

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** All Councilmembers

**FROM:** Chairman Phil Mendelson  
Committee of the Whole

**DATE:** November 18, 2014

**SUBJECT:** Report on Bill 22-351, “Daytime School Parking Zone Amendment Act of 2018”

The Committee of the Whole, to which Bill 22-351, the “Daytime School Parking Zone Amendment Act of 2018”<sup>1</sup> was referred, sequentially, reports favorably thereon with amendments, and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

On June 27, 2017, Bill 22-351, the “Daytime School Parking Zone Amendment Act of 2018”<sup>2</sup> was introduced by Councilmembers Charles Allen, Trayon White, and Chairman Phil Mendelson. Bill 22-351, as amended by the Committee on Transportation and the Environment, would establish a process for District Department of Transportation (DDOT) establish School Parking Zones upon a request by an Advisory Neighborhood Commissions (ANC). The zones would allow public school staff to park on the street near schools at designated times.

As introduced, Bill 22-351 contained two provisions that fell partly under the purview of the Committee of the Whole. First was a provision to establish a new special purpose revenue fund in the District budget and financial plan. Second was a provision to remove parking minimums for schools with School Parking Zones from by prohibiting such regulations by the Zoning Commission. As pointed out in the report from the Committee on Transportation and the

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<sup>1</sup> Introduced as the “Daytime School Parking Zone Amendment Act of 2017.”

<sup>2</sup> *Id.*

Environment, the special purpose revenue fund was removed from their committee print because the fund would not generate sufficient revenue for its intended purposes. In addition, the Zoning Commission provision was removed from the committee print because the Council cannot enact laws contrary to orders or regulations of the Zoning Commission, except for amendments to the Comprehensive Plan which guides the Zoning Commission. The Committee agrees with removal of both of those provisions.

The Committee adds an additional provision to the committee print in response to comments from an Advisory Neighborhood Commission. The committee print adopted by the Committee on Transportation and the Environment contained a provision for the Mayor to implement rules to implement the Act. The Committee amends this provision to include specific items to be addressed in those rules including (1) factors to be considered by in the review of a proposed School Parking Zone, (2) design of the passes that are to be individually identifiable, (3) display rules for passes, and (4) eligibility criteria for who may possess a pass.

The Committee of the Whole recommends approval of Bill 22-351, the “Daytime School Parking Zone Amendment Act of 2018” as approved by the Committee on Transportation and the Environment, with amendments.

## II. LEGISLATIVE CHRONOLOGY

- |                    |                                                                                                                                                                                      |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| June 27, 2017      | Bill 22-351, “Daytime School Parking Zone Amendment Act of 2018” is introduced by Councilmembers Allen, T. White, and Chairman Mendelson and referred to the Committee of the Whole. |
| June 27, 2017      | Bill 22-351 is referred sequentially, first to the Committee on Transportation and the Environment, and second to the Committee of the Whole.                                        |
| July 7, 2017       | Notice of Intent to Act on Bill 22-351 is published in the <i>District of Columbia Register</i> .                                                                                    |
| September 1, 2017  | Notice of a Public Hearing on Bill 22-351 is published in the <i>District of Columbia Register</i> .                                                                                 |
| September 22, 2017 | The Committee on Transportation and the Environment holds a public hearing on Bill 22-351.                                                                                           |
| July 2, 2018       | The Committee on Transportation and the Environment marks-up Bill 22-351.                                                                                                            |
| November 13, 2018  | The Committee of the Whole marks-up Bill 22-351.                                                                                                                                     |

### **III. POSITION OF THE EXECUTIVE**

District Department of Transportation Chief of Staff, Todd McIntyre, testified on behalf of the Executive in opposition to Bill 22-351. Information on his remarks can be found in the Committee on Transportation and the Environment's committee report on Bill 22-351, attached to this report.

### **IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS**

Advisory Neighborhood Commissioner Zach Teutsch (ANC 4C) testified in support of Bill 22-351. Information on his remarks can be found in the Committee on Transportation and the Environment's committee report on Bill 22-351, attached to this report.

In a letter dated October 17, 2018, ANC 6C approved a resolution, by a unanimous vote of 5-0, in support of Bill 22-351 with suggestions for additional provisions which have been incorporated in the committee print. The letter is attached to this report.

### **V. SUMMARY OF TESTIMONY**

A list of witnesses who testified before the Committee on Transportation and the Environment at its hearing on Bill 22-351 can be found in the Committee Transportation and the Environment's committee report on Bill 22-351, attached to this report. Copies of the testimony are included in official hearing record for Bill 22-351.

The Committee received no other testimony or comments in opposition to Bill 22-351.

### **VI. IMPACT ON EXISTING LAW**

Bill 22-351 establishes new law by creating a process for the creation of School Parking Zones upon a request by an ANC. It also amends Section 13(c) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10) by adding a new paragraph (5) requiring notice to an affected ANC of a proposed School Parking Zone.

### **VII. FISCAL IMPACT**

The attached July 2, 2018 fiscal impact statement from the District's Chief Financial Officer states that funds are not sufficient in the FY 2019 through FY 2022 budget and financial plan to implement the bill. Implementation would cost \$87,000 in FY 2019 and \$355,000 over the financial plan.

## VIII. SECTION-BY-SECTION ANALYSIS

|                  |                                                                                                                                          |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Section 1</u> | Short title.                                                                                                                             |
| <u>Section 2</u> | Establishes a process by which an ANC can request the establishment of a school parking zone and the manner in which DDOT is to respond. |
| <u>Section 3</u> | Amends the Advisory Neighborhood Commissions Act of 1975 to create new notice requirements related to School Parking Zones.              |
| <u>Section 4</u> | States the Fiscal Impact of Bill 22-351.                                                                                                 |
| <u>Section 5</u> | Effective date.                                                                                                                          |

## IX. COMMITTEE ACTION

## X. ATTACHMENTS

1. Committee on Transportation and the Environment's committee report on Bill 22-351 (without attachments).
2. Bill 22-351 as introduced.
3. Letter from ANC 6D.
4. Fiscal Impact Statement for Bill 22-351.
5. Legal Sufficiency Determination for Bill 22-351.
6. Comparative Print for Bill 22-351.
7. Committee Print for Bill 22-351.

**Council of the District of Columbia  
Committee on Transportation and the Environment**

**Committee Report**

1350 Pennsylvania Avenue, N.W., Suite 108, Washington, DC 20004

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To: Members of the Council of the District of Columbia  
From: Mary M. Cheh, Chairperson  
Committee on Transportation and the Environment  
Date: July 2, 2018  
Subject: Bill 22-351, the "Daytime School Parking Zone Act of 2018"

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2018 JUL -5 PM 11:01  
OFFICE OF THE  
SECRETARY

The Committee on Transportation and the Environment, to which Bill 22-351, the "Daytime School Parking Zone Amendment Act of 2018" was referred, reports favorably on the legislation and recommends its approval by the Council of the District of Columbia.

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## **STATEMENT OF PURPOSE AND EFFECT**

Bill 22-351, the “Daytime School Parking Zone Amendment Act of 2017” was introduced on June 27, 2017 by Councilmembers Allen, T. White, and Chairman Mendelson. The legislation would establish a process by which an Advisory Neighborhood Commission (ANC) can request that the District Department of Transportation (DDOT) establish School Parking Zone for a public school in the ANC, where public school staff would be authorized to park at designated times.

### **I. Background**

District of Columbia Public Schools employs over 4,000 teachers and 3,500 schools support staff. Public charter schools employ another 3,500 teachers. These individuals commute to and from education facilities in the District daily using all forms of transportation. At some schools, the supply of on-site parking does not meet the demand for spaces, leading teachers and staff to park in the neighborhoods surrounding their schools.

Local streets surrounding schools are often enrolled in the Residential Permit Parking (RPP) program, which restricts parking for those who reside outside of the parking zone to two hours. Most school employees do not reside in the parking zone in which they work, so many school employees who park in the neighborhood do so at the risk receiving a \$30 citation for parking in violation of the RPP program’s restrictions.

The District attempts to address the issue of teacher parking during the school modernization process, along with expanding capacity and upgrading aging assets, but that is done at a high cost. During modernizations, the School Improvement Teams (SITs) and Department of General Service must weigh the options of installing parking lots at the expense of space students need to play or learn; adding a costly underground parking facility to the modernization; or installing an insufficient amount of parking and forcing school staff who drive to work to park illegally in surrounding neighborhoods. B22-351 would provide modernizing schools a fourth option by giving ANCs a clear process through which they could request establishment of a school parking zone and receive timely consideration of the request.

### **II. Legislative Action**

Bill 22-351, the Daytime School Parking Zone Amendment Act of 2017, would establish a defined process through which communities that wish to do so could authorize school staff to park in the public street. As introduced, B22-351 would have required DDOT to hold a public hearing and provide 60 days’ notice to affected ANCs prior to establishing school parking zones, established a School Parking Zone fund to be used to promote the use of non-automobile transportation by public school staff, and waived the minimum parking requirements for public school with a School Parking Zone.

Although ANCs currently may submit requests regarding the use of public space to DDOT, existing law does not require DDOT to respond with specificity within a specific timeframe. The Committee Print of B22-351 requires that DDOT, upon receipt of a resolution from an ANC requesting a School Parking Zone, respond within 60 days, either approving or denying the request.

If DDOT denies the request, the agency must provide a written response to the ANC explaining the decision. If DDOT approves the request, its response to the ANC must propose: 1) the boundaries of the school parking zone, 2) the method by which the District will implement and enforce the zone, and 3) the hours of its applicability. The methods by which the Department will implement and enforce the proposed school parking zone may include, but are not limited to, issuing permits to employees of the school or installing parking meters reserved for employees of the school.

The Committee Print of B22-351 removes the provision in the introduced bill establishing a School Parking Zone Fund because revenue generated from school parking zones would likely be insufficient to support the Fund's purpose—subsidizing public transportation for school staff. The Committee Print also removes the provision that would have eliminated parking minimums for schools with school parking zones that was included in the introduced version of the bill. Parking minimums are determined by the Zoning Commission and the Council cannot repeal the Commission's determinations. The Committee Print also revises the notice and hearing requirements included in the introduced version of the bill to conform to existing notice requirements in the Advisory Neighborhood Commissions Act of 1975 that are applicable to any proposed changes in use of public space. Finally, the Committee Print clarifies that the bill does not change DDOT's existing authority to establish school parking zones absent a request from an ANC.

### **CHRONOLOGY OF ACTION**

|                    |                                                                                                                               |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------|
| June 27, 2017      | Introduction of Bill 22-351 by Councilmembers Allen, T. White, and Chairman Mendelson                                         |
| June 27, 2017      | Referral of Bill 22-351 to the Committee on Transportation and the Environment                                                |
| July 7, 2017       | Notice of Intent to Act on Bill 22-351 is published in the <i>District of Columbia Register</i>                               |
| September 1, 2017  | Notice of Public Hearing on Bill 22-351 is published in the <i>District of Columbia Register</i>                              |
| September 22, 2017 | Public hearing on Bill 22-351 held by the Committee on Transportation and the Environment                                     |
| October 6, 2017    | Hearing Record on Bill 22-351 closed                                                                                          |
| October 17, 2017   | The Committee on Transportation and the Environment filed the Hearing Record on Bill 22-351 with the Secretary to the Council |
| July 2, 2018       | Consideration and vote on Bill 22-351 by Committee on Transportation and the Environment                                      |

## **POSITION OF THE EXECUTIVE**

On September 22, 2018 Todd McIntyre, Chief of Staff at the District Department of Transportation testified on behalf of the Executive against of Bill 22-351. Generally, the Director expressed concern that the bill as introduced lacked clarity and could increase the number of single occupancy vehicles in the District by reserving spaces for DCPS employees.

## **RECOMMENDATIONS BY ADVISORY NEIGHBORHOOD COMMISSIONS**

Advisory Neighborhood Commission 6C adopted a resolution in opposition to Bill 22-351 prior to the close of the hearing record. stating their constituents want to reserve the current scarce street parking for residents.

## **LIST OF WITNESSES AND HEARING RECORD**

On September 22, 2017, the Committee on Transportation and the Environment held a public hearing on Bill 22-351, the “Daytime School Parking Zone Amendment Act of 2018.” A video recording of the hearing can be viewed online at [oct.dc.gov](http://oct.dc.gov). The hearing record was open until October 6, 2017. The following witnesses testified at the hearing or submitted statements outside of the hearing:

**Will Handsfield**, representing the Maury Elementary Parent-Teachers Association, testified in support of the bill noting that giving teachers, faculty, and staff a place to park off-site would increase the amount of space available for playgrounds and classrooms.

**Zach Teutsch**, representing ANC 4C, testified in support of B22-351, noting an instance in his neighborhood during a school modernization where a community garden was lost to make space for teacher parking.

**Martin Welles**, representing the Amadon Bowen PTA, in support of B22-351 noting the current lack of parking for DCPS employees and the subsequent problems.

**Michael Musante**, Senior Vice President. FOCUS, testified in support of B22-351

**Raymond Weeden**, representing DC Prep, testified in support of the B22-351.

The Hearing Record for this public hearing is on file with the Office of the Secretary.



## **IMPACT ON EXISTING LAW**

Bill 22-351 would amend Section 13(c) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10) by adding a new paragraph (5) requiring that DDOT provide notice to an affected ANC of the proposed school parking zone.

## **FISCAL IMPACT**

A fiscal impact statement issued by the Chief Financial Officer on July 2, 2018, is attached to this report. The Chief Financial Officer concluded that Bill 22-351 would cost \$87,000 in fiscal year 2019 and \$355,000 over the four-year financial plan.

## **SECTION-BY-SECTION ANALYSIS**

Section 1 provides the long and short titles of the legislation.

Section 2 establishes a process by which an ANC can request the establishment of a school parking zone and the manner in which DDOT is to respond

Section 3 amends Section 13(c) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10) by adding a new paragraph (5) requiring that DDOT provide notice to an affected ANC of the proposed school parking zone.

Section 4 contains the fiscal impact statement.

Section 5 contains the effective date.

## **COMMITTEE ACTION**

On July 2 2018, the Committee on Transportation and the Environment held an Additional Meeting to consider Bill 22-351, the “Daytime School Parking Zone Act of 2018.” Present and voting were Chairperson Mary M. Cheh and Councilmembers Charles Allen, Jack Evans, and Brandon Todd. Chairperson Cheh gave a brief opening statement that explained the bill, and Councilmember Allen commented in support of the bill noting that it provides DDOT and DCPS the tools and flexibility to address parking issues around a school in a way that is best fits each situation.

Chairperson Cheh then moved for approval of the Committee print and report of Bill 22-351. The Committee voted 4-0 to approve the Committee print with the members voting as follows:

YES: Cheh, Allen, Evans, Todd

NO: 0

PRESENT: 0

The meeting was adjourned.

**LIST OF ATTACHMENTS**

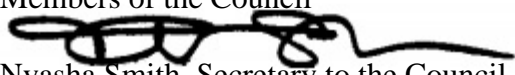
- (A) Bill 22-351, as introduced and Referral Memo
- (B) Fiscal Impact Statement
- (C) Legal Sufficiency Determination
- (D) Comparative Print of Bill 22-351
- (E) Committee Print of Bill 22-351

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council

From :   
Nyasha Smith, Secretary to the Council

Date : June 28, 2017

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Legislative Meeting on Tuesday, June 27, 2017. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Daytime School Parking Zone Amendment Act of 2017", B22-0351

INTRODUCED BY: Councilmembers Allen, T. White, and Chairman Mendelson

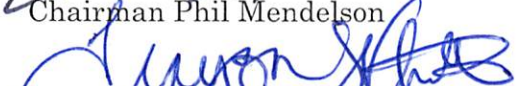
The Chairman is referring this legislation sequentially to the Committee on Transportation and the Environment and the Committee of the Whole.

Attachment

cc: General Counsel  
Budget Director  
Legislative Services

1   
2 Chairman Phil Mendelson

  
Councilmember Charles Allen

3   
4 Councilmember Trayon White, Sr.  
5  
6  
7

8 A BILL  
9

10 \_\_\_\_\_  
11  
12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
13  
14 \_\_\_\_\_  
15  
16  
17

18 To establish School Parking Zones, where public school staff may park during designated  
19 times; to establish a School Parking Zone Fund; to direct expenditures from the School  
20 Parking Zone Fund to promote the use of non-automobile transportation by public  
21 school staff; and to waive minimum on-site parking requirements for public schools  
22 with a School Parking Zone.  
23

24 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
25 act may be cited as the “Daytime School Parking Zone Amendment Act of 2017”.

26 Sec. 2. Definitions.

27 For the purposes of this act, the term:

28 (1) “Eligible employee” means any employee of a public school, as designated by the  
29 Mayor, who may apply for a permit to park in a School Parking Zone.

30 (2) “Impacted ANC” means an Advisory Neighborhood Commission that includes  
31 within its boundaries:

32 (A) An existing or proposed School Parking Zone; or

33 (B) A public school with an existing or proposed School Parking Zone.

34 (3) “Public school” means a school owned, operated, or maintained by  
35 the District of Columbia Public Schools or a public charter school, and includes their  
36 respective educational facilities.

37 (4) "School Parking Zone" means an area, defined by the Mayor, near a public  
38 school where eligible employees of that public school may park during designated  
39 hours and when displaying a permit issued by the District Department of  
40 Transportation.

41 Sec. 3. School Parking Zones

42 (a) The Mayor may establish boundaries and days and hours of applicability for  
43 School Parking Zones, for the purpose of providing curbside parking for public school staff  
44 during weekday school hours, including during before-care and after-care time periods.

45 (b) At least 60 days prior to establishing a School Parking Zone, the Mayor shall

46 (1) Transmit to any impacted ANC the proposed boundaries and days and  
47 hours of applicability of the School Parking Zone; and

48 (2) Hold at least one public hearing to solicit comments from residents  
49 potentially impacted by the proposed School Parking Zone.

50 (c) When determining the boundaries and days and hours of applicability for a  
51 School Parking Zone, the Mayor shall give great weight to input provided by the impacted  
52 ANC in which the public school is located.

53 (d) An advisory neighborhood commission may, by resolution, petition the Mayor to  
54 establish a School Parking Zone for a public school within the advisory neighborhood  
55 commission's boundaries, and the Mayor shall respond to the petition within 30 days

56 (e) Within 180 days of the effective date of this Act, the Mayor shall publish  
57 regulations pursuant to this Act, to include:

58 (1) Establishing a process by which public school staff may apply for permits  
59 to park within a designated School Parking Zone;

60 (2) Defining which public school staff are eligible to apply for a School

61 Parking Zone permit and for reimbursements for non-automobile commuting, pursuant to  
62 Sec. 4, subparagraph (c)(2) of this act;

63 (3) Establishing a procedure for public school staff to request reimbursement  
64 from the School Parking Fund for non-auto commuting, pursuant to Sec. 4, subparagraph  
65 (c)(2) of this act;

66 (4) Setting fees and period of validity for School Parking Zone permits;

67 (5) Establishing authority to erect signage for a School Parking Zone and  
68 enforce restrictions specific to School Parking Zones; and

69 (6) Setting a schedule of fines for violations unique to School Parking Zones.

70 Sec. 4. Public School Staff Transportation Fund

71 (a) There is established as a special fund the Public School Staff Commuter Fund  
72 ("Fund"), which shall be administered by the District Department of Transportation in  
73 accordance with subparagraph (c) of this section.

74 (b) Revenue from fees and fines collected pursuant to regulations promulgated  
75 under the authority of this act shall be deposited in the Fund.

76 (c) Money in the Fund shall be used for the following purposes:

77 (1) To administer the School Parking Zone program;

78 (2) To reimburse for non-automobile commuting expenses eligible public  
79 school staff at the same school from which fees are collected; and

80 (3) To make non-automobile transportation investments, as defined in D.C.  
81 Official Code Section 50-2534(b), to encourage non-automobile commuting by public school  
82 staff, including to supplement non-automobile transportation investments made through  
83 the Performance Parking Program Fund.

84 (d) The money deposited into the Fund, and interest earned, shall not revert to the

85 unrestricted fund balance of the General Fund of the District of Columbia at the end of a  
86 fiscal year, or at any other time.

87           Sec. 5. School Parking Minimum Requirements Repealed

88           (a) Notwithstanding any other provision of law, a public school with a designated  
89 School Parking Zone shall not be required to provide a minimum number of on-site vehicle  
90 parking spaces.

91           (b) An Act Providing for the zoning of the District of Columbia and the regulation of  
92 the location, height, bulk, and uses of buildings and other structures and of the uses of land  
93 in the District of Columbia, and for other purposes (52 Stat. 797; D.C. Official Code § 6-  
94 641.01) is amended by striking the word “therein” and inserting the phrase “therein,  
95 provided that the Zoning Commission shall not promulgate regulations requiring a  
96 minimum number of on-site vehicle parking spaces at a public school” in its place.

97           Sec. 6. Fiscal impact statement.

98           The Council adopts the fiscal impact statement in the committee report as the fiscal  
99 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
100 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

101           Sec. 7. Effective date.

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



Government of the District of Columbia

## Advisory Neighborhood Commission 6C

P.O. Box 77876 Washington, D.C. 20013, (202) 547-7168

October 17, 2018

Hon. Phil Mendelson, Chairman  
Committee of the Whole  
Wilson Building, 1350 Pennsylvania Avenue N.W.  
Suite 504  
Washington, D.C. 20004

Re: Bill 22-351, Daytime School Parking Zone Act of 2018

Dear Mr. Mendelson:

On October 10, 2018, at a regularly scheduled, duly noticed monthly meeting of ANC 6C, with a quorum of 5 out of 5 commissioners and the public present, the above-mentioned item came before us. The commissioners voted unanimously, 5:0:0, to send you the following recommendations regarding Bill 22-351, the Daytime School Parking Zone Act of 2018 from a previous ANC 6C review in September 2017.

ANC 6C is supportive of the legislation, however we feel it lacks specifics about implementation that are necessary to consider. The recommendations below result from our experiences with Stuart Hobson Middle School and their attempts to create teacher-only parking on streets around the school. That process was fraught with missteps and poor implementation, leading to negative effects on the surrounding neighborhood and a lack of accountability. To avoid similar problems, we recommend:

1. Require that the factors to be considered in deciding whether to create a School Parking Zone include, at a minimum, the types of nearby public transit and their proximity to the school.
2. Require that the need for pickup/drop-off areas (and thus different hours restrictions) be expressly considered as part of the decision-making process (i.e., allow for adequate pickup/drop-off areas).
3. Require that passes for use in a given School Parking Zone identify the associated school (so as to preclude use at other locations) and be individually numbered (with the identifier printed prominently at the top), and that the issuing school keep a record indicating the staff member to whom each pass is issued.
4. Prohibit the display of a pass on any vehicle not parked in the corresponding School Parking Zone.
5. Provide a mechanism for disciplining staff misuse of such passes, up to and including suspension or revocation for repeat violators.
6. Ensure that regulations promote implementation that makes the most efficient use of available space.



7. Amend the section giving great weight to the ANC in which the school is located to also give great weight to an ANC that abuts a proposed school parking zone (in cases where a school sits on the boundary of an ANC).
8. Specify that when eligible staff are defined, contract and support staff be considered.
9. Require that the method used to define the size of the school parking zone be based on need, including size and demographics of the school worker population.

Additionally, in response to the markup from the Committee on Transportation and the Environment, which removed language from the original bill eliminating parking minimums in schools which create School Parking Zones—ANC 6C believes that removal of parking minimums in this situation is still important, and although the Council does not have the authority to do so, the bill should maintain language advising the Office of Planning to study the need for parking minimums at schools that implement School Parking Zones and advise the Zoning Commission on appropriate actions.

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

On behalf of ANC 6C,



Karen Wirt  
ANC 6C chair

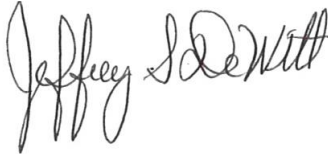
Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** July 2, 2018

**SUBJECT:** Fiscal Impact Statement -Daytime School Parking Zone Amendment  
Act of 2018

**REFERENCE:** Bill 22-351, Draft Committee Print as shared with the Office of Revenue  
Analysis on June 29, 2018

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**Conclusion**

Funds are not sufficient in the fiscal year 2018 budget and the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. The bill's implementation will cost \$87,000 in fiscal year 2019 and \$355,000 over the four-year financial plan period. The bill is not expected to be implemented until fiscal year 2019, therefore there are no costs in fiscal year 2018.

**Background**

The bill allows an Advisory Neighborhood Commission (ANC) to pass a resolution to request the designation of a School Parking Zone (Zone) at a public school<sup>1</sup> within its boundaries. The District Department of Transportation (DDOT) will have sixty days to either deny the request or to propose a Zone. DDOT may propose a Zone that establishes dedicated curbside space for employees who purchase a pass or contains meters to reserve or regulate parking.

**Financial Plan Impact**

Funds are not sufficient in the fiscal year 2018 budget and the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. There are over 200 public schools in the District that employ over 7,000 staff that could work with their ANCs to petition for a Zone. DDOT will need to hire one new staff member to manage the program. This will cost \$76,000 in fiscal year 2019 and \$311,000 over the four-year financial plan period. DDOT will also need to plan for

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<sup>1</sup> Public schools include District of Columbia Public Schools or a public charter school.

The Honorable Phil Mendelson

FIS: Bill 22-351, "Daytime School Parking Zone Amendment Act of 2018," Draft Committee Print as shared with the Office of Revenue Analysis on June 29, 2018

signage, parking passes, and other materials needed to establish a Zone. This will cost \$11,000 in fiscal year 2019 and \$44,000 over the four-year financial plan period.

We expect that DDOT would not begin implementation until fiscal year 2019.

| <b>Daytime School Parking Zone Amendment Act of 2018</b> |                |                |                |                |              |
|----------------------------------------------------------|----------------|----------------|----------------|----------------|--------------|
| <b>Bill 22-351</b>                                       |                |                |                |                |              |
| <b>Implementation Costs</b>                              |                |                |                |                |              |
| <b>Fiscal Year 2019 - Fiscal Year 2022</b>               |                |                |                |                |              |
| <b>(\$000s)</b>                                          |                |                |                |                |              |
|                                                          | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b> | <b>FY 2022</b> | <b>Total</b> |
| <b>Personnel</b>                                         | \$76           | \$77           | \$78           | \$80           | \$311        |
| <b>Materials and Supplies</b>                            | \$11           | \$11           | \$11           | \$11           | \$44         |
| <b>Total</b>                                             | <b>\$87</b>    | <b>\$88</b>    | <b>\$89</b>    | <b>\$91</b>    | <b>\$355</b> |

§ 1-309.10. Advisory Neighborhood Commissions — Duties and responsibilities; notice; great weight; access to documents; reports; contributions.

\* \* \*

(5) The District Department of Transportation shall, at least 60 days before establishing a school parking zone, as that term is defined in section 2(5) of the Daytime School Parking Zone Amendment Act of 2018, as approved by the Committee of the Whole on November 13, 2018 (Committee print of Bill 22-351) (“School Parking Zone Ament Act of 2018”), give notice, which shall contain the information described in section 3(c)(2) of the School Parking Zone Act, to each Advisory Neighborhood Commission in which:

(A) The proposed school parking zone would be located; or

(B) The public school or public charter school that is near the proposed school parking zone is located.

1 **COMMITTEE PRINT**  
2 **Committee of the Whole**  
3 **November 13, 2018**  
4  
5  
6

7  
8 **A BILL**  
9

10  
11 22-351  
12

13  
14 **IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**  
15  
16  
17  
18

19 To establish a process by which an Advisory Neighborhood Commission can request a School  
20 Parking Zone, where public school staff may park at designated times;  
21

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

24 **Sec. 2. School parking zones.**

25 (a) For the purposes of this section, the term:

26 (1) “ANC” means an Advisory Neighborhood Commission.

27 (2) “ANC Act” means the Advisory Neighborhood Commissions Act of 1975,  
28 effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 et seq.).

29 (3) “Department” means the District Department of Transportation.

30 (4) “School parking zone” means a defined area of public roadway near a public  
31 school or public charter school where certain employees of the public school or public charter  
32 school, as designated by the Mayor or the Mayor’s designee, may park during hours established  
33 by the Mayor.

34 (b) Pursuant to section 13(h)(1) of the ANC Act, an ANC may request that the  
35 Department establish a school parking zone near a public school or public charter school within  
36 the boundaries of the ANC by transmitting a resolution passed by the ANC to the Department.

37 (c) Notwithstanding section 13(h)(1) of the ANC Act, the Department shall, in lieu of the  
38 status report required by section 13(h)(1) of the ANC Act, within 60 days after receipt of a  
39 resolution transmitted pursuant to subsection (a) of this section:

40 (1) Deny the request by transmitting a written response to the ANC, explaining  
41 the reasons for denial; or

42 (2) Send a proposal to establish a school parking zone to the ANC that transmitted  
43 the resolution pursuant to subsection (c) of this section, which shall describe:

44 (A) The boundaries of the proposed school parking zone;

45 (B) The methods by which the Department will implement and enforce the  
46 proposed school parking zone, such as issuing permits to employees of the public school or  
47 public charter school or installing parking meters that only permit employees of the public school  
48 or public charter school to pay for parking; and

49 (C) The hours and days that the proposed school parking zone will be  
50 enforced.

51 (c) Absent a request from an ANC, nothing in this section shall be construed to restrict  
52 the Department's existing authority to regulate parking and to establish school parking zones.

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

- 56 (1) Factors to be considered by in the review of a proposed School Parking Zone  
57 including:
- 58 (A) consideration of pickup/drop-off areas; and
  - 59 (B) A uniform method to define the size of a School Parking Zone;
- 60 (2) Design of the passes that are individually identifiable;
- 61 (3) Display rules for passes; and
- 62 (4) Eligibility requirements for who may possess a pass.

63 Sec. 3. Section 13(c) of the Advisory Neighborhood Commissions Act of 1975, effective  
64 March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10), is amended by adding a new  
65 paragraph (5) to read as follows:

66 “(5) The District Department of Transportation shall, at least 60 days before  
67 establishing a school parking zone, as that term is defined in section 2(5) of the Daytime School  
68 Parking Zone Act of 2018, as approved by the Committee on Transportation and the  
69 Environment on DATE, 2018 (Committee print of Bill 22-351) (“School Parking Zone Act”),  
70 give notice, (5) The District Department of Transportation shall, at least 60 days before  
71 establishing a school parking zone, as that term is defined in section 2(5) of the Daytime School  
72 Parking Zone Amendment Act of 2018, as approved by the Committee of the Whole on  
73 November 13, 2018 (Committee print of Bill 22-351) (“School Parking Zone Ament Act of  
74 2018”), give notice, which shall contain the information described in section 3(c)(2) of the  
75 School Parking Zone Act, to each Advisory Neighborhood Commission in which:

- 76 “(A) The proposed school parking zone would be located; or
- 77 “(B) The public school or public charter school that is near the proposed  
78 school parking zone is located.”.

79                   Sec. 3. Applicability.

80                   This act shall apply upon the inclusion of its fiscal effect in an approved budget and  
81 financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in  
82 a certification published by the Council in the District of Columbia Register.

83                   Sec. 4. Fiscal impact statement.

84                   The Council adopts the fiscal impact statement in the committee report as the fiscal  
85 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
86 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

87                   Sec. 5. Effective date.

88                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
89 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
90 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
91 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
92 Columbia Register.