

**Case No. 08-06-2**  
**Comprehensive Zoning Rewrite: Parking**  
**Zoning Commission Public Hearing**  
**July 31, 2008**

**Testimony of Nancy J. MacWood**  
**Commissioner, ANC 3C 09, and Member of the DC Zoning Task Force**

In a recent conversation with the Stop & Shop Corporate Vice President for Real Estate regarding the need for zoning relief for the undersupply of proposed parking spaces for a Planned Unit Development at the Wisconsin Avenue Giant, he asked what the DC commercial zone parking standard was. When I told him, he remarked that it was very low as compared to other jurisdictions where their grocery stores are located and he could understand the neighborhood's concern about potential spillover parking.

I mention that example because it informs the discussion about whether the Zoning Commission should adopt the Office of Planning's proposals about changes to minimum parking requirements and the imposition of new maximum parking requirements. These are among the most controversial of the parking proposals.

If the District minimum parking standards are among the lowest then why is there a push to change them so that they are even lower or nearly non-existent standards? The Comp Plan focuses on the location of parking garages, parking management, the need to maintain minimums near residential areas, and the inclusion of parking maximums only in TOD overlay areas. Thus, there is no mandate in the Comp Plan for a citywide change in parking, except in newly designated TOD overlays.

The impetus for tailoring or eliminating minimums and imposing maximums seems to originate with Donald Shoup, UCLA urban planning professor, who has written extensively about connecting public parking pricing with reduced off-street parking requirements. While Prof. Shoup's ideas are prominent in the new urbanism movement, not everyone endorses them. For example, the new urbanism leaders Andres Duany and Elizabeth Plater-Zyberk whose company produced the SmartCode for urban development recommend a standard minimum of 3 parking spaces per 1,000 square feet of retail in a city center.

Part of Prof. Shoup's concern is a reaction to surface and above ground parking garages which present urban walls or unattractive faces to the street, interrupting more attractive streetscapes which attract pedestrians, and result in underutilized land. He stresses that he is not proposing deregulation, but rather urging that parking requirements not compromise good design. Cities, like Boston, Chicago, and San Francisco, that have adopted maximums for their downtown areas seem to agree that the prominence of under-designed parking structures and surface lots inhibit more active downtown land use. But this scenario is not replicated in the District. Nonetheless, the new urbanism

advocates would like DC to adopt some of the movement's primary objectives even if the fundamental problems being addressed are dissimilar.

Because the District has a very small land area many parts of the city have few surface lots and fewer above ground garages. There is sensitivity to the underutilization of land and the incompatibility of above ground garages and surface parking lots fronting on streets, particularly in residential neighborhoods. Typically, the private development response to the need for parking results in underground parking garages. By adopting zoning regulations that provide disincentives to providing adequate off-street parking the District neither addresses the new urbanism concern about surface and above garages nor the lack of on-street parking supply for the demand. The District issue of spillover parking or lack of turnover parking near commercial centers won't be resolved by introducing tens of thousands of new housing units with very limited parking options, including adequate underground garages. Nearly all of the available on-street parking spaces outside the central city core are on residential streets where residents rely on having access. Increasingly, current residents are asking the Zoning Commission to prohibit residents of new construction from seeking and obtaining residential parking permits which is indicative of the imbalance between supply and demand on city streets. Reducing the parking requirements without similar protections, which is a DDOT function, for current residents in all zone districts has the potential of creating a tipping point and the current DC public transportation system could not counteract the ensuing parking crisis.

There may be areas in the District where maximum parking standards are warranted, but much additional study should target where and the circumstances for such a change beyond TOD overlay areas, which have not been designated. Alternatively, maximums should be implemented per the Comp Plan in the TOD overlay areas and that experience evaluated before considering a more extensive use of maximums.

During the parking working group sessions, the Office of Planning consultant, Nelson/Nygaard Consulting Associates, didn't display much familiarity with DC, yet they advanced theories about parking and announced that if we were progressive we would support no parking requirements or maximums per the new urbanism agenda. Their self-defined "best practices" highlighted jurisdictions with newly created maximums, but none of the identified jurisdictions had implemented maximums outside the downtown area or citywide as the Office of Planning is proposing. There was no information about the impact of the maximum rules. It is an understatement that the working group had a few ardent proponents for the Office of Planning proposals and few ardent opponents and a majority of confused participants who were unsure why we needed a change and how these new proposals would affect their communities. When the Office of Planning was asked to produce a comparison between current rules and the proposed change in determining institutional parking requirements they couldn't provide any data. This exemplifies the gap in information between current impacts and proposed impacts that left the working group with little means to evaluate what was being proposed.

There are several other proposals from the Office of Planning that represent new directions in policy and that should be rejected by the Zoning Commission. One would allow DDOT to grant relief from up to 50% of minimum or maximum parking requirements if the developer paid into a DDOT fund. Currently, only the Board of Zoning Adjustment can waive parking requirements and the BZA applies standards for determining when this relief should be granted. The BZA conducts a public process that is publicly noticed and that includes ANCs and residents. The Office of Planning proposal would transfer this authority to DDOT without any of the protections and process currently required.

Another proposal would allow a developer to avoid complying with parking requirements if there was no access to the proposed building from an alley or secondary street (undefined) and DDOT refused to grant a curb cut on the street that the lot faces. In effect, DDOT could override the enforcement of zoning parking requirements by refusing to approve curb cuts. Again, the authority to waive parking requirements rests with the BZA and this public process with its accompanying standards should continue.