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The Honorable Muriel Bowser

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Council of the District of Columbia  
The Honorable Phil Mendelson

**Executive Director**  
Marcel Acosta

IN REPLY REFER TO:  
NCPC File No. ZC 25-12

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 Text Amendments to Modify and Clarify Various Provisions of 11-DCMR (DC Municipal Regulations) (Part 2) for Washington, DC 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/2026/2/](http://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

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<b>PROJECT</b> <b>Text Amendments to Modify and Clarify Various Provisions of 11-DCMR (Part 2)</b> Washington, DC	<b>NCPC FILE NUMBER</b> ZC 25-12
<b>SUBMITTED BY</b> Zoning Commission of the District of Columbia	<b>NCPC MAP FILE NUMBER</b> 00:00(06.00)46138
	<b>ACTION TAKEN</b> Approval of report to the Zoning Commission
	<b>REVIEW AUTHORITY</b> 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 Part 2 of 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 Regulations. The amendments are intended to address issues raised by the 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.

The Omnibus text amendment was initially referred to NCPC following the Zoning Commission hearing on November 25, 2025. Upon review, NCPC issued a report to the Zoning Commission finding that the Omnibus text amendment would not be inconsistent with the *Comprehensive Plan for the National Capital* nor would it adversely impact any other identified federal interests. On December 18, 2025, the Zoning Commission reviewed updates to the Omnibus text amendment, which are primarily clarifications proposed by the District of Columbia Office of Planning (OP) intended to address the Zoning Commission's comments at the November 25 meeting. At the December 18 meeting, the Zoning Commission moved to approve all the revisions proposed by OP except for item 7, which was removed from the Omnibus package for further study. The updates voted on at the December 18 Zoning Commission meeting have been referred to NCPC as Part 2 of the Omnibus text amendment.

Below is a summary of each item included in the Omnibus text amendment and its status:

The Zoning Commission took proposed action to approve the following items at the November 25, 2025 public meeting:

- 4) Clarify Gross Floor Area provisions, which determine permitted FAR, to exempt balconies that are inset into the building external façade;
- 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;
- 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;
- 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.

The Zoning Commission took proposed action to remove the following items from the Omnibus text amendment package at the November 25, 2025 public meeting:

- 3) Amend the definition of structure to more clearly address and facilitate light poles for public outdoor athletic fields;

The Zoning Commission took proposed action to approve the following items at the December 18, 2025 public meeting:

- 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;
- 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;
- 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;
- 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;

The Zoning Commission took proposed action to remove the following items from the Omnibus text amendment package at the December 18, 2025 public meeting:

- 7) Clarify a regulation which requires a 30-foot frontage for any subdivision for an apartment building.

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 Modify and Clarify Various Provisions of 11-DCMR (Part 2) 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