NCPC
NATIONAL CAPITAL PLANNING COMMISSION

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Executive Director
Patricia E. Gallagher, AICP

IN REPLY REFER TO:
NCPC File No. Z.C. 02-28

JAN 1 2 2004

Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission:

In response to your request, pursuant to delegation of authority adopted by the Commission on August 6, 1999, I have reviewed the proposed text amendment to the Zoning Regulations establishing Metropolitan Police Department uses both as a matter of right and as a special exception and found that the proposal would not adversely affect the identified federal interests nor be inconsistent with the federal Elements of the Comprehensive Plan for the National Capital.

A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

Patricia E. Gallagher, AICP
Executive Director

Enclosure

Government of the District of Columbia
Case 02-28
Exhibit 29

ZONING COMMISSION
District of Columbia
CASE NO.02-28
EXHIBIT NO.29

NCPC File No. ZC 02-28

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

TEXT AMENDMENT TO THE ZONING REGULATIONS OF THE DISTRICT OF COLUMBIA (11 DCMR) TO ESTABLISH METROPOLITAN POLICE DEPARTMENT USES

Washington, DC

Delegated Action of the Executive Director

DEC 30 2003

Pursuant to the Commission's delegation of authority adopted on August 6, 1999, I find that the proposed Text Amendment to the Zoning Regulations establishing Metropolitan Police Department uses both as a matter of right and as a special exception would not adversely affect the identified federal interests nor be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital.

* * *

The Zoning Commission has proposed Text Amendments to permit the Metropolitan Police Department to expand its facilities at existing locations and to establish new locations throughout the District of Columbia. Police facilities historically had been permitted as government uses on city property and were not subject to zoning. In 1990, the Council of the District of Columbia passed legislation requiring that city property be subject to zoning. As a result, police facilities became nonconforming uses in the city outside of the Central Area, where they remained unzoned. The proposed Text Amendment remedies the fact that the zoning regulations currently do not address police facilities and that they are not permitted either by right or by special exception.

The proposed Text Amendment defines the types of police facilities and stipulates related parking requirements. It would permit Metropolitan Police Department General Facilities by right within any Special Purpose, Mixed Use, Commercial, Industrial, or Waterfront District, and permit Metropolitan Police Department Local Facilities by right within any district. General Facilities are those used by the Department that operate across the city as a whole, including but not limited to the Department's headquarters, vehicle maintenance facilities, laboratories,

training units, special operations, tactical units, equestrian units, bomb squads, and canine squads. This definition does not include Department helicopter and radio transmission facilities. Existing General Facilities may be permitted to expand as a special exception, provided the expansion is within the height, area, and bulk requirements of the underlying zone, and that the expansion does not have an adverse impact on the neighborhood because of traffic, noise, operations, etc. Vehicle maintenance facilities and equestrian units would be permitted in a Waterfront District if approved by the Board of Zoning Adjustment as a special exception.

Local Facilities are defined as those for one of the local districts of the Department, including substations and community policing centers, regional commands, and other Department facilities that operate within a specific area of the city. Only local facilities would be permitted as a matter of right within residential districts. Parking requirements have also been established for each type of facility, based on the square feet of the facility.

This Text Amendment is similar to other recent referrals to the Commission from the Zoning Commission, in which the Zoning Commission has updated its regulations to include specific types of facilities and uses that weren't previously addressed, such as recreation centers and public libraries.

Identified federal interests are the Commission's continued review authority under Section 5 and its approval authority in the Central Area in lieu of zoning, particularly in areas within the L'Enfant City, including the waterfront and near federal park land. Under the proposed regulations, the Commission would review project submissions for new or expanded Metropolitan Police Department facilities as it would normally review other District of Columbia public building projects submitted under Section 5 of the Planning Act. Further, all such facilities located in the Central Area would be subject to the Commission's in-lieu-of-zoning approval authority. Therefore, I have determined that the proposed Zoning Commission action would not adversely affect the identified federal interests, nor be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital.

Patricia E. Gallagher, AICP
Executive Director