



**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Dupont Circle Advisory Neighborhood Commission 2B**

February 24, 2022

Councilmember Brooke Pinto  
Councilmember, Ward 2  
Council of the District of Columbia  
1350 Pennsylvania Avenue NW, Suite 106  
Washington, DC 20004  
[bpinto@dccouncil.us](mailto:bpinto@dccouncil.us)

RE: DC Council Action Establishing Regulations for “Last-Mile” Warehouse or Distribution Facilities In or Near Residential or Mixed-Use Neighborhoods

Dear Councilmember Pinto,

At its regular meeting on February 9, 2022, the Dupont Circle Advisory Neighborhood Commission (“ANC 2B” or “Commission”) considered the above-referenced matter. With 8 of 9 Commissioners in attendance, a quorum at a duly-noticed public meeting, the Commission approved the following resolution by a vote of (8-0-0):

WHEREAS, last mile delivery services (LMDS), including GoPuff and DoorDash’s DashMart, operate warehouse-like "fulfillment centers" to source grocery, household, and sundry items for delivery by drivers to their customers,

WHEREAS, LMDS are increasingly popular and offer a useful service to District residents,

WHEREAS, warehouses and distribution facilities storing the inventory for LMDS have opened in residential or mixed-use neighborhoods of the District of Columbia,

WHEREAS, the District of Columbia currently does not have a business classification, zoning, regulation, or enforcement for LMDS,

WHEREAS, residents of the District of Columbia in residential or mixed-use zones are not consulted in advance regarding the location or operation of an LMDS opening near them,

WHEREAS, delivery drivers queued and awaiting assignment routinely disrupt the peace, order, and quiet of the neighborhood with litter; noise, such as loud conversation or music; obstructing traffic; or stressing parking at all hours of the day and night,

WHEREAS, the operators of the facilities claim no responsibility for disruptions of peace, order, and quiet or conduct by their operation or their drivers, and

WHEREAS, neighborhoods in ANC 2B, ANC 2E (Georgetown) and ANC 6B (Capitol Hill) have been experiencing disruption to peace, order, and quiet from existing LMDS.

THEREFORE, BE IT RESOLVED that ANC 2B requests that Councilmember Pinto work with ANC 2B and the community to develop and introduce legislation to the DC Council that provides meaningful regulation and enforcement for LMDS in residential and mixed-use zones, including:

- Establishing a specific business classification for LMDS,
- Directing the Department of Consumer and Regulatory Affairs (DCRA) to establish an approval process for applicants similar to that of the Alcoholic Beverage Control (ABC) Board that requires public notice to residents and ANCs and entering into settlement agreements addressing neighborhood concerns and governing an operation's responsibilities and conduct,
- Directing DCRA to establish clear and timely enforcement, adjudication, and penalty imposition policies to resolve complaints from neighbors or other DC Government agencies without complicated or time-consuming complaint processes,
- Holding LMDS operators fully responsible and accountable for the conduct of their drivers and suppliers, whether direct employees, temporary workers, or contract workers, including for blocking traffic, parking, driveways, and alleys and for noise and litter,
- Requiring LMDS operators to maintain current records of drivers engaged by them, whether employees or contractors, and readily accessible logs of reported complaints or incidents involving their drivers, including of property damage or untoward conduct,
- Requiring that LMDS facilities:
  - Have adequate private loading and parking for employees and staging for drivers awaiting dispatch per zoning regulations,
  - Apply for and obtain zoning relief for a location if it does not satisfy zoning requirements,
  - Establish a traffic control plan satisfactory to residents, ANCs, and the District Department of Transportation (DDOT) which is incorporated into the settlement agreement,
  - Apply for and obtain permits from DDOT and/or the Public Space Committee to use designated on-street space for commercial pick-up and drop-off and driver queueing, subject to DDOT's regular processes,
  - Prohibit their employees and contractors from parking or standing in travel lanes, alleys, driveways, neighboring building entrances, or parking facilities, with the Department of Public Works (DPW) and the Metropolitan Police Department (MPD) providing increased enforcement without citizen complaint, and
- Specifying that zoning and public space accommodations and settlement agreements made for LMDS automatically expire upon cessation of occupancy by the operator or an immediate successor maintaining the same type and scope of business so that the accommodations and settlement agreements do not automatically convey to a different business category.

Commissioners Jeffrey Rueckgauer ([2B02@anc.dc.gov](mailto:2B02@anc.dc.gov)) and Matthew Holden ([2B08@anc.dc.gov](mailto:2B08@anc.dc.gov)) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Holden". The signature is fluid and cursive, with the first name "Matt" and the last name "Holden" clearly distinguishable.

Matthew Holden  
Chair