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The Honorable Muriel Bowser

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The Honorable Phil Mendelson

Executive Director
Marcel Acosta

IN REPLY REFER TO:
NCPC File No. ZC 20-19

February 4, 2021

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 Text Amendment to Subtitles B, D, E, and F - Accessory Building Requirements located in 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/2021/2/ as part of the February 2021 meeting materials.

Sincerely,

Marcel Acosta
Executive Director

Enclosures

cc: Mr. Andrew Trueblood, Director, DC Office of Planning



Delegated Action of the Executive Director

PROJECT
Text Amendment to Subtitles B, D, E, and F
- Accessory Building Requirements
Washington, DC

NCPC FILE NUMBER
ZC 20-19

NCPC MAP FILE NUMBER
21.00(06.00)45261

SUBMITTED BY
Zoning Commission of the District of Columbia

ACTION TAKEN
Approved comments on text amendment

REVIEW AUTHORITY
Advisory
Per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a)

The Zoning Commission has referred a proposed text amendment prepared by the District of Columbia Office of Planning (OP) for National Capital Planning Commission (NCPC) comment. The text amendment to Subtitles B, D, E, and F - Accessory Building Requirements proposes to update the zoning regulations to clarify and provide consistency across the accessory building regulations. The 2016 Zoning Regulations (ZR16) introduced the ability to use an accessory building for residential purposes in the Residential House (R) and Residential Flat (RF) zones. In the R zones, an accessory apartment can be within an accessory building and in the RF zones, one of the two permitted principal dwelling units can be within an accessory building. With the new regulations related to the use of accessory buildings, the accessory building development standards were revised to permit additional height and to regulate the footprint and placement of accessory buildings on a lot.

OP is recommending refinements to the language to ensure consistency among the various Subtitles (accessory building provisions also appear in the Residential Apartment (RA) zones); to align the development standards with the pending alley lot text amendment case (ZC Case 19-13); and to modify certain development standards to facilitate the construction and use of accessory buildings for housing and other purposes. OP is proposing to define a shed as an accessory building, not used for habitable purposes or automobile parking, that is less than ten feet (10 ft.) in height and no more than fifty square feet (50 sq. ft.) in area; and to permit a shed to be located in a required rear or side yard in the R, RF, and RA zones. This definition of a shed, while smaller than contemplated in ZR16, is consistent with the DCRA definition of a garden or storage shed.

The proposed changes provide consistent language across the zones, eliminate inconsistencies, and provide flexibility with respect to height and alley centerline setbacks that would facilitate the construction of additional housing in the District. In reviewing the application material, staff finds that the proposed text amendment to Subtitles B, D, E, and F - Accessory Building Requirements would not be inconsistent with the Federal Elements of the Comprehensive Plan nor any other identified federal interests.

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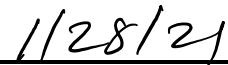
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Pursuant to delegations of authority adopted by the Commission on October 3, 1996 and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find that the proposed text amendment to Subtitles B, D, E, and F - Accessory Building Requirements, would not be inconsistent with the Federal Elements of the *Comprehensive Plan for the National Capital*, nor would it adversely affect any other identified federal interests.



Marcel Acosta
Executive Director



Date