

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To provide for the installation of bicycle parking spaces at the John A. Wilson Building to encourage alternate means of transportation and commuting for District employees and visitors, to require the Mayor to publish a study on bicycle parking availability at all buildings occupied by the District government, to require residential buildings to provide bicycle parking spaces, and to increase bicycle parking requirements for office, retail, and service buildings.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bicycle Commuter and Parking Expansion Act of 2007".

Sec. 2. Definitions.

For the purposes of this act, the term "bicycle parking space" means a device or enclosure, located within a building or installation, or conveniently adjacent thereto, for securing a bicycle that is easily accessible, clearly visible and so located as to be reasonably secure from theft or vandalism.

Sec. 3. Bicycle parking space requirements.

(a) A bicycle parking space shall conform to the bike parking rack standard established by the District Department of Transportation, or be of such design that will enable the frame to be supported in 2 places, and allow for both wheels of a bicycle to be secured with ease by use of a U-lock, cable lock, or other security device. Exceptions to these standards may be approved by the Mayor.

(b) Bicycle parking spaces installed prior to the effective date of this act that do not meet the requirements of this act shall be permitted until one year after the effective date of this act.

Sec. 4. John A. Wilson Building bicycle parking requirements.

(a) Notwithstanding any other law or regulation, the Council shall increase the number of public bicycle parking spaces at the John A. Wilson Building.

(b) The total number of public bicycle parking spaces provided at the John A. Wilson Building shall be no less than 16; provided, that:

(1) Design, purchase, and installation of the public bicycle parking spaces shall be done in coordination with the District Department of Transportation (“DDOT”) from funds either already allocated to DDOT in fiscal year 2008 or already allocated to the Council in fiscal year 2008 for the maintenance of the John A. Wilson Building;

(2) The design of the bicycle parking spaces shall be consistent with the architectural style and beauty of the John A. Wilson Building; and

(3) At least one bicycle parking space shall be located adjacent to the public entrance on Pennsylvania Avenue, N.W., if this is determined to be consistent with historic preservation guidelines and National Park Service regulations.

Sec. 5. Mayor’s report on bicycle parking at District government buildings.

(a) Within 180 days of the effective date of this act, the Mayor shall prepare and make public a report on the availability of bicycle parking spaces at buildings occupied by the District government, including office buildings occupied by District government agencies, public school buildings, public libraries and branches, recreation centers, and parks.

(b) The report shall include:

(1) The current number of parking spaces available for automobiles;

(2) The current number of parking spaces available for bicycles;

(3) The percentage of available bicycle parking spaces to available automobile parking spaces;

(4) A strategic plan to provide no less than a number of bicycle parking spaces that is equivalent to 10% of the available automobile parking spaces;

(5) A plan for providing a larger number of bicycle parking spaces at locations where it is warranted by current demand;

(6) An evaluation of bicycle travel lanes that lead riders to the facility or park; and

(7) A detailed report of the bicycle parking plans for the baseball stadium for the Washington Nationals.

Sec. 6. Residential building bicycle parking requirements.

(a)(1) A residential building owner shall provide secure bicycle parking spaces for all existing residential buildings with 8 or more units.

(2)(A) A residential building owner shall provide a reasonable number of bicycle parking spaces for all existing residential buildings within 30 days of one or more residents’ written requests, unless an extension due to hardship is granted by the Mayor.

(B) Where complaints of noncompliance have been filed with the Mayor by one or more residents, the Mayor shall facilitate an agreement between the parties and determine the number of bicycle parking spaces that shall be provided.

(C) The bicycle parking spaces shall be provided within 30 days of the Mayor's determination, unless an extension due to hardship is granted by the Mayor.

(3) Where it can be demonstrated that providing bicycle parking spaces required under this subsection is not physically practical, that undue economic hardship would result from strict compliance with the regulation, or that the nature of the building use is such that bicycle parking spaces would not be used, the Mayor may grant, upon written application of the owner of the building, an appropriate exemption or reduced level of compliance. In such cases, a certificate documenting the exemption or reduced level of compliance shall be issued to the building owner.

(b)(1) A residential building owner shall provide at least one secure bicycle parking space for each 3 residential units for all new residential buildings and substantially rehabilitated buildings with 8 or more units.

(2) Where it can be demonstrated in a substantially rehabilitated building that providing bicycle parking spaces is not physically practical, that undue economic hardship would result from strict compliance with the regulation, or that the nature of the building use is such that bicycle parking would not be used, the Mayor may grant, upon written application of the owner of the building, an appropriate exemption or reduced level of compliance. In such cases, a certificate documenting the exemption or reduced level of compliance shall be issued to the building owner.

(3) For the purposes of this subsection, "substantially rehabilitated" means any improvement to or renovation of a residential building for which the improvement or renovation equals or exceeds 50% of the assessed value of the building before the rehabilitation. Existing bicycle parking spaces before rehabilitation shall be considered in calculating the total number of required parking spaces under this subsection.

(c) The Mayor shall identify categories that are eligible for appropriate exemption or reduced level of compliance. The categories include "elderly housing", "assisted living facilities", and "nursing homes" as defined in section 2 of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501).

(d) Any residential buildings that have been exempted from the regulation due to the nature of the use of the building shall provide a minimum number of bicycle parking spaces equal to at least 5% of the number of people employed at the building.

Sec. 7. Increased bicycle parking spaces for office, retail, and service uses.

(a) An owner of a building with office, retail, or service use shall provide a minimum number of bicycle parking spaces at least equal to 5% of the number of automobile parking spaces provided for the building.

(b) If the utilization of the minimum number of bicycle parking spaces is reaching 90% or higher during peak usage periods, the owner of a building with office, retail, or service use

shall provide bicycle parking spaces at least equal to 10% of the number of automobile parking spaces provided for the building.

(c) Where it can be demonstrated that providing bicycle parking spaces is not physically practical, that undue economic hardship would result from strict compliance with the regulation, or that the nature of the building use is such that bicycle parking spaces would not be used, the Mayor may grant, upon written application of the owner of the building, an appropriate exemption or reduced level of compliance. In such cases, a certificate documenting the exemption or reduced level of compliance shall be issued to the building owner.

Sec. 8. Rules; Council review.

(a) Within 90 days of the effective date of this act, the Mayor, pursuant to Title 1 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 act.

(b) All rules promulgated under this act shall be submitted to the Council for review and approval.

Sec. 9. Applicability.

Rules promulgated pursuant to this act shall apply to existing, substantially rehabilitated, and new residential, retail, office, and service buildings 6 months after the effective date of this act.

Sec. 10. Zoning regulations.

Nothing in this act shall supplant any requirements of the Zoning Regulations.

Sec. 11. Subject to appropriation.

Section 4 of this act shall be subject to appropriation.

Sec. 12. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 13. 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

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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