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Executive Director
Marcel Acosta

IN REPLY REFER TO:
NCPC File No. ZC 08-06R

May 2, 2025

Zoning Commission of the District of Columbia
2nd Floor
Suite 210
441 4th Street, NW
Washington, DC 20001

Members of the Zoning Commission:

Pursuant to delegations of authority adopted by the Commission, I found that the proposed Technical Corrections to Title 11 of the District of Columbia Zoning Regulations are not inconsistent with the *Comprehensive Plan for the National Capital* and would not adversely impact any other identified federal interests. A copy of the Delegated Action of the Executive Director is enclosed and available online at www.ncpc.gov/review/archive/2025/5/ as part of the May 2025 meeting materials.

Sincerely,

Marcel Acosta
Executive Director

Enclosures

cc: Anita Cozart, Director, DC Office of Planning



Delegated Action of the Executive Director

PROJECT Technical Corrections to Title 11 DC Zoning Regulations Washington, DC	NCPC FILE NUMBER ZC 08-06R
	NCPC MAP FILE NUMBER 00:00(06.00)46016
REFERRED BY Zoning Commission of the District of Columbia	DETERMINATION Approval of report to the Zoning Commission
	REVIEW AUTHORITY Advisory per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a)

The Zoning Commission of the District of Columbia referred technical corrections to Title 11 of the DC Zoning Regulations for review and comment. The proposed technical corrections represent a continuation of the District's on-going effort to correct and clarify the regulations when necessary, as requested by the Zoning Commission when the 2016 Zoning Regulations (ZR-16) were adopted. The corrections are not substantive changes and would provide additional clarity in the regulations, which would be a benefit to all District residents and landowners. Overall, the corrections would make the regulations easier to understand administer. There are six total proposed technical corrections:

1. *Replace, wherever it occurs, the terms "Department of Consumer and Regulatory Affairs" or "DCRA" with "Department of Buildings."*
2. *Subtitle B § 304.5(d) - Add missing word "floor" at the end of the provision.*
3. *Subtitle I § 570.5 (new) - Re-instate the maximum permitted height in the D-7 zones for properties not fronting onto Pennsylvania Avenue NW, inadvertently not carried forward into ZR-16.*

According to the March 31, 2025 Office of Planning Report for this case, Zoning Regulations prior to ZR-16 explicitly stated a maximum building height of 130 feet for property not fronting onto Pennsylvania Avenue, NW (§ 770.1) and a building height of 160 feet along a portion of Pennsylvania Avenue, NW (§ 770.5) pursuant to the 1910 Height of Buildings Act. ZR-16 inadvertently did not include the building height for properties that do not front onto Pennsylvania Avenue, NW. While the 130-foot maximum height is still applicable pursuant to the Height Act, clarity in the zoning regulations is needed. As with any zone, any property without the street width required for this height would be limited to a lower building height.

4. *Subtitle I § 607 - Correct cross reference in as the list of Arts uses in the Downtown zones refers to Subtitle U § 700.5 instead of Subtitle U § 700.6 as intended.*
5. *Subtitle K § 412.1(k) - Correct reference error which refers to Subtitle K § 416 (Inclusionary Housing) rather than the intended Subtitle K § 413 (Special Exceptions).*
6. *Subtitle Y § 101.9 – Correct reference error which refers to Subtitle Y § 604.6, rather than the intended Subtitle Y § 604.5.*

As noted above, the technical clarifications are not substantive in nature. Further, federal properties are not subject to local zoning and therefore would not be impacted by the proposed amendment. Further, the amendment does not appear to be inconsistent with the policies set forth in the federal elements of the *Comprehensive Plan for the National Capital* nor would it impact any other identified federal interest.

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Pursuant to delegations of authority adopted by the Commission on April 1, 2021 and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find the proposed Technical Corrections to Title 11 DC Zoning Regulations would not be inconsistent with the policies set forth in the federal elements of the *Comprehensive Plan for the National Capital* nor would it adversely impact any other identified federal interest.



April 24, 2025

Marcel Acosta
Executive Director

Date