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The Honorable Phil Mendelson

Executive Director
Marcel Acosta

IN REPLY REFER TO:
NCPC File No. ZC 24-20

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 Proposed Text Amendment to Subtitles B, D-F of the District of Columbia Zoning Regulations 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/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 Proposed Text Amendment to Subtitles B, D-F and I Washington, DC	NCPC FILE NUMBER ZC 24-20
REFERRED BY Zoning Commission of the District of Columbia	NCPC MAP FILE NUMBER 00:00(06.00)46014
	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 a text amendment to Subtitles B, D-F and I of the Zoning Regulation for review and comment. During the adoption of the Zoning Regulations of 2016, the Zoning Commission directed the District staff to continue reviewing the newly adopted code for potential issues with the development review process and administration. Since then, several inconsistencies regarding rear yards have been identified. These inconsistencies contribute to challenges when interpreting and applying the regulations to projects seeking approval.

According to the District of Columbia Office of Planning (DCOP) report submitted to the Zoning Commission on March 21, 2025, the proposed text amendments seek to clarify and add consistency to the definitions, rules of measurement, and accessory building rear yard sections of the code. The changes clarify that accessory buildings are to occupy no more than 30 percent of the rear yard and make it clear that only accessory buildings exceeding 30 percent of the required rear yard area will now require special exception relief. The proposed text amendment would allow the District's lower density zones (R, RF, RA) to have additional flexibility and use their land more efficiently by allowing 30 percent of the rear yard area to be occupied by accessory structures such as detached garages, accessory apartments, and sheds. Further, the adoption of the amendment would allow more accessory buildings to be approved as a matter of right, avoiding the special exception process with the Board of Zoning Adjustment, which has a several month approval timeline and a cost associated with filing an application that may be a barrier to new development. Overall, the proposed changes would make the current zoning regulations more user friendly and streamline the approval process.

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 Text Amendments to Subtitles B, D-F, and I 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