December 5, 2019

Anthony J. Hood
Chair
Zoning Commission
of the District of Columbia
441 4th Street, NW
Suite 210-S
Washington, DC 20001

Re: ZC 19-11 (Text amendment to public-school zoning regulations)

Dear Chairman Hood:

We write to state our views1 on the rulemaking proposal put forward by the Office of Planning. In sum, we oppose the proposed revision to 11-C DCMR § 702 allowing a fifty percent reduction in the parking minimum for public schools in R and RF zones.

ANC 6C, especially in its western half, is undoubtedly the most transit-rich ANC in the entire District. In addition to Union Station—DC’s premier multimodal hub, with Metrorail, Metrobus, Circulator, MARC, and VRE service—we are also served by innumerable Metrobus lines running along H Street and Massachusetts Avenue, as well as the DC streetcar operating on the H Street corridor.

Notwithstanding this unrivaled set of alternatives for traveling to and from our neighborhoods without the use of private automobiles, our experience has been that local DCPS administrators and staff forcefully oppose any argument that their parking needs are minimal. For example, Stuart-Hobson Middle School (410 E St. NE) sits less than half a mile from H Street, Massachusetts Avenue, and Union Station. When parents and DDOT proposed to convert the blacktop playground/staff parking lot into a turf sports field, the school administration fought vociferously to maximize the amount of nearby curb space to be re-allocated for staff use. We have encountered similarly emphatic resistance from DCPS and the leadership of Logan Montessori School (215 G St. NE), which is currently undergoing a substantial renovation and expansion.

1 On November 13, 2019, at a duly noticed and regularly scheduled monthly meeting, with a quorum of six out of six commissioners and the public present, this matter came before ANC 6C. The commissioners voted 6-0 to adopt the position set out in this letter. As part of that vote, ANC 6C authorized Commissioner Mark Eckenwiler (6C04) to present testimony on its behalf.
Accordingly, we do not believe that compliance with the criteria in section 702.1 warrants a reduction in the public-school parking minimum. If staff demand for parking is so inelastic even in our ANC—Ground Zero for public transit options—those demands can be no less rigid in other parts of the District.

That said, we believe there is a way to address the concerns identified in OP’s setdown report. As we understand the current regulations, parking minimums must be met entirely by space within the school’s lot boundaries. In recognition of the need to address school parking needs—and, indeed, inspired in large part by the pilot program carried out at Stuart-Hobson—the Council recently enacted the Daytime School Parking Zone Amendment Act of 2017 (Law 22-226), a copy of which we attach to this letter.

This new law, which came into effect in February, provides a legal and procedural framework for allocating curbside areas in public roadways for use by school staff. (Although the rules implementing this legislation have yet to be promulgated, we are aware of at least one DCPS school where parking has been established under the Act.)

Accordingly, we urge the Commission to amend the zoning regulations not by reducing the parking minimums as proposed, but instead by relaxing the requirement on parking location to encompass parking outside the lot boundaries established under the procedures of the Daytime School Parking Zone Amendment Act.

Thank you for giving great weight to the views of ANC 6C.

Sincerely,

Karen Wirt
Chair, ANC 6C

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2 “One of the key challenges for the DCPS school modernization program is providing a state-of-the-art facility with all the required components for teaching and learning within a tight urban site. Once the building program is met, on-site parking and outdoor play areas are often competing for the remaining space.” Exhib. 2 p. 4.
AN ACT

D.C. ACT 22-539

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 26, 2018

To establish a process by which an Advisory Neighborhood Commission may request that the District Department of Transportation establish a school parking zone, in which public-school staff may park at designated times.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Daytime School Parking Zone Act of 2018”.

Sec. 2. School parking zones.
(a) For the purposes of this section, the term:
   (1) “ANC” means an Advisory Neighborhood Commission.
   (2) “ANC Act” means the Advisory Neighborhood Councils Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 et seq.).
   (3) “Department” means the District Department of Transportation.
   (4) “School parking zone” means a defined area of public roadway near a public school or public charter school in which certain employees of the public school or public charter school, as designated by the Mayor or the Mayor’s designee, who are not otherwise eligible to park on such roadway, may park.
(b) Pursuant to section 13(h)(1) of the ANC Act, an ANC may request that the Department establish a school parking zone near a public school or public charter school within the boundaries of the ANC by transmitting a resolution passed by the ANC to the Department.
   (c) Notwithstanding section 13(h)(1) of the ANC Act, the Department, no later than 60 days after receipt of an ANC resolution transmitted pursuant to subsection (b) of this section, shall:
      (1) Deny the request by transmitting a written response to the ANC, explaining the reasons for denial; or
      (2) Send a proposal to establish a school parking zone to the ANC that transmitted the resolution pursuant to subsection (b) of this section, any adjacent ANC within 1300 feet of the proposed zone, and the public school or public charter school that is near the proposed school parking zone, which shall describe:
         (A) The boundaries of the proposed school parking zone;
(B) The methods by which the Department will implement and enforce restrictions on parking in the proposed school parking zone, such as issuing permits to employees of the public school or public charter school or installing parking meters that permit only employees of the public school or public charter school to pay for parking; and

(C) The hours and days that restrictions on parking in the proposed school parking zone will be enforced.

(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), shall issue rules to implement the provisions of this section, including provisions to address the following:

(1) Factors to be considered by the Department when reviewing a proposed school parking zone include:

(A) Preservation of pick-up and drop-off areas for students; and

(B) Determination of the size of a school parking zone; and

(2) Design of, display of, and eligibility requirements for any passes that may be used to implement a school parking zone.

(e) Nothing in this act shall be construed to restrict the Department’s existing authority to regulate parking and the Department shall have the authority to establish school parking zones absent a request from an ANC.

(f) Nothing in this act shall be construed to supersede the notice requirements of section 13 of the ANC Act.

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

Sec. 5. Effective date.
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
December 26, 2018