



NCPC File No. Z.C. 06-05

**TEXT AMENDMENT TO THE ZONING REGULATIONS
TO DELETE SECTION 410 IN ITS ENTIRETY**

Delegated Action of the Executive Director

May 25, 2006

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, I find that the proposed text amendment to the zoning regulations to delete Section 410 in its entirety would not adversely affect any identified federal interests or be inconsistent with the Comprehensive Plan for the National Capital.

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The District of Columbia Office of Zoning proposes to delete Section 410 of the District of Columbia Zoning Regulations in its entirety. Section 410 allows for special exceptions for groups of residential buildings in R-5 districts to be considered as single buildings, provided that the buildings share division walls erected from the ground up. The section applies only to groups of buildings that are erected simultaneously.

Federally-owned lands in the District of Columbia are not subject to zoning and are therefore not directly affected by the proposed text amendment. Two federal interests, the Height of Buildings Act and the siting of foreign missions were identified by staff and analyzed as potentially affected by the proposed text amendment. Regarding the former, the proposed text amendment may affect building height measuring points, but will not adversely affect the height of buildings as regulated by the Height of Buildings Act. Regarding the latter, foreign missions are not permitted as a matter of right in R-5 zones in the District of Columbia unless they are also sited within the Diplomatic Overlay zone, in which case they are reviewed by the Foreign Missions Board of Zoning Adjustment in accordance with Section 1100 of the zoning regulations, which is not affected by the proposed text amendment. I find that the proposal is consistent with the Comprehensive Plan for the National Capital and that it would not adversely affect any identified federal interests.

Patricia E. Gallagher, AICP
Executive Director