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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 19-31A

June 1, 2023

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 Subtitle B, Section 100.2 - Definition of Youth Residential Care Home 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/2023/6/ as part of the June 2023 meeting materials.

Sincerely,

Marcel Acosta
Executive Director

Enclosures

cc: Ms. Anita Cozart, Director, DC Office of Planning



Delegated Action of the Executive Director

PROJECT
Text Amendment to Subtitle B, Section
100.2 - Definition of Youth Residential Care
Home
Washington, DC

NCPC FILE NUMBER
ZC 19-31A

NCPC MAP FILE NUMBER
00:00(06.00)45682

REFERRED BY
Zoning Commission of the District of Columbia

DETERMINATION
Approve comments to the Council
of the District of Columbia

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 from the District of Columbia Office of Planning (DCOP) for review and comment. The amendment is required as some of the uses and definitions found in the previous zoning regulations were not carried forward during the 2017 zoning re-write. This in turn has made it difficult for the Department of Consumer and Regulatory Affairs (DCRA) to interpret and give guidance regarding permitted uses in specific zones, either by-right or as a special exception. Specifically, the current proposal would amend Subtitle B, Section 100.2 of Chapter 1 to include the definition of Youth Residential Care Home. Further, the definition of Youth Residential Care Home was included in a previous DCOP report for Zoning Case 19-31 and was included in the Use Permissions list. However, while the Youth Residential Care Home was approved as a use, the definition was inadvertently omitted in the Public Hearing Notice or the Zoning Commission Order. This amendment would only add the definition for the Youth Residential Care Home, which is proposed as follows:

A facility proving safe, hygienic, sheltered living arrangements for one (1) or more individuals less than eighteen years of age, not related by blood, adoption, or marriage to the operator of the facility, who are ambulatory and able to perform the activities of daily living with minimal assistance.

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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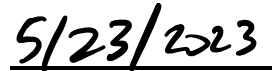
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Pursuant to delegations of authority adopted by the Commission on April 1, 2021 and per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find the proposed Text Amendment to Subtitle B, Section 100.2 to include the definition for Youth Residential Care Home is not inconsistent with the federal elements of the *Comprehensive Plan for the National Capital* nor would it adversely effect any other identified federal interests.



Marcel Acosta
Executive Director



Date