

Note: NCPC has made its best efforts, but cannot assure that this District of Columbia statutory material is current and accurate.

DC ST § 6-641.01  
Formerly cited as DC ST 1981 § 5-413

DC ST § 6-641.01

Formerly cited as DC ST 1981 § 5-413

District of Columbia Official Code 2001 Edition Currentness  
Division I. Government of District.

Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➡ **§ 6-641.01. Zoning Commission--Regulations; districts or zones.**

To promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital, the Zoning Commission created by § 6- 621.01, is hereby empowered, in accordance with the conditions and procedures specified in this subchapter, to regulate the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot which may be occupied, the sizes of yards, courts, and other open spaces, the density of population, and the uses of buildings, structures, and land for trade, industry, residence, recreation, public activities, or other purposes; and for the purpose of such regulation said Commission may divide the District of Columbia into districts or zones of such number, shape, and area as said Zoning Commission may determine, and within such districts may regulate the erection, construction, reconstruction, alteration, conversion, maintenance, and uses of buildings and structures and the uses of land. The said Zoning Commission shall also have power to promulgate regulations to require, with respect to buildings erected subsequent to the promulgation of such regulations, that facilities be provided and maintained either on the same lot with any such building, or on the same lot with any such building or elsewhere, for the parking of automobiles and motor vehicles of the owners, occupants, tenants, patrons, and customers of such building, and of the business, trades, and professions conducted therein. All such regulations shall be uniform for each class or kind of building throughout each district, but the regulations in 1 district may differ from those in other districts.

CREDIT(S)

(June 20, 1938, 52 Stat. 797, ch. 534, § 1; Mar. 4, 1942, 56 Stat. 122, ch. 126.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-413.

1973 Ed., § 5-413.

Emergency Act Amendments

For temporary (90-day) designation of all buildings, structures, and other improvements at Ivy City Yard relating to a fixed right-of-way mass transit system, see § 3 of the Ivy City Yard Fixed Right-Of-Way Mass Transit System Designation Emergency Act of 1997 (D.C. Act 12-69, May 1, 1997, 44 DCR 3080) and see § 3 of the Ivy City Yard Fixed Right-of Way Mass Transit System Designation Congressional Review Emergency Act of 1997 (D.C. Act 12-124, August 1, 1997, 44 DCR 4654).

For temporary (90 day) amendment of section, see § 2 of the Moratorium on the Construction of Certain Telecommunications Towers Emergency Amendment Act of 2000 (D.C. Act 13-442, October 20, 2000, 47 DCR 9000).

For temporary (90 day) amendment of section, see § 2 of the Moratorium on the Construction of Certain Telecommunications Towers Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-525, January 11, 2001, 48 DCR 631).

#### Legislative History of Laws

Law 13-218, the "Moratorium on the Construction of Certain Telecommunications Towers Temporary Amendment Act of 2000", was introduced in Council and assigned Bill No. 13-822. The Bill was adopted on first and second readings on July 11, 2000, and October 3, 2000, respectively. Signed by the Mayor on October 30, 2000, it was assigned Act No. 13-470 and transmitted to both Houses of Congress for its review. D.C. Law 13-218 became effective on April 3, 2001.

#### Miscellaneous Notes

Council approval of improvements within Ivy City Yard: Section 3 of D.C. Law 12-15 and § 3 of D.C. Law 12-19 provide that the Council approves the designation of all buildings, structures, and other improvements now or hereafter built within the Ivy City Yard, or any part thereof, and used in connection with the administration, operation, maintenance, or repair of a railroad or a railyard, including related rail activities and uses as related to a fixed right-of-way mass transit system.

Section 5(b) of D.C. Law 12-15 provided that the act shall expire after 225 days of its having taken effect or upon the effective date of the Ivy City Yard Fixed Right-of-Way Mass Transit System Designation Act of 1997, whichever occurs first.

Zoning Review Task Force: Title VI of D.C. Law 12-86, as amended by § 58 of D.C. Law 12-264, provided for a Zoning Review Task Force as follows:

"Sec. 601. There is established a Zoning Review Task Force ("Task Force") in the District which shall consist of 11 voting members as follows:

(1) There shall be 3 ex officio members who each may designate a representative to perform the member's responsibilities under this act as follows:

(A) The Mayor of the District of Columbia;

(B) The Chairman of the Council of the District of Columbia ("Council"); and.

(C) The Chairman of the Council Committee on Consumer and Regulatory Affairs.

(2) There shall be 8 public members, including the chairperson of the Task Force, each of whom shall be appointed by the Mayor with the advice and consent of the Council. The public members shall be nominated as follows:

(A) One member shall be nominated from a list of persons recommended by the District of Columbia Building Industry Association, each of whom shall be a resident of the District, or a nonresident who represents a business licensed and doing business in the District;

(B) One member shall be nominated from a list of persons recommended by the Greater Capital Area Association of Realtors, each of whom shall be a resident of the District, or a nonresident who represents a

business licensed and doing business in the District;

(C) One member shall be nominated from a list of persons recommended by the Board of Governors of the District of Columbia Bar, each of whom shall be a resident of the District, or a nonresident who has demonstrated an expertise in zoning issues in the District;

(D) One member shall be nominated from a list of persons recommended by the District of Columbia Chamber of Commerce, each of whom shall have demonstrated an expertise in zoning issues in the District;

(E) Two members shall be nominated by the Mayor, each of whom shall be residents of the District and each of whom shall not be an official representative of any business concerned with zoning issues in the District of Columbia; and.

(F) Two members shall be nominated by the Council, each of whom shall be residents of the District and each of whom shall not be an official representative of any business or profession concerned with zoning issues in the District of Columbia.

(3) Members of the Task Force shall be appointed by the Mayor within 60 days of the effective date of the Omnibus Regulatory Reform Amendment Act of 1998. A vacancy on the Task Force shall be filled in the same manner that the original appointment was made.

(4) The Task Force shall meet at the call of the chairperson, who shall convene the first meeting of the Task Force not later than 15 days after all appointments have been made. The Task Force shall meet not less than once each month.

(5) A majority of the members of the Task Force shall constitute a quorum. A written transcript or audio transcript shall be kept for all meetings at which a vote is taken.

(6) Members of the Task Force shall not be entitled to compensation for time expended in the performance of official duties, and shall be entitled only to reimbursement for actual and necessary expenses incurred in the performance of official duties approved in advance by a majority of the Task Force.

(7) The Task Force may request from any department, agency or instrumentality of the District government, including independent agencies, any information necessary to carry out the provisions of this title. Each department, agency, instrumentality, or independent agency of the District shall cooperate with the Task Force and provide any information, in a timely manner, that the Task force reasonably requests to carry out the provisions of this title.

(8) The Mayor shall provide administrative and technical support, office space, staff, and other resources needed by the Task Force to carry out the provisions of this title.

(9) In addition to funds appropriated or allocated by the District government, the Task Force may solicit, receive, accept, and expend contributions or grants from private or federal sources to carry out the provisions of this title. Any Task Force solicitation, receipt, acceptance, or expenditure of contributions or grants from private sources must be approved in advance by the Mayor.

(10) The Task Force may enter into contracts, for which sufficient appropriations or other public or private funding is available and provided, with federal or state agencies, private firms, institutions, or individuals to conduct research or surveys, prepare reports, and perform other activities necessary to the discharge of its duties.

(11) The Task Force may establish committees, subcommittees, or advisory groups, as it deems necessary to carry out the purposes of this title.

(12) The Task Force shall cease to exist 90 days after the report required by section 602 is submitted to the Mayor and the Council.

Sec. 602. Duties of the Task Force; recommended legislation.

(a) Within 270 days from the date of the first meeting of its members, the Task Force shall submit a written

report to the Mayor and the Council which includes the following information:

- (1) An identification of statutes, regulations, and Charter provisions that concern land use, zoning, and the administration and adjudication of zoning regulations; and.
  - (2) Recommendations, including proposed legislation, to modify, amend, repeal or otherwise change statutes and regulations concerning land use, zoning, and the administration and adjudication of zoning issues to assure rational and consistent application of such statutes and regulations.
- (b) The Chairman of the Council, upon request of the Task Force, shall introduce in the Council any proposed legislation which the Task Force determines to be necessary to further the purposes set forth in this title."

Section 2 of D.C. Law 13-218 provides:

"Sec. 2. Moratorium on the issuance of permits.

"(a) No District of Columbia government agency shall issue any permit for the construction or expansion of any telecommunication structure which will reach a height above 200 feet, until the Mayor formulates a policy, in accordance with subsection (b) of this section, on the location and other parameters for construction of telecommunications structures.

"(b) The Mayor shall formulate the policy within 180 days of the effective date of this act, and shall transmit the policy to the Council for a 30-day period of review, excluding holidays, weekends and days of Council recess. If the Council does not approve or disapprove the policy by resolution within this 30- day review period, the policy shall be deemed approved. The policy shall include a consideration of:

"(1) The location of the telecommunications structure in relation to residential areas of varying density, to recreational areas, and to areas of fragile eco-systems;

"(2) The size of the lot on which the telecommunications structure is to be located;

"(3) The level of noise, electromagnetic radiation, and other types of emissions and environmental pollutants expected to be occasioned by the telecommunications structure in relation to the community;

"(4) The impact of the telecommunications structure on the property values of the owners of properties adjacent to, and surrounding the telecommunications structure;

"(5) The impact of the telecommunications structure on pedestrian and vehicle traffic;

"(6) The impact of the telecommunications structure on the character of nearby historic properties, and national and local parklands; and

"(7) Any other criteria that shall serve to ensure the protection of residential neighborhoods and commercial centers, and the health and safety of the residents and workers in the District of Columbia."

Section 5(b) of D.C. Law 13-218 provides that the act shall expire after 225 days of its having taken effect.

DC CODE § 6-641.01

Current through March 1, 2007.

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DC ST § 6-641.02  
Formerly cited as DC ST 1981 § 5-414

DC ST § 6-641.02

Formerly cited as DC ST 1981 § 5-414

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➡ **§ 6-641.02. Zoning regulations--Purpose.**

Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

CREDIT(S)

(June 20, 1938, 52 Stat. 797, ch. 534, § 2; Dec. 24, 1973, 87 Stat. 810, Pub. L. 93-198, title IV, § 492(b) (1).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-414.

1973 Ed., § 5-414.

Miscellaneous Notes

Zoning Review Task Force: See Historical and Statutory Notes following § 6- 641.01.

DC CODE § 6-641.02

Current through March 1, 2007.

DC ST § 6-641.03  
Formerly cited as DC ST 1981 § 5-415

DC ST § 6-641.03

Formerly cited as DC ST 1981 § 5-415

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡ § 6-641.03. Zoning regulations--Existing regulations continued; public hearing on amendments required; notice.**

The regulations prior to June 20, 1938, adopted by the Zoning Commission under the authority of § 6-621.01 and in force on June 20, 1938, including the maps which at said date accompany and are a part of such regulations, shall be deemed to have been made and adopted and in force under this subchapter and subchapter V and shall be and continue in force and effect until and as they may be amended by the Zoning Commission as authorized by said this subchapter and subchapter V. The Zoning Commission may from time to time amend the regulations or any of them or the maps or any of them. Before putting into effect any amendment or amendments of said regulations, or of said map or maps, the Zoning Commission shall hold a public hearing thereon and provide notice of the hearing in accordance with the requirements of subchapter I of Chapter 5 of Title 2. Such published notice shall include a general summary of the proposed amendment or amendments of the regulation or regulations and the boundaries of the territory or territories included in the amendment or amendments of the map or maps, and the time and place of the hearing. The Zoning Commission shall give such additional notice of such hearing as it shall deem feasible and practicable. At such hearing it shall afford any person present a reasonable opportunity to be heard. Such public hearing may be adjourned from time to time and if the time and place of the adjourned meeting be publicly announced when the adjournment is had, no further notice of such adjourned meeting need be published.

CREDIT(S)

(June 20, 1938, 52 Stat. 798, ch. 534, § 3; Apr. 27, 1999, D.C. Law 12-275, § 5, 46 DCR 1441.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-415.

1973 Ed., § 5-415.

Legislative History of Laws

Law 12-275, the "Comprehensive Plan Amendment Act of 1998," was introduced in Council and assigned Bill

No. 12-99, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on December 1, 1998, and December 15, 1998, respectively. Signed by the Mayor on December 31, 1998, it was assigned Act No. 12-609 and transmitted to both Houses of Congress for its review. D.C. Law 12-275 became effective on April 27, 1999.

#### Miscellaneous Notes

Zoning Review Task Force: See Historical and Statutory Notes following § 6- 641.01.

DC CODE § 6-641.03

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DC ST § 6-641.04  
Formerly cited as DC ST 1981 § 5-416

DC ST § 6-641.04

Formerly cited as DC ST 1981 § 5-416

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡ § 6-641.04. Zoning regulations--Vote required for amendment.**

Any amendment of the regulations or any of them or of the maps or any of them shall require the favorable vote of not less than a full majority of the members of the Commission.

CREDIT(S)

(June 20, 1938, 52 Stat. 798, ch. 534, § 4.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-416.

1973 Ed., § 5-416.

DC CODE § 6-641.04

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DC ST § 6-641.05  
Formerly cited as DC ST 1981 § 5-417

DC ST § 6-641.05

Formerly cited as DC ST 1981 § 5-417

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡ § 6-641.05. Zoning regulations--Proposed regulations or amendments; public hearing; notice; National Capital Planning Commission.**

(a)(1) No zoning regulation or map, or any amendment thereto, may be adopted by the Zoning Commission until the Zoning Commission:

(A) Has held a public hearing, after notice, on such proposed regulation, map, or amendment; and

(B) After such public hearing, submitted such proposed regulation, map, or amendment to the National Capital Planning Commission for comment and review.

(2) If the National Capital Planning Commission fails to submit its comments regarding any such regulation, map, or amendment within 30 days after submission of such regulation, map, or amendment to it, then the Zoning Commission may proceed to act upon the proposed regulation, map, or amendment without further comment from the National Capital Planning Commission.

(b) The notice required by subparagraph (A) of paragraph (1) of subsection (a) of this section shall be published at least 30 days prior to such public hearing and shall include a statement as to the time and place of the hearing and a summary of all changes in existing zoning regulations which would be made by adoption of the proposed regulation, map, or amendment. The Zoning Commission shall give such additional notice as it deems expedient and practicable. All interested persons shall be given a reasonable opportunity to be heard at such public hearing. If the hearing is adjourned from time to time, the time and place of reconvening shall be publicly announced prior to adjournment.

(c) The Zoning Commission shall deposit with the National Capital Planning Commission all zoning regulations, maps, or amendments thereto, adopted by it.

CREDIT(S)

(June 20, 1938, 52 Stat. 798, ch. 534, § 5; Dec. 24, 1973, 87 Stat. 810, Pub. L. 93-198, title IV, § 492(b) (2).)

## HISTORICAL AND STATUTORY NOTES

### Prior Codifications

1981 Ed., § 5-417.

1973 Ed., § 5-417.

### Transfer of Functions

"National Capital Planning Commission" was substituted for "National Capital Park and Planning Commission" throughout this section in view of the Act of June 6, 1924, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1, which transferred the functions, powers, and duties of the National Capital Park and Planning Commission to the National Capital Planning Commission.

DC CODE § 6-641.05

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DC ST § 6-641.06  
Formerly cited as DC ST 1981 § 5-418

DC ST § 6-641.06

Formerly cited as DC ST 1981 § 5-418

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡§ 6-641.06. Permissible maximum height of buildings.**

The permissible height of buildings in any district shall not exceed the maximum height of buildings now authorized upon any street in any part of the District of Columbia by subchapter I of this chapter, regulating the height of buildings in the District of Columbia.

CREDIT(S)

(June 20, 1938, 52 Stat. 798, ch. 534, § 6; Oct. 13, 1964, 78 Stat. 1091, Pub. L. 88-659, § 1; Aug. 24, 1982, 96 Stat. 290, Pub. L. 97-241, § 203(c).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-418.

1973 Ed., § 5-418.

Effective Dates

Section 204 of Public Law 97-241 provided that the amendments made by title II shall take effect on October 1, 1982.

DC CODE § 6-641.06

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DC ST § 6-641.06a  
§ 6-641.06a. Nonconforming use.

DC ST § 6-641.06a

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Division I. Government of District.

Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➡ **§ 6-641.06a. Nonconforming use.**

The lawful use of a building or premises as existing and lawful at the time of the original adoption of any regulation heretofore adopted under the authority of § 6-621.01, or, in the case of any regulation adopted after June 20, 1938, under this subchapter, at the time of such adoption, may be continued although such use does not conform with the provisions of such regulation, provided no structural alteration, except such as may be required by law or regulation, or no enlargement is made or no new building is erected. The Zoning Commission may in its discretion provide, upon such terms and conditions as may be set forth in the regulations, for the extension of any such nonconforming use throughout the building and for the substitution of nonconforming uses.

CREDIT(S)

(June 20, 1938, 52 Stat. 798, ch. 534, § 7.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-423.

1973 Ed., § 5-419.

DC CODE § 6-641.06a

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DC ST § 6-641.07  
Formerly cited as DC ST 1981 § 5-424

DC ST § 6-641.07

Formerly cited as DC ST 1981 § 5-424

District of Columbia Official Code 2001 Edition Currentness  
Division I. Government of District.

Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➡ **§ 6-641.07. Board of Zoning Adjustment.**

(a) A Board of Zoning Adjustment is hereby created which shall be composed of 1 member of the National Capital Planning Commission or a member of the staff thereof to be designated in either case by such Commission and appointed by the Mayor of the District of Columbia; 1 member of the Zoning Commission or a member of the staff thereof to be designated in either case by such Commission and appointed by the Mayor of the District of Columbia; and 3 other members appointed by the Mayor of the District of Columbia with the advice and consent of the Council of the District of Columbia, each of whom shall have been a resident of the District of Columbia for at least 3 years immediately preceding his appointment and at least 1 of whom shall own his own home.

(b) The representative of the National Capital Planning Commission may be changed from time to time by such Commission in its discretion, and in case of a vacancy in the position by death, resignation, or other disability, a new representative shall be designated by the said Commission and appointed by the Mayor of the District of Columbia with the advice and consent of the Council of the District of Columbia to fill said vacancy. The representative of the Zoning Commission may be changed from time to time by such Commission in its discretion, and in case of a vacancy in the position by death, resignation, or other disability, a new representative shall be designated by the said Commission and appointed by the Mayor of the District of Columbia with the advice and consent of the Council of the District of Columbia to fill said vacancy. The terms of the 3 members designated by the Mayor of the District of Columbia shall be 3 years each, excepting that, in the case of the initial appointments, 1 shall be for a term of 1 year and 1 for a term of 2 years. In case of any vacancy in the position of any of the 3 members designated by the Mayor of the District of Columbia, the same shall be filled for the remainder of the term.

(c) The Zoning Commission may provide and specify in its zoning regulations general rules to govern the organization and procedure of the Board of Adjustment not inconsistent with the provisions of this subchapter, and the Board of Adjustment may adopt supplemental rules of procedure which shall be subject to the approval of the Zoning Commission after public hearing thereon as provided in § 6-641.03. The Board of Adjustment shall choose its Chairman and its other officers. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public

record.

(d) The regulations adopted by the Zoning Commission may provide that the Board of Adjustment may in appropriate cases and subject to appropriate principles, standards, rules, conditions, and safeguards set forth in the regulations, make special exceptions to the provisions of the zoning regulations in harmony with their general purpose and intent. The Commission may also authorize the Board of Adjustment to interpret the zoning maps and pass upon disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of the regulations.

(e) The Board of Adjustment shall not have the power to amend any regulation or map.

(f) Appeals to the Board of Adjustment may be taken by any person aggrieved, or organization authorized to represent such person, or by any officer or department of the government of the District of Columbia or the federal government affected, by any decision of the Inspector of Buildings granting or refusing a building permit or granting or withholding a certificate of occupancy, or any other administrative decision based in whole or in part upon any zoning regulation or map adopted under this subchapter. The Mayor of the District of Columbia may require and fix the fee to be charged for an appeal, which fee shall be paid, as directed by said Mayor, with the filing of the appeal; provided, that no citizens' association, or association created for civic purposes and not for profit shall be required to pay said fee. There shall be a public hearing on appeal.

(g) Upon appeals the Board of Adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, determination, or refusal made by the Inspector of Buildings or the Mayor of the District of Columbia or any other administrative officer or body in the carrying out or enforcement of any regulation adopted pursuant to this subchapter;

(2) To hear and decide, in accordance with the provisions of the regulations adopted by the Zoning Commission, requests for special exceptions or map interpretations or for decisions upon other special questions upon which such Board is required or authorized by the regulations to pass;

(3) Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under this subchapter would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, to authorize, upon an appeal relating to such property, a variance from such strict application so as to relieve such difficulties or hardship, provided such relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map;

(4) In exercising the above-mentioned powers, the Board of Adjustment may, in conformity with the provisions of this subchapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, determination, or refusal appealed from or may make such order as may be necessary to carry out its decision or authorization, and to that end shall have all the powers of the officer or body from whom the appeal is taken.

(h) The concurring vote of not less than a full majority of the members of the Board shall be necessary for any decision or order.

(i) Nothing herein contained shall prohibit the Zoning Commission from providing by regulation for appeals to it from any action of the Board of Zoning Adjustment.

## CREDIT(S)

(June 20, 1938, 52 Stat. 799, ch. 534, § 8; Feb. 24, 1987, D.C. Law 6-191, § 2, 33 DCR 7939a.)

## HISTORICAL AND STATUTORY NOTES

### Prior Codifications

1981 Ed., § 5-424.

1973 Ed., § 5-420.

### Legislative History of Laws

Law 6-191, the "Board of Zoning Adjustment Confirmation Amendment Act of 1986," was introduced in Council and assigned Bill No. 6-493, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 5, 1986, and November 18, 1986, respectively. Signed by the Mayor on November 25, 1986, it was assigned Act No. 6-242 and transmitted to both Houses of Congress for its review.

### Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

### Transfer of Functions

"National Capital Planning Commission" was substituted for "National Capital Park and Planning Commission" in subsection (a) and in the first sentence in subsection (b) of this section in view of the Act of June 6, 1924, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1, which transferred the functions, powers, and duties of the National Capital Park and Planning Commission to the National Capital Planning Commission.

### Delegation of Authority

Delegation of authority under Zoning Act, see Mayor's Order 83-165, June 7, 1983.

### Miscellaneous Notes

Office of Inspector of Buildings abolished: Section 3 of the Act of December 20, 1944, 58 Stat. 822, ch. 611, transferred all the duties, powers, rights, and authority of the Inspector of Buildings of the District of Columbia to the Director of Inspection of the District of Columbia. The Department of Inspections was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. Reorganization Order No. 55 of the Board of Commissioners, dated June 30, 1953, and amended August 13, 1953, and December 17, 1953, established, under the direction and control of a Commissioner, a Department of Licenses and Inspections headed by a Director. The Order set out the purpose, organization, and functions of the new Department. The Order provided that all of the functions and positions of the following named organizations were transferred to the new Department of Licenses and Inspections: The Department of Inspections including the Engineering Section, the Building Inspection Section, the Electrical Section, the Elevator Inspection Section, the Fire Safety Inspection Section, the Plumbing Inspection Section, the Smoke and Boiler Inspection Section, and the Administrative Section,

and similarly the Department of Weights, Measures and Markets, the License Bureau, the License Board, the License Committee, the Board of Special Appeals, the Board for the Condemnation of Dangerous and Unsafe Buildings, and the Central Permit Bureau. The Order provided that in accordance with the provisions of Reorganization Plan No. 5 of 1952, the named organizations were abolished. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Functions vested in the Department of Licenses and Inspection by Reorganization Order No. 55 were transferred to the Director of the Department of Economic Development by Commissioner's Order No. 69-96, dated March 7, 1969. The Department of Economic Development was replaced by Mayor's Order No. 78-42, dated February 17, 1978, which Order established the Department of Licenses, Investigation and Inspections. The Department of Licenses, Investigation and Inspections was transferred to the Department of Consumer and Regulatory Affairs by Reorganization Plan No. 1 of 1983.

DC CODE § 6-641.07

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DC ST § 6-641.08  
Formerly cited as DC ST 1981 § 5-425

DC ST § 6-641.08

Formerly cited as DC ST 1981 § 5-425

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Division I. Government of District.

Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡§ 6-641.08. Maps and regulations of Zoning Commission to be filed; regulations to be published.**

A copy of any map established by said Zoning Commission and of its zoning regulations shall be filed in the Office of the Mayor of the District of Columbia. A copy of any regulation or any amendment adopted after June 20, 1938, shall be published once in 1 or more daily newspapers printed in the District of Columbia for the information of all concerned.

CREDIT(S)

(June 20, 1938, 52 Stat. 800, ch. 534, § 9.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-425.

1973 Ed., § 5-421.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

DC ST § 6-641.09  
Formerly cited as DC ST 1981 § 5-426

DC ST § 6-641.09

Formerly cited as DC ST 1981 § 5-426

District of Columbia Official Code 2001 Edition Currentness  
Division I. Government of District.

Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡§ 6-641.09. Building permits; certificates of occupancy.**

(a) It shall be unlawful to erect, construct, reconstruct, convert, or alter any building or structure or part thereof within the District of Columbia without obtaining a building permit from the Inspector of Buildings, and said Inspector shall not issue any permit for the erection, construction, reconstruction, conversion, or alteration of any building or structure, or any part thereof, unless the plans of and for the proposed erection, construction, reconstruction, conversion, or alteration fully conform to the provisions of this subchapter and of the regulations adopted under said sections. In the event that said regulations provide for the issuance of certificates of occupancy or other form of permit to use, it shall be unlawful to use any building, structure, or land until such certificate or permit be first obtained. It shall be unlawful to erect, construct, reconstruct, alter, convert, or maintain or to use any building, structure, or part thereof or any land within the District of Columbia in violation of the provisions of said sections or of any of the provisions of the regulations adopted under said sections. The owner or person in charge of or maintaining any such building or land or any other person who erects, constructs, reconstructs, alters, converts, maintains, or uses any building or structure or part thereof or land in violation of said sections or of any regulation adopted under said sections, shall upon conviction for such violation on information filed in the Superior Court of the District of Columbia by the Corporation Counsel or any of his assistants in the name of said District and which Court is hereby authorized to hear and determine such cases be punished by a fine of not more than \$100 per day for each and every day such violation shall continue. The Corporation Counsel of the District of Columbia or any neighboring property owner or occupant who would be specially damaged by any such violation may, in addition to all other remedies provided by law, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation or to prevent the occupancy of such building, structure, or land. Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this subchapter, or any rules or regulations issued under the authority of these sections, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this chapter shall be pursuant to Chapter 18 of Title 2.

(b) A building permit shall not be issued to or on behalf of the District government unless proper notice has been given under § 1-309.10. The Department of Consumer and Regulatory Affairs shall issue a cease and desist order to enjoin any construction project that is issued in noncompliance with this section.

CREDIT(S)

(June 20, 1938, 52 Stat. 800, ch. 534, § 10; Apr. 1, 1942, 56 Stat. 190, ch. 207, § 1; July 8, 1963, 77 Stat. 77, Pub. L. 88-60, § 1; July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a); Oct. 5, 1985, D.C. Law 6-42, § 450, 32 DCR 4450; Apr. 13, 2005, D.C. Law 15-349, § 3, 52 DCR 1997.)

## HISTORICAL AND STATUTORY NOTES

### Prior Codifications

1981 Ed., § 5-426.

1973 Ed., § 5-422.

### Effect of Amendments

D.C. Law 15-349 designated the existing text as subsec. (a); and added subsec. (b).

### Legislative History of Laws

Law 6-42, the "Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985," was introduced in Council and assigned Bill No. 6-187, which was referred to the Committee on Consumer and Regulatory Affairs. The Bill was adopted on first and second readings on June 25, 1985, and July 9, 1985, respectively. Signed by the Mayor on July 16, 1985, it was assigned Act No. 6-60 and transmitted to both Houses of Congress for its review.

Law 15-349, the "Notice Requirement for Publicly Funded Building Projects Amendment Act of 2004", was introduced in Council and assigned Bill No. 15-635 which was referred to the Committee Public Services. The Bill was adopted on first and second readings on November 9, 2004, and December 21, 2004, respectively. Signed by the Mayor on January 19, 2005, it was assigned Act No. 15-743 and transmitted to both Houses of Congress for its review. D.C. Law 15-349 became effective on April 13, 2005.

### Miscellaneous Notes

Office of Inspector of Buildings abolished: Section 3 of the Act of December 20, 1944, 58 Stat. 822, ch. 611, transferred all the duties, powers, rights, and authority of the Inspector of Buildings of the District of Columbia to the Director of Inspection of the District of Columbia. The Department of Inspections was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. Reorganization Order No. 55 of the Board of Commissioners, dated June 30, 1953, and amended August 13, 1953, and December 17, 1953, established, under the direction and control of a Commissioner, a Department of Licenses and Inspections headed by a Director. The Order set out the purpose, organization, and functions of the new Department. The Order provided that all of the functions and positions of the following named organizations were transferred to the new Department of Licenses and Inspections: The Department of Inspections including the Engineering Section, the Building Inspection Section, the Electrical Section, the Elevator Inspection Section, the Fire Safety Inspection Section, the Plumbing Inspection Section, the Smoke and Boiler Inspection Section, and the Administrative Section, and similarly the Department of Weights, Measures and Markets, the License Bureau, the License Board, the License Committee, the Board of Special Appeals, the Board for the Condemnation of Dangerous and Unsafe Buildings, and the Central Permit Bureau. The Order provided that in accordance with the provisions of Reorganization Plan No. 5 of 1952, the named organizations were abolished. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Functions vested in the Department of Licenses and Inspection by Reorganization Order No. 55 were transferred to the Director of the Department of Economic Development by Commissioner's Order No. 69-96, dated March 7, 1969. The Department of Economic Development was replaced by Mayor's Order No. 78-42, dated February 17, 1978, which Order established the Department of Licenses, Investigation and Inspections. The Department of Licenses, Investigation and Inspections was transferred to the Department of Consumer and Regulatory Affairs by Reorganization Plan No. 1 of 1983.

DC CODE § 6-641.09

DC ST § 6-641.10  
Formerly cited as DC ST 1981 § 5-427

DC ST § 6-641.10

Formerly cited as DC ST 1981 § 5-427

District of Columbia Official Code 2001 Edition Currentness

Division I. Government of District.

Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➡ **§ 6-641.10. Enforcement of zoning regulations.**

(a) The Mayor of the District of Columbia shall enforce the regulations adopted under the authority of this subchapter. Nothing contained in this subchapter shall be construed to limit the authority of the Mayor or Council of the District of Columbia to make municipal regulations which are not inconsistent with the provisions of this subchapter and the regulations adopted thereunder.

(b) If, pursuant to rules issued pursuant to this subchapter, the Zoning Commission approves a zoning density increase for a commercial office building or structure with a floor area ratio that is greater than the floor area ratio permitted as a matter of right under the zoning regulations, the applicant who obtains the zoning density increase shall be required to comply with the housing requirements set forth in section 308b of the Comprehensive Plan, as such requirements may be amended.

CREDIT(S)

(June 20, 1938, 52 Stat. 801, ch. 534, § 11; Oct. 6, 1994, D.C. Law 10-193, § 3(d), 41 DCR 5536.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-427.

1973 Ed., § 5-423.

Legislative History of Laws

Law 10-193, the "Comprehensive Plan Amendments Act of 1994," was introduced in Council and assigned Bill No. 10-212, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 7, 1994, and June 21, 1994, respectively. Signed by the Mayor on August 8, 1994, it was assigned Act No. 10-323 and transmitted to both Houses of Congress for its review. D.C. Law 10-193 became effective on October 6, 1994.

## Effective Dates

Section 4(b) of D.C. Law 10-193 provided that no District element of the Comprehensive Plan for the National Capital shall take effect until it has been reviewed by the National Capital Planning Commission as provided in § 2-1002(a) and § 1-204.23.

## References in Text

Section 308b of the Comprehensive Plan referred to in (b) is § 308b of Title 10 of the D.C. Municipal Regulations.

## Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

DC CODE § 6-641.10

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DC ST § 6-641.11  
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DC ST § 6-641.11

Formerly cited as DC ST 1981 § 5-428

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡ § 6-641.11. Construction.**

Wherever the regulations made under the authority of this subchapter require a greater width or size of yards, courts, or other open spaces, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in or under any other statute or municipal regulations, the regulations made under authority of said sections shall govern. Wherever the provisions of any other statute or municipal regulations require a greater width or size of yards, courts, or other open spaces or require a lower height of buildings or smaller number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required by the regulations made under authority of said sections, the provisions of such other statute or municipal regulation shall govern.

CREDIT(S)

(June 20, 1938, 52 Stat. 801, ch. 534, § 12.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-428.

1973 Ed., § 5-424.

DC CODE § 6-641.11

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DC ST § 6-641.12  
Formerly cited as DC ST 1981 § 5-429

DC ST § 6-641.12

Formerly cited as DC ST 1981 § 5-429

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➡ **§ 6-641.12. Definitions.**

The word "amend," "amendment," "amendments," or "amended," when used in this subchapter in relation to the zoning regulations, shall be deemed to include any modification of the text or phraseology of the regulations or of any provision of the regulations or any regulations or any repeal or elimination of any regulation or regulations or part thereof or any addition to the regulations or any new regulation or any change of or in the wording or content of the regulations. The word "amend," "amendment," "amendments," or "amended," when used in said sections in relation to the zoning maps or any map, shall be deemed to include any change in the number, shape, boundary, or area of any district or districts, any repeal or abolition of any such map or any part thereof, any addition to any such map, any new map or maps, or any other change in the maps or any map. The words "administrative decision," "administrative officer," "administrative officer or body," when used in § 6-641.07 shall not be deemed to include the Zoning Commission.

CREDIT(S)

(June 20, 1938, 52 Stat. 801, ch. 534, § 13.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-429.

1973 Ed., § 5-425.

DC CODE § 6-641.12

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DC ST § 6-641.13  
Formerly cited as DC ST 1981 § 5-430

DC ST § 6-641.13

Formerly cited as DC ST 1981 § 5-430

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

**➡ § 6-641.13. Appropriations authorized; compensation.**

Appropriations are hereby authorized to carry out the provisions of this subchapter for the fiscal year ending June 30, 1938, and thereafter the Mayor of the District of Columbia is authorized and directed to include in his annual estimates such amounts as may be required for salaries and expenses incident to such purposes. Each member of the Zoning Commission and of the Board of Zoning Adjustment shall be entitled to receive compensation. Members of the Zoning Commission for the District of Columbia shall receive compensation in accordance with § 6-621.01(b). No compensation shall be paid to a member of the Board of Zoning Adjustment who is also a full-time officer or employee of the District of Columbia government or who serves on the Board of Zoning Adjustment as a federal government representative pursuant to § 6-641.07.

CREDIT(S)

(June 20, 1938, 52 Stat. 802, ch. 534, § 14; Oct. 28, 1949, 63 Stat. 972, ch. 782, title XI, § 1106(a); May 13, 1975, D.C. Law 1-1, § 1, 21 DCR 3938; Mar. 3, 1979, D.C. Law 2-139, § 3205(nn), 25 DCR 57-40; Aug. 7, 1980, D.C. Law 3-81, § 2(gg), 27 DCR 2632; Sept. 29, 1988, D.C. Law 7-168, § 2, 35 DCR 5747.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-430.

1973 Ed., § 5-426.

Legislative History of Laws

Law 1-1, the "Zoning Commission and Zoning Board of Adjustment Compensation Act of 1975," was introduced in Council and assigned Bill No. 1-5, which was referred to the Committee of the whole. The Bill was adopted on first and second readings on February 18, 1975, and March 4, 1975, respectively. Signed by the Mayor on March 10, 1975, it was assigned Act No. 1-2 and transmitted to both Houses of Congress for its review.

Law 2-139, the "District of Columbia Government Comprehensive Merit Personnel Act of 1978," was



introduced in Council and assigned Bill No. 2-10, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on October 17, 1978, and October 31, 1978, respectively. Signed by the Mayor on November 22, 1978, it was assigned Act No. 2-300 and transmitted to both Houses of Congress for its review.

Law 3-81, the "District of Columbia Government Comprehensive Merit Personnel Act of 1980," was introduced in Council and assigned Bill No. 3-236, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on April 22, 1980, and May 20, 1980, respectively. Signed by the Mayor on June 4, 1980, it was assigned Act No. 3-195 and transmitted to both Houses of Congress for its review.

Law 7-168, the "Zoning Commission and Board of Zoning Adjustment Compensation Amendment Act of 1988," was introduced in Council and assigned Bill No. 7-512, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 28, 1988 and July 12, 1988, respectively. Signed by the Mayor on July 15, 1988, it was assigned Act No. 7-224 and transmitted to both Houses of Congress for its review.

#### Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

#### Miscellaneous Notes

Application of § 2 of D.C. Law 7-168: Section 3 of D.C. Law 7-168 provided that the compensation provided for in § 2 shall be paid for services rendered on or after May 1, 1988.

DC CODE § 6-641.13

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DC ST § 6-641.14  
Formerly cited as DC ST 1981 § 5-431

DC ST § 6-641.14

Formerly cited as DC ST 1981 § 5-431

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Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➡ **§ 6-641.14. Laws repealed.**

The Act of March 1, 1920 (41 Stat. 500, ch. 92), excepting the provisions of § 6-621.01 creating the Zoning Commission, providing for its membership and service without additional compensation, are hereby repealed. All laws or parts of other laws in conflict with the provisions of this subchapter are hereby repealed.

CREDIT(S)

(June 20, 1938, 52 Stat. 802, ch. 534, § 15.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-431.

1973 Ed., § 5-427.

DC CODE § 6-641.14

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DC ST § 6-641.15  
Formerly cited as DC ST 1981 § 5-432

DC ST § 6-641.15

Formerly cited as DC ST 1981 § 5-432

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Division I. Government of District.

Title 6. Housing and Building Restrictions and Regulations. (Refs & Annos)

Chapter 6. Zoning and Height of Buildings. (Refs & Annos)

Subchapter IV. Zoning Regulations; Board of Zoning Adjustment.

➤ **§ 6-641.15. Federal public buildings excepted from this subchapter.**

The provisions of this subchapter shall not apply to federal public buildings; provided, however, that, in order to ensure the orderly development of the national capital, the location, height, bulk, number of stories, and size of federal public buildings in the District of Columbia and the provision for open space in and around the same will be subject to the approval of the National Capital Planning Commission.

CREDIT(S)

(June 20, 1938, 52 Stat. 802, ch. 534, § 16.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 5-432.

1973 Ed., § 5-428.

Transfer of Functions

"National Capital Planning Commission" was substituted for "National Capital Park and Planning Commission" in the proviso in this section in view of the Act of June 6, 1924, ch. 270, § 9, as added by the Act of July 19, 1952, 66 Stat. 790, ch. 949, § 1, which transferred the functions, powers, and duties of the National Capital Park and Planning Commission to the National Capital Planning Commission.

Miscellaneous Notes

This subchapter and subchapter V do not apply to buildings constructed on property transferred or conveyed pursuant to the Act of October 8, 1968, 82 Stat. 958, Pub. L. 90-553, as amended by the Act of May 25, 1982, 96 Stat. 101, Pub. L. 97-186.

DC CODE § 6-641.15

Note: NCPC has made its best efforts, but cannot assure that this District of Columbia statutory material is current and accurate.