

To: Mayor Muriel Bowser

From: Nathan Erwin

Date: October 25th, 2017

Subject: Legalizing corner stores and small commercial establishments in residential areas

In January of 2016, the DC Zoning Commission finally concluded its nearly 9-year effort to update the city's zoning code. It was the first major rewrite since 1958, but it only yielded four major changes to the code. It expanded and expedited the ability to create accessory dwelling units around the city; it significantly expanded the downtown zone; it relaxed parking minimums around certain priority corridors—removing them entirely from the downtown zone; it also legalized the creation of new corner stores around the city, subject to many restrictions. That last change was significant. It represented a major relaxation of policy, but it may have been too restrictive.

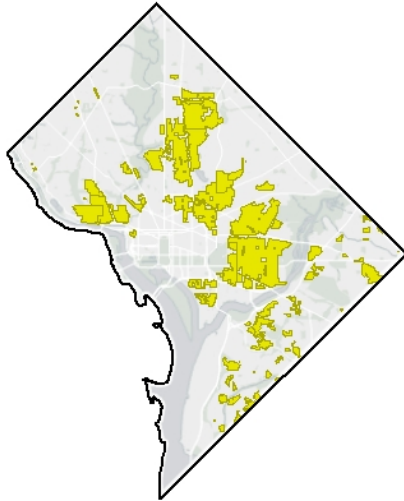
In 2014, the Washington City Paper estimated that there were over 500 corner stores across the 8 wards of the city—about one store per 1,300 people;¹ however, that number assumes an overly-broad definition of “corner store.”² Rather, most of the city is zoned exclusively for residential, mainly by dense rowhouse or townhouse neighborhoods containing very few, if any, neighborhood-scale commercial uses. Prior to the rewrite, corner stores were non-conforming uses.

The rewrite legalized corner stores in large portions of the city with heavy restrictions. The stores must be under 1,200 ft²; they can only occupy the ground floor and cellar of a building on a corner; except for grocery uses, they require a special exception from the BZA; there are several

¹ <http://www.washingtoncitypaper.com/news/city-desk/blog/13068362/where-are-d-c-s-corner-stores>

² Among its criteria, it included stores that seemed too large to be traditional corner stores—up to 10,000ft²—nor was it limited to residential-only areas.

requirements limiting how close a corner store can be to other stores or commercial and residential uses; further, along with other rules, cooking is not allowed on the premises.³



*Zones affected by the updated corner store language
See Footnote 4*

In theory, this opens up the possibility of a renewed proliferation of corner stores in DC. The restrictions may prevent the invasion of chain stores or other uses that otherwise may sap the local-residential spirit desired by residents. Further, they will prevent the new corner stores from competing too much with the business of each other or other commercial corridors.

In reality, the constraints may be too restrictive to yield results in many neighborhoods.⁴ The myriad restrictions may push these enterprises out of reach monetarily for many potential businesses. Further, prescribing everything from the use to the allowable share of floor space for specific items may reduce the ability of these businesses to innovate their models. It also may prevent the establishment of new forms of small commercial enterprises that may become desirable in the future. Baltimore City also dealt grappled with this in its recent zoning code rewrite. It developed similarly restrictive regulations in geography and in use. However, it was not as meticulous in prescribing layout or size.

Ultimately, small commercial establishments scattered throughout residential neighborhoods can be big assets for the city. They offer the potential of more walkable neighborhoods, more

³ <http://handbook.dcoz.dc.gov/use-categories/other-uses/corner-stores/>

⁴ <https://ggwash.org/view/29600/whats-in-the-zoning-update-corner-stores>

commercial tax revenue, and greater access to foodstuffs. Restrictions should focus on mitigating harmful effects of commercial establishments—traffic, noise, waste—but they should allow for experimentation and proliferation. Restrictions on use should be eased, as should the layout and size requirements.