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The Honorable Rand Paul

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Accountability
U.S. House of Representatives
The Honorable James Comer

Mayor
District of Columbia
The Honorable Muriel Bowser

Chairman
Council of the District of Columbia
The Honorable Phil Mendelson

Executive Director
Marcel Acosta

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

February 6, 2026

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

Members of the Zoning Commission:

Pursuant to delegations of authority adopted by the Commission, I found that the proposed Technical Correction to 11-DCMR (DC Municipal Regulations) Zoning Regulations for Washington, DC is 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/2026/2/ as part of the February 2026 meeting materials.

Sincerely,

Marcel Acosta
Executive Director

Enclosures

cc: Anita Cozart, Director, DC Office of Planning



Delegated Action of the Executive Director

PROJECT
**Technical Correction to 11-DCMR (DC
Municipal Regulations) Zoning Regulations**
Washington, DC

NCPC FILE NUMBER
ZC 08-06S

NCPC MAP FILE NUMBER
1.24(06.00)46139

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 has referred a text amendment to the National Capital Planning Commission (NCPC) that includes a technical correction to the Zoning Regulations to address an error in the translation from the ZR-58 Code to the ZR-16 Code. During the process to migrate the prior Code to the new version, the relief by special exception to court requirements in the Downtown Zones was inadvertently eliminated. In lieu of a special exception, applicants currently need an area variance for relief from the court requirements, which is much stricter threshold for relief than previously required. After extensive research, the District Office of Planning (OP) staff determined there was no intent to remove this relief and this technical correction will the special exception allowance back to the Downtown Zones. The proposed change would not amend the court regulations themselves but would correct the intended means of obtaining relief from those regulations.

This proposed technical correction represents a continuation of the on-going effort to correct and clarify the regulations when needed, as requested by the Zoning Commission at the time ZR-16 was adopted. This proposal follows a series of similar technical correction cases reviewed by staff and the Commission from 2016 through 2025. As part of the public comments for Omnibus Text Amendment Case (ZC 25-12), there were many suggestions for additional changes to the zoning regulations. While some of these were incorporated into the proposed Omnibus text, many others were considered outside the scope of that text amendment case or were ones that OP staff considered as being potentially inconsistent with current Comprehensive Plan policy. However, in a recent public hearing, OP staff brought to the Zoning Commission's attention the aforementioned technical correction, which was raised as part of public comments filed to the record. As it was not included in the Public Hearing Notice, the Zoning Commission requested that this item be removed from discussion as part of that case and brought forward as a separate request.

NCPC staff reviewed the proposed amendment, and it does not appear to impact federal interests, including the Height of Buildings Act. In addition, 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.

* * *

Pursuant to delegations of authority adopted by the Commission on March 6, 2025 and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find the proposed Technical Correction to 11-DCMR would not be inconsistent with the federal elements of the *Comprehensive Plan for the National Capital* nor would it adversely impact any other identified federal interests.



Marcel Acosta
Executive Director

1/30/2026

Date