

Zoning Review Taskforce

November 28, 2007

Presentation Notes

1. Mandate

Comprehensive Plan

Section IM-1.3 Zoning Regulations and Consistency states:

“The Zoning Regulations need substantial revision and reorganization, ranging from new definitions to updated development and design standards, and even new zones.”

“Action items throughout the Comprehensive Plan have been listed for consideration during this effort, eventually enabling zoning to work more effectively as a Comprehensive Plan implementation tool.”

Mayor Fenty’s 1st Year Initiatives

“Initiate a comprehensive rewrite of Zoning Regulations”

2. Why Change the Zoning Regulations?

Examples of Outdated Terms

- Telegraph Office
- Ice Sales
- Drive-in Restaurant
- Penny Arcade
- Shooting Gallery
- Mechanical Amusement Machines
- Tenement House
- Boarding House
- Soda Fountain
- Frozen Food Locker
- Film Exchange
- Dry Goods Store

Examples of Outdated Concepts

- No allowance for modern roof structures
- Auto-oriented regulations
- No ability to do mechanical parking
- No recognition of modern antenna types

Examples of Lack of Clarity in the Regulations

- Court vs. court niche
- FAR calculation
- Meaningful building connection
- Architectural embellishment

Ordinance is Difficult to Use

There are currently 31 regular zone districts and 22 overlay districts. This results in over 120 actual zoning combinations in DC. There are over 500 possible zoning combinations among the existing districts and each new overlay adds

several additional combinations. Some properties in the District have up to four separate zoning categories, one underlying zone and three overlays. The result is convoluted system of multiple sets of regulations applying to single properties.

The Zoning Regulations are filled with examples of concepts that should be explained in the body, but are either guided by traditional interpretation or found only in the definitions. These concepts should be clearly stated, accessibly located, and easily understood.

The allowable uses in the regulations are largely based on a progressive system where each district builds on the uses of the previous district. Not only is this set up in a way that requires backtracking through multiple districts to find appropriate uses, but the progression is often incomplete or interrupted. A better system of use restrictions should be created to more clearly define uses allowed in each zone.

3. OP Process

OP has three major goals for this process:

- Clarity
- Relevance
- Ease of use

Review or Rewrite?

One of the major issues of the lead up to this process has been whether the Zoning Commission should consider a complete overhaul of the regulations or just make specific changes as needed. While OP has no intention of recommending changes to most of the existing policies in the code, the only way to avoid complicating the code even further is to look at the code holistically and to accompany any policy changes by fundamental changes in the organization and language of the code to address the basic issues of clarity and ease of use.

4. Background Work

Best Practices

OP has contracted with HNTB to provide a zoning best practices study. The contractor is compiling general zoning information on 60 cities and will be providing detailed review of eight zoning codes. The report of the contractor will focus on new and innovative zoning techniques. This report will serve as a resource for OP and the working groups in examining different ways to handle our zoning challenges. This report should be available prior to the March taskforce meeting.

Public Participation Website

OP has released an RFP for the creation of a public participation website. This site will allow public review and comment of all draft regulations, as well as the provision of individual discussion areas for each subject area. The taskforce will have its own privately accessed discussion board. The public will be able to

follow the progress of the review, sign up for updates on any particular subject area, and receive notifications of meetings or new draft language. This site should be available in January and the taskforce will receive training on the use of the site at the January meeting.

5. OP Work Plan

Taskforce

The zoning review taskforce will have two main functions. First, they will provide guidance on the organization and execution of the review process. This will be most crucial during the first two months of the process while the work plan is being finalized. Second, the taskforce will provide OP with technical review of the policies and draft language proposals that result from each working group. This will be done on a continuous basis throughout the zoning review process.

The Taskforce will meet every other month throughout the zoning review process. OP will provide updates to the taskforce through the website every two weeks. The taskforce will be expected to review and comment on any draft changes online. OP will then compile comments and present an updated version of the draft language at the regular taskforce meeting.

Working Groups

OP has divided up the issues that need to be addressed by the zoning review into 20 separate subject areas. Each subject area will have its own working group and its own public hearing before the Zoning Commission. Working group participation will open to the public. Taskforce members may choose to serve on individual working groups. Working groups will meet for 2-6 months and will be responsible to identify and recommend zoning changes in their subject area.

Subject Areas

The issues that will be addressed in this process have been divided into 20 subject areas. These include eight areas that are not specifically related to a zone district, but policy throughout the regulations. There are eight subject areas that deal directly with the different land use districts. Finally, four subject areas involve procedural issues. The procedural issues will be addressed in conjunction with the Office of Zoning.

The Subject Areas are as follows:

Policy:

- Retail Strategy
- Arts & Culture
- Parking
- Loading
- Sustainability
- Floodplain
- Historic Structures
- Height

Use Districts:

- Low/Moderate Density – Residential & Commercial
- Medium/High Density – Residential & Commercial
- Downtown
- Commercial Corridors
- Industrial
- Mixed/Other
- Campus/Institutional
- Parks/Open Space

Procedural

- Planned Unit Development
- Design Review
- Administration/Enforcement
- ZC & BZA Procedures

Subject Area Timeline

- Working Group action 2-6 months
- Taskforce review 2-6 weeks
- Taskforce meeting
- Public review 4-6 weeks
- Zoning Commission hearing

Contact:

Travis Parker

202-741-5243

Travis.parker@dc.gov