



## Delegated Action of the Executive Director

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**PROJECT**

**Text Amendments to Modify and Clarify  
Various Provisions of 11-DCMR**  
Washington, DC

**NCPC FILE NUMBER**

ZC 25-12

**NCPC MAP FILE NUMBER**

00:00(06.00)46123

**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)

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The Zoning Commission of the District of Columbia has referred an Omnibus text amendment that includes 24 separate proposals to amend various subtitles of the Zoning Regulations for review and comment by NCPC. The proposed changes will fulfill direction from the Zoning Commission to update and rectify issues in the Zoning Regulations, including ones arising from the adoption of the ZR-16 Zoning Regulations. The amendments are intended to address issues raised by members of the Zoning Commission, the Board of Zoning Adjustment, District Agencies, and the public to facilitate the removal of impediments to housing, and to clarify and simplify regulations and administrative reviews.

Since adoption of the ZR-16 regulations in 2016, the District of Columbia Office of Planning (DCOP) has brought forward several text amendment proposals, including technical corrections, re-ordering, zone renaming, and substantive amendments which have been approved by the Zoning Commission or are currently under review. Several additional provisions have been identified which need clarification or modification by DCOP through monitoring and review of Board of Zoning Adjustment (BZA) cases. Other amendments have been identified by Zoning Commission and BZA members, home and property owners, designers, other agencies, ANC commissioners, and members of the public. To facilitate the Zoning Commission review and approval process for these modifications, DCOP has consolidated a number of these issues for proposed amendments into an “Omnibus” text amendment, including a range of zoning provisions. The proposed Omnibus text amendments will:

- 1) Clarify the regulations pertaining to zoning on split zoned lots and provide more clarity and consistency in the interpretation and application;
- 2) Clarify Zoning Administrator flexibility for the review of permit plans for developments subject to a BZA Order;
- 3) Amend the definition of structure to more clearly address and facilitate light poles for public outdoor athletic fields;

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- 4) Clarify Gross Floor Area provisions, which determine permitted FAR, to exempt balconies that are inset into the building external façade;
  - 5) Exempt open balconies of a maximum depth of eight feet from lot occupancy;
  - 6) Adding flexibility for the provision of uncovered decks off the main level of a house;
  - 7) Clarify a regulation which requires a 30-foot frontage for any subdivision for an apartment building;
  - 8) Amend Green Area Ratio (GAR) regulations to not trigger GAR for a project which solely involves internal renovations to a building;
  - 9) Remove a provision that vehicle parking spaces required for buildings constructed under the ZR-58 regulations be retained for the life of the building;
  - 10) Amend the Priority Corridor Network Metrobus Routes provisions of the zoning regulations for clarity and consistency with current WMATA and DDOT planning for High Frequency Bus Corridors;
  - 11) Clarify that garage door size and setback requirements do not apply to a garage serving a house or flat;
  - 12) Clarify that screening from the alley is not required for a parking space accessed directly from the alley;
  - 13) Clarify when stairwells and elevator over-rides to the roof level count towards habitable square footage included in the affordable housing calculation;
  - 14) Remove a current requirement for special exception review for opting into IZ in the R-2, R-3, and RF zones;
  - 15) Amend the Subtitle D (R zones) and E (RF zones) special exception provision to include “front setback”;
  - 16) Increase the maximum footprint permitted for an accessory building in the R and RF zones;
  - 17) Establish a minimum side and rear setback requirement for accessory buildings in the R zones;
  - 18) Clarify that an accessory apartment is not a permitted use in the RF, RA, and MU zones;
  - 19) Amend the description of the MU-4, MU-5, and MU-7 zones to be consistent with the land use descriptions of the Comprehensive Plan;

- 20) Amend the penthouse height limit for this zone to be consistent with the provisions of other low/moderate density mixed use zones;
- 21) Amend the conditions for special exception review to remove duplication of review criteria;
- 22) Add “daytime care” use as a “designated use” in the Neighborhood Mixed Use (NMU) Zones;
- 23) Remove the redundant and misplaced building type descriptions in the Use provisions of U § 201.1(a); and
- 24) Remove the existing requirements that an accessory building must be in existence for five years before a dwelling unit is permitted within it, and expansion of an accessory building for a residence be permitted only by special exception.

NCPC staff reviewed the proposed amendments and none 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 amendments. Further, the amendments do 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 March 6, 2025 and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find the proposed Text Amendment to Text Amendments to Modify and Clarify Various Provisions of 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.



12/31/2025

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Marcel Acosta  
Executive Director

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Date