed the appropriate scope of

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1 the Zoning Regulations. I think Commissioner
2 May, not to put words in his mouth, but I
3 think he even indicated that some of these
4 areas seem to go beyond the scope of what
5 zoning is intended to cover.

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

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

17 And we cannot support things that
18 we think contradict other laws or regulations.

19 So -- and I hate to say this, but we also --
20 I shouldn't say I hate to say this, but we
21 also think a lot of these recommendations
22 would eliminate matter-of-right projects.

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1 Unfortunately, a lot of folks don't want to
2 hire or shouldn't have to hire zoning
3 attorneys to come to the BZA or the Zoning
4 Commission in order to get a building permit.

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

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

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

19 No. 9, we think, is great again
20 because it expressly permits folks to do
21 things which incorporates sustainability
22 features.

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1 14, all the food security
2 recommendations, we think, are great for a
3 number of reasons as outlined in our testimony
4 and so eloquently stated today.

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

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

18 With respect to No. 8, the Solar
19 Access Protection. We -- I think I heard a
20 couple of Commissioners ask some questions
21 about how that would practically work. We
22 want to make sure it is crafted in a way that

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1 provides balance. There are a number of great
2 developments, which might be adjacent to some
3 lower scale projects and we wouldn't want to
4 create a situation in which an individual
5 could install a solar panel that might
6 theoretically slow down a project or otherwise
7 lead to inappropriate results or unnecessary
8 extractions.

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

14 With respect to, again, No. 13 --
15 I'm sorry, Recommendation 15, the Water
16 Conserve and Landscaping, I didn't get the
17 gentleman's name who mentioned that he was
18 just in a meeting today with D.C. WASA, D.C.
19 Department of the Environment and the D.C.
20 Council. We think those are the proper
21 agencies to implement those regulations and
22 enforce those, not the Zoning Commission.

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1 With respect to 18, I know
2 Commissioner Keating would like to see this at
3 the top of the list, and maybe I'm a little
4 slow, but I don't understand the Green Area
5 Ratio quite frankly. I'm not sure whether it
6 is a requirement, whether it is an incentive.
7 I'm not sure how easy it would be to apply
8 for individual that doesn't have a zoning
9 attorney. I would like to see a little more
10 information to be able to understand how that
11 would really work.

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

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

19 MS. SCHELLIN: I already gave him.

20 CHAIRMAN HOOD: He already took --
21 oh, we already gave you a minute.

22 MS. SCHELLIN: I already added it.

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1 CHAIRMAN HOOD: Oh, she already
2 added it. Okay. Well, you don't have an
3 additional minute. Okay. Thank you, Mr.
4 Freeman. Ms. McKeon, Britt Gordon-McKeon?
5 McKeon, I think. Okay. Can you turn your --
6 okay. There we go. Thank you, Ms. McKeon.

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

14 The Transportation Demand
15 Management Recommendation No. 1 is a really
16 important valuable step to encourage and, in
17 some cases, require Transportation Demand
18 Management Measures and the ones listed here
19 are very important. And also other ones that
20 would be valuable to add could include
21 unbundling the cost of parking from the cost
22 of renting or buying a home as well as

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1 encouraging parking sharing for buildings.

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

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

20 CHAIRMAN HOOD: Thank you very
21 much. Ms. Alma Gates. Ms. Gates?

22 MS. GATES: Good evening, Chairman

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1 Hood and Members of the Commission. My name
2 is Alma Gates and I'm representing Neighbors
3 United Trust. Overall, I support an effort to
4 formalize environmental components in the
5 Zoning Code.

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

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

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

21 Where currently there might be a
22 family of 2 individuals, this recommendation

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1 would allow a family to increase to 6
2 individuals or 3 times the current number of
3 occupants. It is fair to assume these new
4 family members are already using resources.
5 The use would intensify as these family
6 members are not children.

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

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

21 The work group noted a lack of
22 protection for neighboring properties and

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1 parking concerns under this proposed matter-
2 of-right recommendation. Title 11, Section
3 223, New Accessory Structure, addresses ADUs
4 and currently requires a special exception.

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

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

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

21 As a result, proper oversight and
22 neighborhood protection is often lacking when

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1 DDOE is the responsible Agency. That would
2 not change. The work group noted that
3 knowledge of underground hydrology may be key
4 to the impact of below-grade construction and
5 the builder should bear the burden of proof
6 that below-grade construction will not
7 negatively impact neighboring properties.

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

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

22 Change is recommended by DDOE to

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1 the current Flood Hazard Rule provisions
2 through regulations on transfer development
3 rights for sites that extend into floodplain
4 or other fragile area. Regulations addressing
5 the management of groundwater and below-grade
6 construction and final status of new FEMA
7 Flood Insurance Rate Maps.

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

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

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

14 MR. SOLON: Oh, okay.

15 CHAIRMAN HOOD: There you go.

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

22 And I approve, in general, the

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1 policy statements contained in Office of
2 Planning Project Manager, Travis Parker's, May
3 11th memorandum. But I am apprehensive about
4 the on the ground, real life manifestation of
5 some of them, some of the comments, including
6 the following:

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

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

20 Further, neither OP representative,
21 Melissa Byrd, nor anyone at her agency has
22 responded to a memo and attachments that I

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1 personally in public handed to her last
2 February 8th. Below is a copy of that memo, a
3 portion of which I will read.

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

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

22 Please, ensure that the D.C.

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1 Comprehensive Plan requires a commuting
2 reducing office to residential ratio and do
3 whatever you can to get D.C. officials to
4 enforce the plan's requirement. Thank you."

5 And you have the attachment.

6 CHAIRMAN HOOD: Thank you. Ms.
7 MacWood?

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

14 Recommendation 4, Increased Energy
15 Efficiency. Unfortunately, the proposed
16 recommendation only asks the Zoning Commission
17 to consider requiring cutting edge energy
18 efficiency standards for PUDs. The Zoning
19 Commission should adopt the Architecture 2030
20 Standard which aims to reduce building energy
21 consumption by 50 percent by 2010 and achieve
22 carbon neutrality by 2030.

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1 The challenge has been adopted by
2 the U.S. Conference of Mayors, the American
3 Institute of Architects and the Green Building
4 Council.

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

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

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

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1 energy bills?

2 Recommendation 5, Outdoor Lighting.

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

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

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

16 Recommendation 7, Renewable Energy
17 Generation. Before changing the historic
18 skyline with wind turbines, the Zoning
19 Commission should require a more refined study
20 of their applicability in terms of size and
21 number required for an effective system, type
22 and size of building most adaptable to this

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1 technology and ranking of effectiveness as an
2 alternative clean energy producer in the
3 District.

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

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

16 Recommendation 18, Green Area
17 Ratio. I agree with some of the comments that
18 were made previously. I don't quite
19 understand this recommendation, but it seems
20 to me that there isn't enough experience with
21 GAR to warrant requiring it be on commercial
22 areas.

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1 There is no experience in the
2 United States with requiring GAR in low and
3 moderate density residential areas. These are
4 the areas where new requirements would have
5 the least impact while imposing cumbersome new
6 regulations.

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

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

19 CHAIRMAN HOOD: Thank you. Did she
20 have her extra minute? Okay. All right.
21 Thank you. Let me open it up for any
22 questions. Commissioners, any questions of

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1 this panel? Commissioner May?

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

6 MS. GATES: Yes.

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

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

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

20 MS. GATES: Yes.

21 COMMISSIONER MAY: -- backing up,
22 drains backing up?

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1 MS. GATES: You may be aware of a
2 house on Macomb Street that was actually
3 washed off its foundation. And in the second
4 flood after that was repaired, one entire
5 foundation wall was washed in. So there is a
6 huge amount of water in that area.

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

14 So at the bottom, you have less
15 capacity.

16 COMMISSIONER MAY: Um-hum.

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

19 COMMISSIONER MAY: Now, is --

20 MS. GATES: It's very bad.

21 COMMISSIONER MAY: -- WASA looking
22 at fixing that problem now the way they are

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1 looking at fixing that problem in other areas
2 of the city? I know they are looking at it
3 downtown.

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

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

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

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

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

19 COMMISSIONER MAY: Yeah, okay.
20 Thanks.

21 CHAIRMAN HOOD: Anyone else? Any
22 other comments for this panel? Okay. We want

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1 to thank you all for your testimony and also
2 for your information provided to us as we move
3 forward in this process. Thank you.

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

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

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

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

18 Presently, 1/3 of all cancers can
19 be attributed to diet and lack of physical
20 activity. I also serve as the Co-Chair for
21 the Policy Committee that the Department of
22 Health has convened to create and develop a

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1 State Obesity Reduction Plan. And I also
2 serve as the Policy Chair for the D.C. Cancer
3 Consortium, which addresses reduction of
4 cancer in the District and Policy Chair for
5 the D.C. Action for Health Kids.

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

10 The Ward 7 and 8 have the highest
11 rates of obesity and those disproportionately
12 higher, they actually see the national rate.
13 Presently, that is 39.9 percent in Ward 7,
14 71.9 percent in Ward 8. They also have the
15 lowest physical activity rate and the highest
16 number of food deserts in that ward -- in
17 those wards.

18 Additionally, we spend presently
19 about 1/4 of our budget dollars on addressing
20 health disparities, which is really -- brings
21 us to a really serious situation when you
22 consider that heart -- obesity can lead to

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1 heart disease, not only cancer, but heart
2 disease, diabetes and asthma.

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

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

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

22 So we recommend that you establish

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1 a saturation index that limits fast food
2 establishments in communities where these
3 disparities exist, especially in the areas
4 where children learn and play. Increase
5 grocer food retailers, promote convenience
6 store upgrades that would sell healthy
7 options.

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

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

20 No. 3, bill capacity of D.C.
21 residents to develop and operate community
22 gardens.

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1 No. 4, allow Farmer's Markets and
2 cooperatives, retailers in Commercial, Mixed-
3 Use Districts and transportation hubs. Zoning
4 incentives to promote street vending licenses
5 to create healthy food options should be
6 considered, such as foods -- fruits and
7 vegetables.

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

14 Amend the Zoning Regs to support
15 shared use of facilities, especially for
16 public and charter schools. The charter
17 schools indicated that this is a real issue
18 for them to have access to supervised physical
19 activity and physical education to their
20 students, because many times they use
21 facilities that do not include gyms and that
22 needs to be addressed.

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1 Improving also work site wellness
2 that was an issue for work site wellness, too,
3 so businesses, small businesses cannot provide
4 those services, so having those shared use
5 would also benefit them.

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

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

17 And then this one was a really big
18 one. This quote really stuck out that was
19 provided to me by the Joint Health -- Joint
20 Center Health Policy Institute which is -- is
21 that my one minute? I can sum it up in one
22 minute, 30 seconds.

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1 CHAIRMAN HOOD: Yes, just finish
2 your last comment.

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

10 And we need to address this. It
11 would also allow us to reduce the cost to tax
12 payers by addressing some of these issues. So
13 thank you and I will be glad to submit the
14 information.

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

19 Okay. Opponents? Ms. Barbara
20 Zartman, Committee of 100; Ms. Marilyn Simon,
21 Friendship Neighborhood Association. And do
22 we have anyone else? Anyone else who is in

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1 opposition? Okay. With that, we will end
2 with this panel.

3 MS. ZARTMAN: Okay. Thank you.

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

6 MS. ZARTMAN: That's all right.
7 Thank you, Mr. Chairman and Members, for the
8 opportunity to testify about the
9 recommendations of the Office of Planning with
10 regard to sustainability.

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

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

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1 year or more, maybe much more.

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

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

22 Does the Zoning Commission believe

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1 it should exercise its authority to place
2 communities in these vulnerable positions?
3 Would it not make much more sense to adopt as
4 a first step a limited set of corrections and
5 clarifications about which there is no
6 controversy, then work with communities to see
7 what changes they would want for their areas
8 in the policies proposed by OP under a
9 standard that communities could not be less
10 protected than they are today.

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

17 Our second point is that this re-
18 engineering process intended to produce a
19 simplified and clarified set of regulations
20 often adds huge helpings of complexity.
21 Surely the Green Area Ratio is such a
22 proposal. After OP arguments that assist in

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1 using computer checks of underlying zoning and
2 few overlays would be too complex.

3 OP proposes this well-intentioned,
4 but unworkable, highly detailed point system.

5 No reference is made to distinctions between
6 existing structures and new development, to
7 historic or landmark properties, to
8 residential and commercial or institutional
9 properties.

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

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

20 We would imagine that many other
21 proposals could be as easily accommodated in
22 DDOT Regulations as in Zoning Regulations and

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1 more easily changed as technology changes.

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

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

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

18 This proposals impact on runoff
19 groundwater retention and other environmental
20 considerations need to be addressed. It is
21 also true that today to have a second dwelling
22 unit, you not only need the special exception,

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1 but you need a basic business license and a
2 Certificate of Occupancy to assure safety of
3 your tenant.

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

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

18 Homes near large educational
19 properties know how densely students can be
20 packed into unsafe properties. 8 unrelated
21 persons are common. 16 have been approved by
22 the BZA on the recommendation of the Office of

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1 Planning. I would make some suggestions about
2 how one might calculate family size.

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

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

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

21 MS. SIMON: Thank you. My name is
22 Marilyn Simon and I'm speaking on behalf of

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1 Friendship Neighborhood Association. Some of
2 OP's recommendations would implement specific
3 language in the Comprehensive Plan, examples
4 are given in my written testimony.

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

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

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

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1 apply.

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

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

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

21 In the earlier proceeding, the
22 Commission was concerned about the impact of

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1 spill-over parking on low and moderate density
2 neighborhoods, if it adopted OP's
3 recommendation to eliminate minimum parking
4 requirement for high density residential
5 buildings.

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

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

17 This has provided some protection
18 for low and moderate density neighborhoods
19 near Metro, although spill-over parking
20 remains a serious issue. OP's recommendation
21 to eliminate minimum parking requirements for
22 new and -- new commercial and higher density

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1 residential development within a half mile of
2 every Metro Station would exacerbate existing
3 problems.

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

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

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

17 Parking maximums. The imposition
18 of maximums, which are too restrictive, can
19 make projects less desirable to perspective
20 tenants or might cause spark in spill-over,
21 which would negatively impact the quality of
22 life in adjoining neighborhoods.

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1 Overly restrictive maximums perhaps
2 based on an unrealistic view of how well our
3 public transportation system can meet the
4 needs of the buildings, residents, customers
5 and employees might deter development in some
6 neighborhoods where development is desired.

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

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

19 Minimum Bulk Standards. These
20 types of requirements, like parking maximums,
21 can get -- curb development where profitable
22 development on a smaller scale might be

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1 possible. But a building meeting the size
2 standard would not be profitable. They also
3 can create an unnatural uniformity for a
4 particular area.

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

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

19 In addition to these tools, it is
20 necessary to maintain an area of intermediate
21 zoning wherever it currently exists. This is
22 critical to areas such as Friendship Heights

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1 where a regional center is near a low density
2 residential neighborhood.

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

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

17 Our comments on the Green Area
18 Ratio are included in the written testimony.
19 We look at some of the perverse incentives in
20 the sample score sheet and ask that this type
21 of provision not be considered as a substitute
22 for important zoning restrictions such as

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1 maximum lot occupancy and if adopted be done
2 only on a pilot basis after its --

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

5 MS. SIMON: -- effectiveness is
6 evaluated.

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

11 MS. SIMON: Okay.

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

14 MS. SIMON: Yes.

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

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1 during this process?

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

6 CHAIRMAN HOOD: Okay.

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

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

20 CHAIRMAN HOOD: And that kind of
21 leads me to the next question on -- I guess,
22 about the fourth paragraph down, maybe fifth

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1 paragraph. You mentioned in your testimony
2 would it not make much more sense to adopt as
3 a first step a limited set of corrections and
4 with clarifications about which there is no
5 controversy? You cite an example part and
6 cause for the residents might be an example.

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

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

13 CHAIRMAN HOOD: Okay.

14 MS. ZARTMAN: And I mentioned it's
15 applicable to low and moderate residential
16 development. If you change the nature of
17 Residential Zones so fundamentally by allowing
18 institution or commercial uses on a
19 residential block, and you do that
20 fundamentally in the base document of the
21 Zoning Code, the fact that 2 or 3 years later
22 you may get an overlay that says actually,

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1 that's not such a good idea in this particular
2 neighborhood, what are you doing to do, take
3 the institutions out?

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

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

14 But I think it's, as I said, cart
15 before the horse. Find out what is applicable
16 to the individual neighborhoods, communities.

17 Use what is being proposed by OP as a
18 starting point to discuss, but don't enact
19 those proposals and then say to communities
20 gee, we're really sorry this had an impact we
21 didn't anticipate, but, you know, it's the law
22 now.

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1 CHAIRMAN HOOD: There was a pilot
2 program that was mentioned, I think. Mr.
3 Parker, you mentioned it in another hearing
4 that was going to take place. Has that taken
5 place?

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

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

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

17 We already have more mixed-use than
18 we want. The front building line doesn't work
19 in existing neighborhoods. A whole bunch of
20 fundamental things that we think are very
21 important and they are important to the
22 character of a community that the city relies

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1 on for its tourism business.

2 CHAIRMAN HOOD: Okay. I won't
3 prolong it, but I need to get clarification on
4 that whole process, because I thought it was
5 just, basically, a discussion. And I don't
6 know what happened. You know, I didn't think
7 it was nothing necessarily implemented. Maybe
8 I'm just confused and maybe it's late for me.
9 I'll catch up with the meeting and I'll ask
10 that question.

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

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

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

22 MS. SCHELLIN: I don't think we

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1 asked for anything.

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

6 MS. SCHELLIN: Ms. Wells.

7 CHAIRMAN HOOD: Yes, Ms. Wells.

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

10 CHAIRMAN HOOD: Two people?

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

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

20 MS. TARCE: i just wanted to --

21 CHAIRMAN HOOD: You're going to
22 have to fill out a witness card now. So I

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1 want to tell you that before you start
2 talking. You've got to fill out a witness
3 card, unless you just want to talk to staff.

4 COMMISSIONER KEATING: Talk first.

5 MS. SCHELLIN: Turn the mike on.

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

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

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

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

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

22 MS. TARCE: We are. The draft is

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1 already written. We just needed the Executive
2 Director to approve it before we can --

3 CHAIRMAN HOOD: Okay.

4 MS. TARCE: -- provide it to you.

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

7 MS. TARCE: That would be great.

8 CHAIRMAN HOOD: Let's just do this.

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

12 MS. SCHELLIN: And also OP.

13 CHAIRMAN HOOD: The number seems to
14 be going up.

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

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

21 And I think we can just really narrow it down
22 to those five things.

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1 MS. HODGE: Hello, Chairman Hood
2 and Commissioners. I'm Anne Hodge from
3 Advisory Neighborhood Commission 3D. We have
4 a great interest in sustainability, but have
5 not yet perused this in enough detail to
6 provide thoughtful comments and I would
7 certainly like to do so.

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

15 MS. SCHELLIN: And did you set a
16 date?

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

19 MS. SCHELLIN: Oh, you were?

20 CHAIRMAN HOOD: Yes. How long, Ms.
21 Hodge, your ANC, you know, I don't expect for
22 you all to have it by Monday, because --

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1 MS. HODGE: No. We -- I don't
2 know. Is it too late -- we meet the first
3 Wednesday in June, that would be the 3rd, so
4 that would be about two weeks from now. Is
5 that too late?

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

8 MS. HODGE: Thank you so much.

9 CHAIRMAN HOOD: Okay.

10 MS. HODGE: Thank you so much.

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

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

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

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1 CHAIRMAN HOOD: All right.

2 MS. SCHELLIN: Does that work for
3 OP?

4 CHAIRMAN HOOD: Anything else?

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

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

11 MS. SCHELLIN: That's it.

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

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

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