

Impact of Zoning Re-Write on Dupont Circle ANC 2B

The zoning re-write is a multi-year multifaceted process updating the zoning code which was initially created in 1958 and has since become a cesspool of overlays, variances, and confusion. The most salient debates surrounding the re-write are corner stores in residential neighborhoods, parking minimums surrounding metro stations, WMATA bus priority lines, and planned and funded streetcars, and the expansion of the downtown core to areas south of the Circle.

Current Public Process

The current public process for the zoning update began five years ago and is currently before the Zoning Commission. According to the [DC Office of Zoning](#) “The final decision on the text will be made by the ZC using its rulemaking authority after public hearings are held and the public’s comments are considered. The public is strongly encouraged to play a role in this process by participating in the public hearings.” Public hearings on separate sections begin on Monday, November 4, 2013 and extend until Tuesday, November 19. The applicable nights for the ANC are Thursday, November 7 regarding Apartment Zones, Wednesday, November 13, regarding Mixed Use and Neighborhood Mixed Use Zones, Thursday, November 14 regarding Downtown Zones and Special Purpose Zones, and Tuesday, November 19, the overflow night, regarding General Procedures which includes parking, bike parking, and loading. All hearings will be held at the Office of Zoning in the Jerrily R. Kress Memorial Hearing Room at One Judiciary Square, 441 4th Street, NW 220-S.

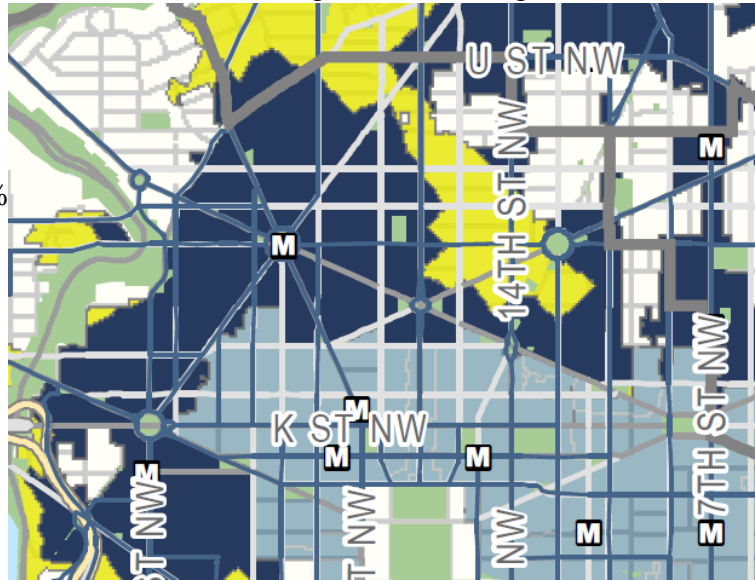
The ANC carriers “great weight” during this process and may send a letter or designate a representative to speak at the Zoning Commission public hearings. There are no future public hearings or public input processes currently planned after these public hearings.

Addressing Misconceptions

While the zoning update is changing the designations of certain zones and incorporating overlays such as the Dupont Circle historical district overlay into the zoning code, no area of the ANC will have their zoning be materially changed. For example a developer which owns land at 22nd and P St NW in what is now referred to as DC/C-2-C will have the same zoning restrictions even though the new designation is proposed to be M-20. The exception to this is in the expanded downtown as addressed below. Corner stores will not be present in the ANC because all of the ANC will be zoned for apartments, mixed use, or downtown. Apartment zones are not proposed to be eligible for corner stores.

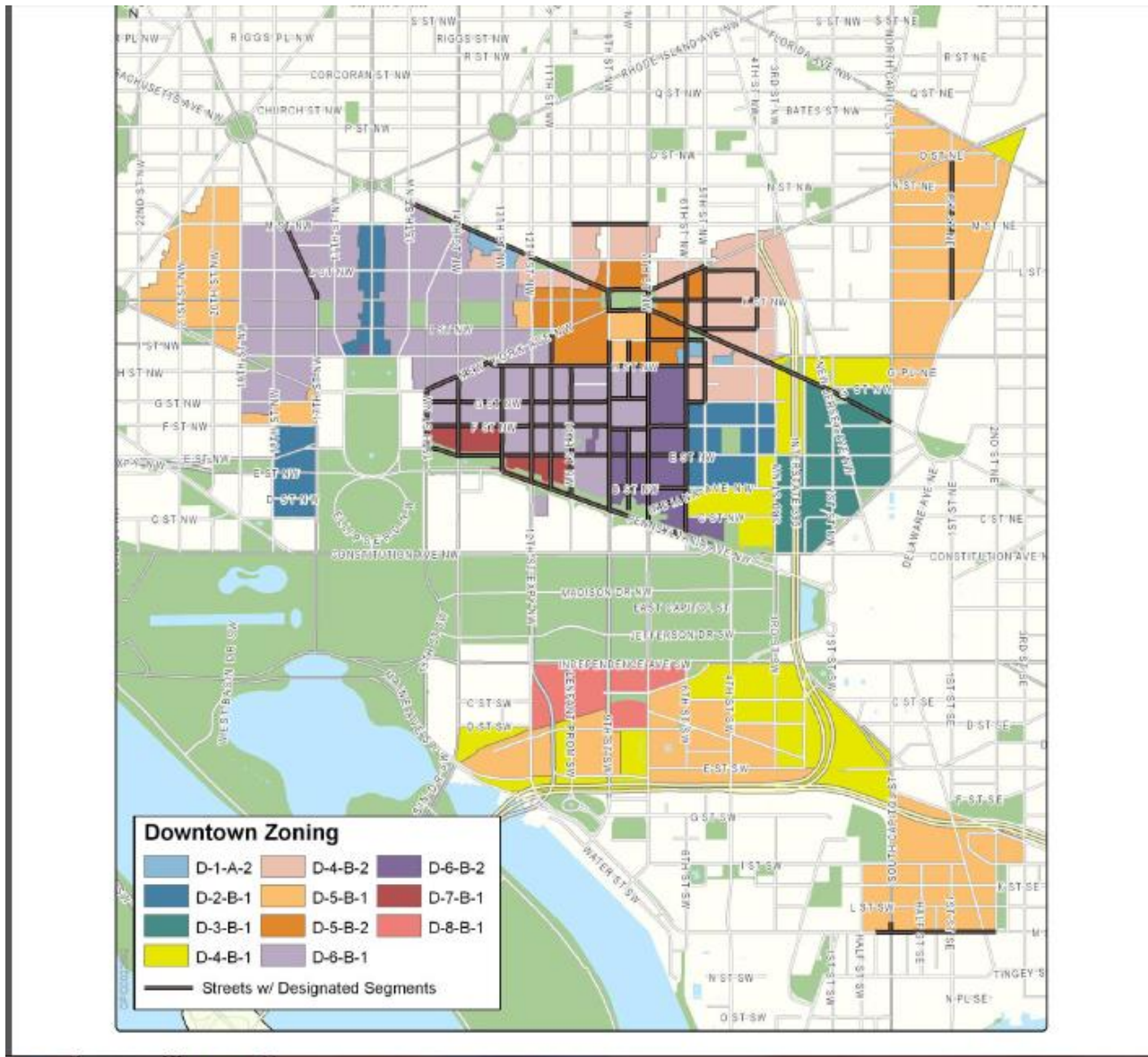
Bus Priority Corridor and Metro Stations

DDOT defines transit zones as being within ½ mile of a metro station entrance or ¼ mile from a WMATA Priority Bus Line or a streetcar line which has been constructed or contracts have been approved for construction. Bus priority lines affecting the ANC include 14th, 16th, 18th, 20th, and 22nd Streets. Priority bus lines are also located on H, I, K, P, U Street, Connecticut Avenue, and Florida Avenue. Transit stations include Dupont Circle, U Street, Farragut North, and Farragut West Metro Stations. While the Office of Planning is still deciding how to measure distance, a previous proposal would put nearly the entire ANC within the boundaries of a transit zone; therefore reducing parking minimums by 50%. A map of the 50% parking minimums is below. The teal is for the expanded downtown region, dark blue for the region with 50% parking minimums within ½ mile of a metro station, and yellow are regions with 50% lower parking minimums because they are ¼ mile from a bus priority corridor.



Expanded Downtown

The expanded downtown would have no parking minimums and would conform to all other Downtown subsections of the zoning code. A map of the expanded downtown zone is located below. Interestingly the current height and FAR zoning in the “expanded downtown area” will stay the same with the new designation. The biggest change will be the complete elimination of parking minimums in the Downtown region. A map of the expanded downtown is below on the next page. Connecticut Avenue has special treatment in the zoning code; otherwise most of the ANC will be newly designated as D-6-B-1 or D-5-B-2.



Inclusionary Zoning

Inclusionary Zoning is a method of incentivizing the creation of affordable housing across the District. Some areas of the District will be zoned to allow slightly higher height and FAR if the project includes inclusionary zoning. For example in the M-32 zone, a developer would ordinarily have a height limit of 90 feet and FAR of 6 while a developer conforming to inclusionary zoning would have a height limit of 100 feet and FAR of 7.2.

Parking Minimums

Parking is one of the more contentious issues regarding the zoning re-write. While most of the ANC is proposed to be in an area with 50% of the parking minimum, the normal parking minimums are listed below. Generally retail is required to have 1.33 spaces per 1,000 square feet,

in excess of 3,000 square feet and residential multi-household is required to have 1 per 3 dwelling units in excess of 4 units and 1 per 6 units of publically assisted housing reserved for elderly and/or handicapped. Parking spots may be shared among uses. For example the same spots can count for an apartment building and a post office. The zoning re-write also proposes bike parking minimums. The tables of minimums based on use-type are listed below.

Use Category	Minimum number of vehicle parking spaces
Agriculture, Large	1.67 per 1,000 sq. ft.
Agriculture, Residential	
Animal Sales, Care and Boarding	1 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Antennas	None
Arts Design and Creation	1 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Basic Utilities	0.33 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Chancery	0.5 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Community-Based Institutional Facility	1 per 1,000 sq. ft.
Daytime Care	0.25 per 1,000 sq. ft.
Eating and Drinking Establishments	1.33 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Education, College/University	as per approved campus plan
Education, Private	1.25 per 1,000 sq. ft.
Education, Public	0.25 per 1,000 sq. ft.
Emergency Shelter	0.5 per 1,000 sq. ft.
Entertainment, Assembly, and Performing Arts	1.67 per 1,000 sq. ft., in excess of 5,000 sq. ft.
Firearm Sales	1.33 per 1,000 sq. ft., in excess of 5,000 sq. ft.
Government, Large-Scale	None
Government, Local	None
Medical Care	1 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Institutional, General	1.67 per 1,000 sq. ft., in excess of 5,000 sq. ft.
Institutional, Religious	1.67 per 1,000 sq. ft., in excess of 5,000 sq. ft.
Lodging	0.5 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Marine	0.5 per 1,000 sq. ft.,
Motor Vehicle-related	2 per 1,000 sq. ft.
Office	0.5 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Parking	None
Parks and Recreation	0.5 per 1,000 sq. ft.,
Production, Distribution, Repair	1 per 1,000 sq. ft., in excess of 3,000 sq. ft. except Warehouse or Storage Facility – 1 per 3,000 sq. ft.
Residential, Single Household	1 per principal dwelling
Residential, Flat	1 per 2 dwelling units
Residential, Multi-Household	1 per 3 dwelling units in excess of 4 units except 1 per 2 dwelling units for any zone within Subtitles D or E

	1 per 6 units of publicly assisted housing, reserved for the elderly and/or handicapped
Retail	1.33 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Service, General	1.33 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Service, Financial	1.33 per 1,000 sq. ft., in excess of 3,000 sq. ft.
Sexually-based Business Establishment	1.67 per 1,000 sq. ft., in excess of 5,000 sq. ft.
Transportation Infrastructure	None
Waste-related Services	1 per 1,000 sq. ft.

Bike parking minimums

Use	Long term spaces	Short term spaces
Agriculture, Large	None	2 spaces
Agriculture, Residential	None	None
Animal Sales, Care and Boarding	1 space for each 10,000 sq. ft.	1 space for each 10,000 sq. ft.
Antennas	None	None
Arts Design and Creation	1 space for each 10,000 sq. ft.	1 space for each 20,000 sq. ft.
Basic Utilities	1 space for each 20,000 sq. ft.	None
Chancery	1 space for each 5,000 sq. ft.	1 space for each 40,000 sq. ft.
Community-Based Institutional Facility	1 space for each 10,000 sq. ft.	1 space for each 10,000 sq. ft.
Daytime Care	1 space for each 10,000 sq. ft.	1 space for each 10,000 sq. ft.
Eating and Drinking Establishment	1 for each 10,000 sq. ft.	1 space for each 3,500 sq. ft.
Education, College / University	1 space for each 7,500 sq. ft.	1 space for each 2,000 sq. ft.
Education, Private School	1 space for each 7,500 sq. ft.	1 space for each 2,000 sq. ft.
Education, Public	1 space for each 7,500 sq. ft.	1 space for each 2,000 sq. ft.
Emergency Shelter	1 space for each 10,000 sq. ft.	1 space for each 10,000 sq. ft.
Entertainment, Assembly, and Performing Arts	1 space for each 10,000 sq. ft.	1 space for each 10,000 sq. ft.
Firearm Sales	1 space for each 10,000 sq. ft.	1 space for each 3,500 sq. ft.
Government, Large-Scale	1 for each 7,500 sq. ft.	1 space for each 40,000 sq. ft. but no less than 6 spaces
Government, Local	1 for each 7,500 sq. ft.	1 space for each 40,000

		sq. ft. but no less than 6 spaces
Health Care	1 space for each 10,000 sq. ft.	1 space for each 40,000 sq. ft.
Institutional, General	1 space for each 7,500 sq. ft.	1 space for each 2,500 sq. ft. but no less than 8 spaces
Institutional, Religious	1 space for each 7,500 sq. ft.	1 space for each 2,500 sq. ft. but no less than 8 spaces
Lodging	1 space for each 10,000 sq. ft.	1 space for each 40,000 sq. ft.
Marine	None	1 space for each 3,500 sq. ft.
Motor Vehicle-related	1 space for each 20,000 sq. ft.	1 space for each 10,000 sq. ft.
Office	1 for each 2,500 sq. ft.	1 space for each 40,000 sq. ft.
Parking	None	None
Parks and Recreation	None	1 space for each 10,000 sq. ft. but no less than 6 spaces
Production, Distribution, & Repair	1 space for each 20,000 sq. ft.	None
Residential House	None	None
Residential Apartment	1 space for each 3 dwelling units	1 space for each 20 dwelling units
Retail	1 for each 10,000 sq. ft.	1 space for each 3,500 sq. ft.
Service, General	1 for each 10,000 sq. ft.	1 space for each 3,500 sq. ft.
Service, Financial	1 for each 10,000 sq. ft.	1 space for each 3,500 sq. ft.
Sexually-based Business Establishment	1 for each 10,000 sq. ft.	1 space for each 10,000 sq. ft.
Transportation Infrastructure	None	None
Waste-related Services	1 space for each 20,000 sq. ft.	None

A special exception to parking minimums may given by zoning board if

a) Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within four hundred feet (400 ft.) of the lot in accordance with C § 1901.8;

(b) The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;

(c) Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;

(d) Amount of traffic congestion existing or which the parking for the building or structure would reasonably be expected to create in the neighborhood;

(e) The nature of the use or structure or the number of residents, employees, guests, customers, or clients who would reasonably be expected to use the proposed building or structure at one time would generate demand for less parking than the minimum parking standards;

(f) Quantity of existing public, commercial, or private parking, other than on-street parking, on the property or in the neighborhood, that can reasonably be expected to be available when the building or structure is in use;

(g) The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street and either:

(1) A curb cut permit for the property has been denied by DDOT; or

(2) Any driveway that could access an improved public street from the property would violate any regulation of this chapter, of the parking provisions of any other subtitle in the Zoning Regulations, or of Chapters 6 or 11 of Title 24 DCMR.

(h) The nature or location of a historic resource precludes the provision of parking spaces; or providing the required parking would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the historic resource.

The only mandatory parking maximum is that no above-grade parking area shall be built or expanded to exceed 100,000 sq ft in land area. However if a developer would like to build any parking in excess of 1.5 times the minimum, calculated based on the parking minimum based on use-type, the developer must pay for migration Mitigation includes 1 bicycle space per 3 excess parking spaces, one tree in a public space in the ward for every 10 excess parking spaces, one on-site electric car charge station for every 20 excess parking spaces, one car share space for every 20 excess parking spaces to a maximum of 10 car share spaces, green area ratio up by .001 for every 2 excess parking spaces to a maximum of an additional 1, 100 excess parking spaces requires provision of one Capital Bikeshare station with a minimum of 12 bike stalls in the ward. More than 200 excess shall require two bikeshare stations. Parking Traffic Demand Management mitigation not required if other Traffic Demand Management stuff is being funded or if it serves a District identified need for parking and will be shared parking spaces available at market rates anytime the facility is open.

For all large parking lots, 50-149 spaces requires 1 car-share space, 150-249 2 min, 250+ 3 min with 1 space for each additional 100 over 250 spaces

Arts

In 14th St/U St/H St/Downtown a property can get bonus density of one square foot of bonus density per square foot of preferred arts use (listed in 2404, page 204 of zoning code). Within the arts zone, developers can sell “arts credits” or exceed FAR by .5, but bonus density is not transferable.

Accessory Houses and Setbacks

In general, accessory houses will be allowed if they are facing an alley with a width of at least 24 feet. Accessory houses may be 2 or 3 stories (20 or 30 feet) tall depending on the zoning designation. Rear setbacks for all zones in the ANC are a minimum of 12 feet from the center of the alley. Side setbacks, where already existing, are a minimum of 5 feet on the side of a building. Front setbacks cannot be farther back than the farthest back on the current street or closer than the closest on the current street.

Green Area Ratio

Green Area Ratio requires a certain amount of sustainability features and plants for any new development in the ANC.