

sions establishing the District of Columbia Council, see section 201 of Reorg. Plan No. 3 of 1967.

#### PRIOR PROVISIONS

Similar provisions relating to the preparation and maintenance of a comprehensive plan for the National Capital and its environs, and the cooperation between the former National Capital Park and Planning Commission and agencies of the Federal and District Governments were contained in section 71 of this title prior to amendment by act July 19, 1952.

#### AMENDMENTS

1973—Subsec. (c). Pub. L. 93-198, §203(d)(1), provided for Commission transmittal of its approval or disapproval respecting any building within thirty days after the day it was submitted to the Commission.

Subsec. (e). Pub. L. 93-198, §203(d)(2), struck out “of the foregoing provisions” after “intent” and substituted “Federal Government” for “Federal and District Governments” in first sentence and substituted “Federal activities” for “Federal and District Governments” in second sentence.

#### ABOLITION OF COUNCIL

National Capital Regional Planning Council, referred to in subsec. (b), abolished by Reorg. Plan No. 5 of 1966, eff. Sept. 8, 1966, 31 F.R. 11857, 80 Stat. 1611, set out as a note under section 71b of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 71, 71a, 71i, 72, 72a, 136, 616 of this title; title 49 section 49111.

### **§ 71e. Repealed. Pub. L. 93-198, title II, § 203(e), Dec. 24, 1973, 87 Stat. 782**

Section, act June 6, 1924, ch. 270, §6, as added July 19, 1952, ch. 949, §1, 66 Stat. 789, provided for inclusion in comprehensive plan of thoroughfare and mass transportation plans, providing in former subsec. (a) for preparation and adoption of plans by Commission and submission, approval, and revision and in former subsec. (b) for consultations prior to adoption of a thoroughfare plan, recommendations, and procedure by Bureau of Public Roads.

### **§ 71f. Capital improvements**

#### **(a) Six-year program of public works; recommendations and annual review; submission of advance programs**

The Commission shall recommend a six-year program of public works projects for the Federal Government which it shall review annually with the agencies concerned. To this end, each Federal agency shall submit to the Commission in the first quarter of each fiscal year a copy of its advance program of capital improvements within the National Capital and its environs.

#### **(b) Submission of multiyear capital improvement plan**

The Mayor shall submit to the Commission, by February 1 of each year, a copy of the multi-year capital improvements plan for the District developed by him under section 444 of the District of Columbia Home Rule Act. The Commission shall have thirty days within which to comment upon such plan but shall have no authority to change or disapprove of such plan.

(June 6, 1924, ch. 270, §7, as added July 19, 1952, ch. 949, §1, 66 Stat. 789; amended 1967 Reorg. Plan No. 3, §402(32), eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title II, §203(f), title IV, §421, Dec. 24, 1973, 87 Stat. 782, 789; Pub. L.

105-33, title XI, §11717(b), Aug. 5, 1997, 111 Stat. 786.)

#### REFERENCES IN TEXT

Section 444 of the District of Columbia Home Rule Act, referred to in subsec. (b), is section 444 of Pub. L. 93-198, title IV, Dec. 24, 1973, 87 Stat. 800, as amended, which is not classified to the Code.

#### PRIOR PROVISIONS

Similar provisions relating to preparation and maintenance of a comprehensive plan for the National Capital and its environs, including public works, and for cooperation between the former National Capital Park and Planning Commission and Federal and District Governments were contained in section 71 of this title prior to amendment by act July 19, 1952.

#### AMENDMENTS

1997—Subsec. (b). Pub. L. 105-33 substituted “District of Columbia Home Rule Act” for “District of Columbia Self-Government and Governmental Reorganization Act”.

1973—Subsec. (a). Pub. L. 93-198 designated existing provisions as subsec. (a), inserted “for the Federal Government” after “public works projects”, and struck out “and the District of Columbia Council” after “Federal agency”.

Subsec. (b). Pub. L. 93-198 added subsec. (b).

#### EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-33 effective Oct. 1, 1997, except as otherwise provided in title XI of Pub. L. 105-33, see section 11721 of Pub. L. 105-33, set out as a note under section 4246 of Title 18, Crimes and Criminal Procedure.

#### TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, §711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198. Accordingly, “Mayor” substituted in subsec. (b) for “commissioner”.

Previously, reference to the Board of Commissioners of the District of Columbia had been changed to the District of Columbia Council pursuant to section 402(32) of Reorganization Plan No. 3 of 1967, 32 F.R. 11669, set out in the Appendix to Title 5, Government Organization and Employees, which transferred the regulatory and other functions of the Board of Commissioners relating to the submission of a copy of the District’s advance program of capital improvements to the National Capital Planning Commission, to the District of Columbia Council, subject to the right of the Commissioner as provided by section 406 of the Plan. For provisions establishing the District of Columbia Council, see section 201 of Reorg. Plan No. 3 of 1967.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 71, 71a, 71i, 72, 72a, 136 of this title.

### **§ 71g. Zoning regulations and maps, and subdivision of lands**

#### **(a) Amendments of zoning regulations and maps**

The Commission may make a report and recommendation to the Zoning Commission of the District of Columbia, as provided in section 5 of the Act of March 1, 1920 (D.C. Code, sec. 5-417), on proposed amendments of the zoning regula-

tions and maps as to the relation, conformity, or consistency of such amendments with the comprehensive plan for the National Capital. The Commission may also submit to the said Zoning Commission proposed amendments or general revisions to the zoning regulations or the zoning map for said District.

**(b) Further reports on proposed amendments**

When requested by a properly authorized representative of the Commission, the Zoning Commission may at its discretion recess for a reasonable period of time any public hearing held by it to consider a proposed amendment to the zoning regulations or map, in order that the Commission or its representative may have an opportunity to present to the Zoning Commission a further report on the proposed amendment.

**(c) Performance of functions by Zoning Committee of National Capital Planning Commission**

The functions vested in the Commission pursuant to this section may, to such extent as the Commission shall determine, and subject to confirmation by the Commission when requested by the Zoning Commission of the District of Columbia, be performed by a committee of the Commission which shall be known as the Zoning Committee of the National Capital Planning Commission and shall consist of not less than three members of the Commission designated by the Commission for the purpose. The number of members serving on the Zoning Committee may be varied from time to time.

**(d) Recommendations as to platting and subdividing lands; procedure**

Any proposed change in or addition to the regulations or general orders regulating the platting and subdividing of lands and grounds in the District of Columbia shall first be submitted to the Commission by the Council of the District of Columbia for report and recommendation prior to adoption by such Council. Should the Council not concur in the recommendations of the Commission, it shall so advise the Commission with its reasons therefor and the Commission shall submit a final report within thirty days. After consideration of this final report, the Council may proceed to take action in accordance with its legal responsibilities and authority. It shall be the duty of the Commission to submit any proposed changes in or amendments to the general orders that the Commission considers appropriate and the Council shall treat the amendments proposed in the same manner as other proposed amendments.

(June 6, 1924, ch. 270, § 8, as added July 19, 1952, ch. 949, § 1, 66 Stat. 790; amended 1967 Reorg. Plan No. 3, § 402(21), eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title II, § 203(g), title IV, § 401, Dec. 24, 1973, 87 Stat. 783, 785.)

REFERENCES IN TEXT

The Act of March 1, 1920, referred to in subsec. (a), is act Mar. 1, 1920, ch. 92, 41 Stat. 500, as amended, which is not classified to the Code.

PRIOR PROVISIONS

Similar provisions relating to the preparation and maintenance of a comprehensive plan for the National

Capital and its environs, including zoning regulations, plats, and subdivisions, and for cooperation between the former National Capital Park and Planning Commission and Federal and District Governments were contained in section 71 of this title prior to amendment by act July 19, 1952.

AMENDMENTS

1973—Subsec. (a). Pub. L. 93-198 provided for the making of a report and recommendations as provided in section 5 of the Act of March 1, 1920 (D.C. Code, sec. 5-417), including consistency of proposed amendments of zoning regulations and maps with the comprehensive plan, substituting “comprehensive plan for the National Capital” for “comprehensive plan of the District of Columbia” and deleted provision for Commission submission to the Zoning Commission of proposed amendments or general revisions to the zoning regulations or the zoning map for the District.

TRANSFER OF FUNCTIONS

“Council of the District of Columbia” substituted in subsec. (d) for “District of Columbia Council” pursuant to section 401 of Pub. L. 93-198. District of Columbia Council, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by Council of District of Columbia, as provided by section 401 of Pub. L. 93-198.

Previously, reference to the Board of Commissioners of the District of Columbia had been changed to the District of Columbia Council to reflect D.C. Code § 1-613 and section 402(21) of Reorganization Plan No. 3 of 1967, 32 F.R. 11669, set out in the Appendix to Title 5, Government Organization and Employees, which transferred the regulatory and other functions of the Board of Commissioners relating to the making and publishing of general orders regulating the platting and subdividing of lands and grounds to the District of Columbia Council, subject to the right of the Commissioner as provided by section 406 of the Plan. For provisions establishing the District of Columbia Council, see section 201 of Reorg. Plan No. 3 of 1967.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 71, 71a, 71i, 72, 72a, 136 of this title.

**§ 71h. Transfer of functions to Commission**

All other functions, powers, and duties of the National Capital Park and Planning Commission, including those formerly vested in the Highway Commission established by the Act of March 2, 1893 (27 Stat. 532), and those formerly vested in the National Capital Park Commission by the Act of June 6, 1924 (43 Stat. 463) together with the personnel, records, property, and unexpended balances (available or to be made available) of appropriations, allocations, and all other funds, including trust funds, of the National Capital Park and Planning Commission, are transferred to the Commission.

(June 6, 1924, ch. 270, § 9, as added July 19, 1952, ch. 949, § 1, 66 Stat. 790.)

REFERENCES IN TEXT

Act of March 2, 1893 (27 Stat. 532), referred to in text, is act Mar. 2, 1893, ch. 197, 27 Stat. 532, as amended, which is not classified to the Code.

The functions, powers, and duties formerly vested in the National Capital Park Commission by the Act of June 6, 1924 (43 Stat. 463), referred to in text, are the functions, powers, and duties vested by act June 6, 1924, ch. 270, §§ 1 to 4, 43 Stat. 463, which enacted sections 71, 72, 73, and 74 of this title prior to the amendment of such act by act July 19, 1952, ch. 949, § 1, 66 Stat. 781.