



**TEXT AMENDMENT TO THE ZONING REGULATIONS OF THE DISTRICT OF
COLUMBIA REGARDING DEFINITION OF BUILDING HEIGHT AND NATURAL
GRADE**

Delegated Action of the Executive Director

September 25, 2003

Pursuant to the Commission's delegation of authority adopted on August 6, 1999, I find that the proposed text amendment to District of Columbia Zoning Regulations regarding the Definition of Building Height and Natural Grade would not adversely affect the identified federal interests.

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The District of Columbia Zoning Commission has taken a proposed action to amend the text of the District of Columbia Zoning Regulations so as to clarify the definition of height of building and to add a definition for natural grade. The intent is to provide a more precise definition of how the height of a building is measured for zoning purposes.

The proposed text amendment has two components which will amend Section 199 – Definitions in the District of Columbia Zoning Regulations. First, the action amends the definition of height of building by inserting the following text into the definition:

The term curb shall refer to a curb at grade. In the case of a property fronting a bridge or a viaduct, the height of the building shall be measured from the lower of the natural grade or the finished grade at the middle of the front of the building to the highest point of the roof or parapet.

The second aspect of the text amendment adds a new definition regarding natural grade to Section 199. The proposed new definition is as follows:

Natural grade – the undisturbed level formed without human intervention or, where the undisturbed ground level cannot be determined because of an existing building or structure, the undisturbed existing grade.

The federal interest related to this proposed text amendment is the Height Act of 1910 and the legal height limits established in that act. It is a significant federal interest to ensure that no building regulated by zoning will be allowed to be built to a height which may violate the Height Act or negatively impact the visual character of the National Capital the law seeks to protect.

It is my conclusion that the proposed text amendment strengthens the intent of the height act and will provide a clearer measure of buildings to ensure their compliance with the Zoning Regulations and the Height Act of 1910. Therefore, the proposed text amendment will not negatively affect any federal interest.

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Executive Director