



July 28, 2011

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Ms. Sharon Schellin  
Secretary to the Zoning Commission  
Office of Zoning  
441 4<sup>th</sup> Street, NW, Suite 220-South  
Washington, DC 20001

**RE: Z.C Case No. 11-01 (Office of Planning – (Text amendments related to the location of parking spaces on a lot – 11 DCMR § 2116)**

Dear Ms. Schellin:

The Committee of 100 (C100) on the Federal City submits the following comments to the Zoning Commission on the proposed rulemaking for Title 11 DCMR, Chapter 21, **OFF-STREET PARKING REQUIREMENTS, § 2116, LOCATION OF PARKING SPACES ON A LOT**. As the Commission is aware, C100 submitted testimony on this matter at the April 28, 2011 hearing.

May 13, 2011 Supplemental Information for CASE NO. 11-01

The Office of Planning submitted a Memorandum containing supplemental information to the Zoning Commission on May 13, 2011, stemming from issues raised at the April 28 hearing. These include the scope of the text amendments, the application of surface parking restrictions in residential zones, the proper wording or language to ensure that structured parking is placed “below grade,” and the application of the structured parking restrictions in residential zones.

The Office of Planning credits C100 for pointing out there are gaps in the current zoning code, which make the location of parking spaces on

residential lots difficult to identify; but, failed to adopt the language C100 proposed in its testimony, and, continues to propose restrictions on or removal of residential parking.

### Comprehensive Plan Guidance

The proposed text amendment would remove current permitted parking locations on residential lots and place that parking on the street. Without a doubt, an insufficient supply of surface parking is the one issue that resonates throughout the city. Until a balance between supply and demand is reached for parking in residential neighborhoods, especially those adjacent to commercial areas, voices will continue to resonate on the shortage.

The Comprehensive Plan contains the following Action Item and addresses the need to “better manage” residential street parking in neighborhoods with high parking demand:

#### *Action T-3.2.D: Unbundle Parking Cost*

Find ways to “unbundle” the cost of parking from residential units, allowing those purchasing or renting property to opt out of buying or renting parking spaces... Further measures to reduce housing costs associated with off-street parking requirements, including waived or reduced parking requirements in the vicinity of Metrorail stations and along major transit corridors, should be pursued during the revision of the Zoning Regulations. These efforts should be coupled with programs to better manage residential street parking in neighborhoods of high parking demand, including adjustments to the costs of residential parking permits. <sup>415.8</sup>

It appears the proposed rulemaking is in conflict with the guidance offered by the Transportation Element as it would further stress residential neighborhood streets that already experience high parking demand.

In 2002, Mayor Williams appointed a Parking Taskforce that was charged with developing recommendations for changes in parking policies and procedures in the District. The task force found that a high majority of on-street parking spaces are located in the central business district rather than residential neighborhoods. The taskforce findings are noted in a shorthand report on page 4-37 of the Transportation Element, which notes:

The residential parking program regulations and enforcement should be based on the type of residential designation. Residential designation is determined by density and proximity to commercial establishments, including Metrorail stations.

While both of these passages address “on street parking,” attention to residential density was stressed by the Mayor’s Parking Task Force Report.<sup>1</sup> Removing off-street parking in residential areas with high parking demand exacerbates efforts to better manage on-street parking. C100 recognizes the competition that exists for parking spaces in areas adjacent to or close by Metro stops. Residents from all over a ward with RPP stickers can drive to the Metro and occupy an on-street space all day thus making on-street parking for residents of the area much more difficult.

### Proposed Rulemaking Action Memorandum

C100 wishes to express concern regarding the proposed text amendments as the intent stated in the Notice of Public Hearing notes, “The overall intent of the amendments is to disallow parking spaces accessory to commercial uses ...”

Parking on commercial lots is not the issue C100 wishes to pursue, but rather the effect of the proposed rulemaking on the location of parking spaces on residential properties.

2116.4 Parking spaces shall not be located in the following areas:

- (a) Between a building restriction line and a lot line abutting a street; or
- (b) Except in a Industrial District or a building used solely as a parking attendant shelter, between a lot line abutting a street and the more restrictive of either a building façade or a line extending from and parallel to a building façade.

OP states that the ZRR will provide definitions of allowed locations and clarify existing regulations as they apply to residential zones. The proposed rulemaking may be premature and would benefit from a delay until the Zoning Commission has a complete set of facts.

C100 has actively participated in the ZRR process and notes that currently § 2101.1 requires one (1) off street parking space for each residential unit in the R-1 through R-5A zones but that requirement has been eliminated in the proposed ZRR text. While §2101.1 serves as background for the proposed rulemaking, it is not the subject of the proposed rulemaking. Section 2101.1 has regulated the location of off-street residential parking for the city’s residential neighborhoods since it was initially enacted. The need for predictability cited in the Transportation Element of the Comprehensive Plan, which is so critical to the stability of neighborhoods, will be eliminated.

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<sup>1</sup> Alma Gates, Chair of the C100 Zoning Subcommittee was a member of the Mayor’s Parking Task Force.

The proposed rulemaking replaces existing § 2116.4 with far more restrictive language and would prevent parking anywhere at the front of a residential lot including the side yard which may be “open” between the building façade and building restriction line. The term “side yard” refers to a yard between any portion of a building or other structure and the adjacent side lot line. By virtue of the fact a structure must provide a side yard, it is understood the side yard runs for the entire length of the property from front lot line to rear lot line. (See Attachment 1)<sup>2</sup>.

Proposed § 2116.4 would prohibit parking on a residential lot between the street lot line and the façade of the building in the side yard regardless of the amount of “open space” between the building façade and the building restriction line where parking is currently permitted. Section 2116.4 (b) may be appropriate for commercial parking lots, the stated intent of this rulemaking, but imposes more restrictive measures on residential lots. In fact, it may result in significant changes in R-1-A and R-1-B residential zones. For example, parking in a circular driveway or side yard would no longer be allowed regardless of the open space size in the area between the building facade and building restriction line. Parking would be prohibited anywhere on a residential lot between the lot line and building façade across the entire front of the building. The proposed rulemaking also creates a hardship for corner lots.

### Conclusion

To ensure there is no conflict between the proposed rulemaking on the Text Amendment – Location of Parking Spaces on a Lot and parking guidance provided in the Comprehensive Plan, C100 strongly suggests the Zoning Commission exclude residential properties from this proposed rulemaking until further investigation is done by OP to show:

- An improved balance between on-street parking supply and demand will result if the location of parking spaces on residential lots is more restrictive;
- No additional impact to residential neighborhoods adjacent to commercial areas will result from spill over parking if the location of parking spaces on commercial lots is more restrictive.

C100 finds the documentation supplied by OP does not fully address the potential for neighborhood impact that may result from this rulemaking, and suggests residential districts of the city would be better served if impacts were known prior to approval of the

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<sup>2</sup> Attachment 1 has been redrawn to show the continuation of the side lot line from the front lot line to the rear lot line. The drawing shows an area between the façade of the building and the building restriction line where residential parking is currently allowed but would be eliminated for all but PDR zones under the proposed rulemaking.

text. Restricting the location of off-street parking spaces, which may eliminate some supply, does not ensure there will be less parking demand.

Attachment 1

ZC 11-01 – Text Amendment to Section 2116 - Location of Parking Spaces

§§ 2116.2 (b), 2116.4 **Parking on an open area of the lot**

