

Review of Projects on District Land



Martin Luther King Jr. Memorial Library



Franklin School



Carnegie Library

Overview

Most of the plans and projects reviewed by the Commission occur on federal land, but within the District of Columbia, NCPC has the authority to review projects on land owned or administered by the District Government. NCPC has an approval action for its review of District projects in the Central Area and provides advisory comments on all other District projects. NCPC seeks to ensure that projects on District-owned land do not negatively impact the many federal interests in the District, including the presence of nationally-significant resources and diversity of federal landholdings. This resource guide is for general information purposes, and is not a regulatory document.

District Projects in the National Capital Planning Act

The National Capital Planning Act of 1952 (40 U.S.C. §§ 8701 et seq.) established NCPC as the central planning agency for the federal government in the National Capital Region and conferred zoning authority on NCPC for federal land. The law also defined many of the core responsibilities of the Commission, including preparation of the Federal Elements of the *Comprehensive Plan for the National Capital*, review of plans and projects for federal property, and preparation of the Federal Capital Improvements Program, among others. Those responsibilities were expanded by amendment in 1974 to include zoning review of projects on District-owned land.

The 1974 amendment recognized that development of District-owned land is not subject to local zoning, and accordingly established parameters for the Commission to review District projects. The review of projects was to include without limitation buildings, uses, structures, and signage on District-owned land. Depending on the project's location, the Commission was granted the authority to either approve or provide recommendations on the project. In the Central Area, which is currently defined by the boundaries of the Downtown and Shaw Urban Renewal Areas, the Commission exercises an approval authority, while the Commission provides advisory recommendations in the rest of the District.

NCPC Review Interest

A range of District agencies manage land held by the District government. In addition, certain agencies manage and administer land held under jurisdictional transfer from the federal government to the District: for example, sites have been transferred jurisdictionally for park purposes. Although the underlying ownership is still with the U.S. Government, these lands also fall under this review authority. The District agency managing the land is independently responsible for submitting projects for NCPC review, including proposed buildings, uses, structures, or signage. As with all projects reviewed by NCPC, Commission review focuses on issues of federal interest. For District projects, those issues are largely defined in the Federal Elements of the *Comprehensive Plan for the National Capital* and the Height of Buildings Act (D.C. Code § 6-6010.5 (West 2001)).

In general, federal interests tend to be strongest in the L'Enfant City, which is largely encompassed by the Central Area, though District projects on land throughout the city may lie within or adjacent to federal interest areas, including federal land or viewsheds important to the character of the city. Further, as noted above, many District projects occur on federal land administered by District agencies, which, by nature of the underlying land ownership, may be of special interest to NCPC. Review exceptions may be issued for District projects outside of the monumental core of the city, consistent with the criteria for exceptions identified in the NCPC Submission Guidelines.

Federal Environmental and Historic Preservation Compliance

District projects that occur in the Central Area are subject to NCPC approval, which means that applicants are required to complete federal environmental and historic preservation compliance, pursuant to the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (Section 106). If NCPC does not have a categorical exclusion for the project, the District agency will need to complete an environmental assessment or environmental impact statement to fulfill its NEPA obligation, and consultation is required to meet Section 106 requirements. Examples of District projects in the Central Area that have triggered compliance include rehabilitation efforts at the Martin Luther King Jr. Memorial Library, the Franklin School, and the Carnegie Library. More information on federal compliance processes for District agencies can be found in the Environmental and Historic Preservation Compliance Resource Guide.

The process for submitting a District project for NCPC review is outlined in the Building, Site, and Park Projects section of the NCPC Submission Guidelines, including submission stages and application requirements.

Applicant Resources

Central Area Map: <https://www.ncpc.gov/maps/central-area/>

L'Enfant City Map: <https://www.ncpc.gov/maps/lenfant-city/>

NCPC Submission Guidelines: <https://www.ncpc.gov/review/guidelines/>

Environmental and Historic Preservation Compliance Resource Guide: <https://www.ncpc.gov/review/guides/nepa/>

DC Office of Zoning, Zoning Regulations of 2016: <https://dcoz.dc.gov/zrr/zr16>