

1920 (41 Stat. 500), excepting the provisions thereof creating the Zoning Commission, providing for its membership and services without additional compensation, is hereby repealed. All laws or parts of other laws in conflict with the provisions of this Act are hereby repealed.

Sec. 16. The provisions of this Act shall not apply to Federal public buildings: *Provided, however*, That, in order to insure the orderly development of the National Capital, the location, height,

bulk, number of stories, and size of Federal public buildings in the District of Columbia and the provision for open space in and around the same will be subject to the approval of the National Capital Planning Commission.

Sec. 17. If any provision contained in this Act be declared invalid, such invalidity shall not be deemed to affect or impair the validity of the remainder or of any other part of this Act.

Approved June 20, 1938.

Appendix E—Summary of Maximum Building Heights as Limited by the Act to Regulate the Height of Buildings, June 1, 1910

As required by the Act to Regulate the Height of Buildings, approved June 1, 1910 (36 Stat. 452), as amended (see Appendix F below), the height of a building or structure erected in the District of Columbia is limited as follows:

1. For residence districts:
 - (a) On streets over 65 feet wide—the width of the street less 10 feet, with a maximum of 90 feet.
 - (b) On streets 60 to 65 feet wide—60 feet.
 - (c) On streets less than 60 feet wide—the width of the street.
2. For all other districts—height equal to width of street increased by 20 feet.
3. Buildings fronting on Union Station Plaza—80 feet.

Appendix F

EXCERPTS FROM THE ACT TO REGULATE THE HEIGHT OF BUILDINGS

(Act of June 1, 1910, 36 Stat. 452)

"Sec. 5. That no building shall be erected, altered, or raised in the District of Columbia in any manner so as to exceed in height above the sidewalk the width of the street, avenue, or highway in its front, increased by twenty feet; but where a building or proposed building confronts a public space or reservation formed at the intersection of two or more streets, avenues, or highways, the course of which is not interrupted by said public space or reservation, the limit of height of the building shall be determined from the width of the widest street, avenue, or highway. Where a building is to be erected or removed from all points within the boundary lines of its own lots, as recorded, by a distance at least equal to its proposed height above grade, the limits of height for fireproof or noncombustible buildings in residence section shall control, the measurements to be taken from the natural grades at the buildings as determined by the Commissioners.

"No building shall be erected, altered, or raised in any manner as to exceed the height of one hundred and thirty feet on a business street or avenue as the same is now or hereafter may be lawfully

designated, except on the north side of Pennsylvania Avenue between First and Fifteenth Streets northwest, where an extreme height of one hundred and sixty feet will be permitted.

"On a residence street, avenue, or highway no building shall be erected, altered, or raised in any manner so as to be over ninety feet in height at the highest part of the roof or parapet, nor shall the highest part of the roof or parapet exceed in height the width of the street, avenue, or highway upon which it abuts, diminished by ten feet, except on a street, avenue, or highway sixty to sixty-five feet wide, where a height of sixty feet may be allowed; and on a street, avenue, or highway sixty feet wide or less, where a height equal to the width of the street may be allowed: *Provided*, That any church, the construction of which had been undertaken but not completed prior to the passage of this act, shall be exempted from the limitations of this paragraph, and the Commissioners of the District of Columbia shall cause to be issued a permit for the construction of any such church to a height of ninety-five feet above the level of the adjacent curb." (Amended by acts of December 30, 1910, and February 21, 1925.)

"The height of a building on a corner lot will be determined by the width of the wider street.

On streets less than ninety feet wide where building lines have been established and recorded in the Office of the Surveyor of the District, and so as to prevent the lawful erection of a building in advance of said line, the width of the street, insofar as it controls the height of buildings under this law, shall be held to be the distance between said building lines.

"On blocks immediately adjacent to public buildings or to the side of any public building for which plans have been prepared and money appropriated at the time of the application for the permit to construct said building, the maximum height shall be regulated by a schedule adopted by the Commissioners of the District of Columbia.

"Buildings hereafter erected to front or abut on the plaza in front of the new Union Station provided for by act of Congress approved February 28, 1903, shall be fireproof and shall not be of a greater height than eighty feet.

"Spires, towers, domes, minarets, pinnacles, penthouses over elevator shafts, ventilation shafts, chimneys, smokestacks, and fire sprinkler tanks may be erected to a greater height than any limit prescribed in this act when and as the same may be approved by the Commissioners of the District

of Columbia: *Provide, however*, That such structures when above such limit of height shall be fireproof, and no floor or compartment thereof shall be constructed or used for human occupancy above the top story of the building upon which such structures are placed: *And provided*, That penthouses, ventilation shafts, and tanks shall be set back from the exterior walls distances equal to their respective height above the adjacent roof.

"Sec. 6. That no wooden or frame building hereafter erected, altered, or converted for use as a human habitation shall exceed three stories or exceed forty feet in height to the roof.

"Sec. 7. That for the purposes of this act the height of buildings shall be measured from the level of the sidewalk opposite the middle of the front of the building to the highest point of the roof. If the building has more than one front, the height shall be measured from the elevation of the sidewalk opposite the middle of the front that will permit of the greater height. No parapet walls shall extend above the limit of height, except on nonfireproof dwellings where a parapet wall or balustrade of a height not exceeding four feet will be permitted above the limit of height of building permitted under this act." (As amended by act of May 20, 1912, and further amended September, 22, 1961.)