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A BILL

22-559

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To amend the Business Improvement District Act of 1996 to authorize the establishment and administration of the Dupont Circle Business Improvement District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this Act may be cited as the "Dupont Circle Business Improvement District Amendment Act of 2018".

Sec. 2 The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code 2-1215.01 *et seq.*), is amended by adding a new section 211 to read as follows:

“Sec. 211. Dupont Circle BID.

(a) Subject to review and approval by the Mayor under the provisions of sections 5 and 6, the formation of the Dupont Circle BID, including nonexempt real property within the geographic area set forth in subsection (b) of this section, is authorized and the BID taxes established in subsection (c) of this section are imposed through the expiration of this act or the termination or dissolution of the BID.

(b) The Dupont Circle BID shall be comprised of the geographic area bounded by a line that begins at the southwest corner of Square 67, the beginning being the intersection of the north line of P Street, N.W., and the east line of 22<sup>nd</sup> Street, N.W., and leaving the beginning and

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28 running with the boundary of the proposed Dupont Circle BID with the east line of 22<sup>nd</sup> Street,  
29 N.W., north, to the north line of a 15' public alley in Square 67; with the north line of alley, east,  
30 to the northerly line of the 30' public alley in Square 67; with the northerly line of the 30' public  
31 alley, southeasterly, to a break in the north line of the alley; continuing along the north line of the  
32 30' public alley, east, to the southeasterly line of a 15' public alley in Square 67; thence with the  
33 southeasterly line of the public alley, northeasterly, to the southwesterly line of Massachusetts  
34 Avenue, N.W.; thence running with the southwesterly line of Massachusetts Avenue, N.W.,  
35 southeasterly, to the west line of 21<sup>st</sup> Street, N.W.; thence running through Massachusetts  
36 Avenue, N.W., northeasterly, to the intersection of the south line of Q Street, N.W., and the east  
37 line of 21<sup>st</sup> Street, N.W.; thence running along the south line of Q Street, N.W., east, to the south  
38 extension of the west line of Lot 151, Square 93; thence running across Q Street, N.W., with the  
39 south extension of the west line of Lot 151, Square 93, and with the west lines of Lots 151 and  
40 154, Square 93, north, to a point on the public alley system in Square 93; thence running with a  
41 northwest line of Lot 154, Square 93, northeasterly, to a common corner of Lots 154 and 155,  
42 Square 93; thence with the southwesterly line of Lot 155, Square 93, northwesterly, to the east  
43 line of a 15' public alley in Square 93; thence running with the east line of the alley, north, to the  
44 south line of Hillyer Place, N.W.; thence running across Hillyer Place, N.W., northwesterly, to  
45 the intersection of the north line of Hillyer Place, N.W., and the northeasterly line of a 15' public  
46 alley in Square 93; thence running with the northeasterly line of the public alley, northwesterly,  
47 to the north line of a 16' public alley in Square 93; thence running with the north line of the  
48 alley, west, to a west line of Lot 830, Square 93; thence running with a west line of Lot 830,

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49 Square 93, north, to a north line of Lot 830, Square 93; thence running with a north line of Lot  
50 830, Square 93, east, to a west line of Lot 830, Square 93; thence running with a west line of the  
51 Lot 830, Square 93, north, to the south line of R Street, N.W.;

52 thence running through R Street, N.W., northwesterly, to the southwest corner on R Street, N.W.,  
53 of Lot 65, Square 92; thence running with a west line of Lot 65, Square 92, north, to a line in the  
54 west boundary of the Lot 65, Square 92; thence running with the line, east, to a line in the west  
55 boundary of Lot 65, Square 92; thence running with the line, north, to a line in the west boundary  
56 of Lot 65, Square 92; thence running with the line, west, to a line in the west boundary of Lot 65,  
57 Square 92; thence running with the line, north, to a south line of the Lot 65, Square 92; thence  
58 running with the south line, west, to a west line of Lot 65, Square 92; thence running with the  
59 west lines of Lots 65 and 37, Square 92, north, to the northeasterly line of a 4' public alley;

60 thence running with the northeasterly lines of the 4' public alley and a 12' public alley in Square  
61 92, northwesterly, to the north line of a 12' public alley in Square 92; thence running with the  
62 north line of the public alley, west, to the east line of 21<sup>st</sup> Street, N.W.; thence running with the  
63 east line of 21<sup>st</sup> Street, N.W., north, to the south line of S Street, N.W.; thence running through S  
64 Street, N.W., and Florida Avenue, N.W., northwesterly, to the north line of S Street, N.W., and  
65 the southwest corner of Lot 37, Square 2532; thence running with the west line of the Lot 37,  
66 Square 2532, north, to the south line of a 15' public alley in Square 2532; thence running  
67 through the public alley, northwesterly, to the southwest corner of Lot 32, Square 2532; thence  
68 running with the west line of Lot 32, Square 2532, and the west line of Lot 31, Square 2532,  
69 north, to the south line of Bancroft Place, N.W.; thence running through Bancroft Place, N.W.,

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70 northwesterly, to the intersection of the north line of Bancroft Place, N.W., and the east line of a  
71 15' public alley in Square 2531; thence running with the east line of the alley, northerly, to a  
72 break in the east line of the alley; thence continuing along the easterly line of the alley,  
73 northwesterly, to the southeasterly line of Leroy Place, N.W.; thence running through Leroy  
74 Place, N.W., northwesterly, to the northwesterly line of Leroy Place, N.W. and the southwesterly  
75 corner of Lot 310, Square 2530; thence running with the southwesterly line of Lot 310, Square  
76 2530, northwesterly, to the northwest corner of the lot; thence running with the northwesterly  
77 line of Lot 310, Square 2530, northeast, to the southwesterly corner of Lot 820, Square 2530;  
78 thence running with the southwesterly line of the Lot 820, Square 2530, northwesterly, to the  
79 southeasterly line of California Street, N.W.; thence running with the southeasterly line of  
80 California Street, N.W., northeasterly, to the southwesterly line of Connecticut Avenue, N.W.;  
81 thence running through the Connecticut Avenue, N.W., northeasterly, to the northwesterly corner  
82 of U.S. Reservation 303 (also referred to as Lot 801, Square South of 2536); thence running with  
83 the southeasterly line of California Street, N.W., through Columbia Road, N.W., northeasterly, to  
84 a northwest corner of former Lot 41, Square 2535 (now known for assessment and taxation  
85 purposes as Lots 832, 833, and 7000-7006, Square 2535); thence running along the northeasterly  
86 boundary of former Lot 41, Square 2535, southeasterly, to a break in the northeasterly boundary;  
87 thence continuing along the northeasterly boundary of former Lot 41, Square 2535,  
88 southeasterly, to the southwesterly line of 19<sup>th</sup> Street, N.W.; thence running with the  
89 southwesterly line of 19<sup>th</sup> Street, N.W., southeasterly, to the northwesterly line of Florida  
90 Avenue, N.W.; thence running with the northwesterly line of Florida Avenue, N.W., crossing T

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91 Street, N.W., southwesterly, to the north extension of the west line of 20<sup>th</sup> Street, N.W.; thence  
92 running across Florida Avenue, N.W., with the north extension and with the west line of 20<sup>th</sup>  
93 Street, N.W., south, to the south corner of Square 91 and the northeasterly line of Connecticut  
94 Avenue, N.W.; thence running through R Street, N.W., southeasterly, to the northwest corner of  
95 Square 111; thence running with the south line of R Street, N.W., east, to the west line of a 15'  
96 public alley in Square 111; thence running with the west line of the alley, south, to a break in the  
97 west line of the alley; thence continuing with the west line of a 15' public alley, southeasterly, to  
98 the west extension of the north line of Lot 820, Square 111; thence running with the north  
99 extension and the north line of Lot 820, Square 111, east, to the northeast corner of the Lot 820,  
100 Square 111, and the west line of an irregularly shaped public alley in Square 111; thence running  
101 with the west line of the alley, south, to a break in the west line of the alley; thence continuing  
102 with the west line of the irregularly shaped public alley, southeasterly, to the north line of Lot  
103 824, Square 111; thence running along the north line of Lot 824, Square 111, east, to the  
104 westerly line of a 10' public alley in Square 111; thence running with the westerly line of the 10'  
105 public alley, southeasterly, to the west extension of the north line of Lot 54, Square 111; thence  
106 running with the west extension and the north line of Lot 54, Square 111, east, to the west line of  
107 19<sup>th</sup> Street, N.W.; thence running with the west line of 19<sup>th</sup> Street, N.W., through Q Street, N.W.,  
108 south, to the south line of Q Street, N.W.; thence running with the south line of Q Street, N.W.,  
109 through 19<sup>th</sup> Street, N.W., east, to the northeast corner on Q Street, N.W., of Lot 4, Square 135;  
110 thence running with a northeasterly boundary of Lot 4, Square 135, south, to a northeast line of  
111 Lot 4, Square 135; thence continuing with a northeasterly boundary of Lot 4, Square 135,

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112 southeasterly, to the northwesterly line of New Hampshire Avenue, N.W.; thence running with  
113 the northwesterly line of New Hampshire Avenue, N.W., southwesterly, to the northeasterly line  
114 of Dupont Circle and the southeasterly corner of Lot 4, Square 135; thence running through New  
115 Hampshire Avenue, N.W., southeasterly, to a northwest corner of Lot 35, Square 136, and the  
116 southeast line of New Hampshire Avenue, N.W.; thence running with the southeasterly line of  
117 New Hampshire Avenue, N.W., northeasterly, to the north most corner of Lot 35, Square 136;  
118 thence running with a northeast line of Lot 35, Square 136, southeasterly, to a northeast corner of  
119 Lot 35, Square 136; thence continuing with a northeast line of Lot 35, Square 136, southeasterly,  
120 to a northeast corner of Lot 35, Square 136; thence continuing with a northeast line of Lot 35,  
121 Square 136, southeasterly, to the north line of Lot 1, Square 136; thence running with the north  
122 line of Lot 1, Square 136, west, to the northeast corner of Lot 34, Square 136; thence running  
123 with the east line of Lot 34, Square 136, south, to the north line of P Street, N.W.; thence running  
124 with the north line of P Street, N.W., West, to the southwest corner of Lot 34, Square 136; thence  
125 running through P Street, N.W., southerly, to the north point of curvature of U.S. Reservation 61;  
126 thence continuing through P Street, N.W., with a north line of U.S. Reservation 61 and its east  
127 extension, easterly, to the west line of 19<sup>th</sup> Street, N.W.; thence running with the west line of 19<sup>th</sup>  
128 Street, N.W., south, to the southeasterly extension of the southwest line of U.S. Reservation 61;  
129 thence running through Massachusetts Avenue, N.W., with the southeasterly extension and the  
130 southwest line of U.S. Reservation 61, northwesterly, to the south point of the curvature of U.S.  
131 Reservation 61; thence running through Massachusetts Avenue, N.W., Connecticut Avenue,  
132 N.W., 19<sup>th</sup> Street, N.W. and New Hampshire Avenue, N.W., on the arc of Dupont Circle to the

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133 right, southwesterly, to the northwesterly line of New Hampshire Avenue, N.W. and a northeast  
134 corner of Lot 816, Square 114; thence running with the northwesterly line of New Hampshire  
135 Avenue, N.W., southwesterly, to the north line of O Street, N.W.; thence running with the north  
136 line of O Street, N.W., west, to the east line of 20<sup>th</sup> Street, N.W.; thence running with the east  
137 line of 20<sup>th</sup> Street, N.W., north, to the east extension of the south line of Lot 99, Square 96;  
138 thence running through 20<sup>th</sup> Street, N.W., with the east extension, and along the south line of Lot  
139 99, Square 96, and its west extension, west, to the east line of Lot 44, Square 96; thence running  
140 with the east line of Lot 44, Square 96, south, to the south line of the lot; thence running along  
141 the south lines of Lots 44, 43, 42, and 41, Square 96, and across Hopkins Street, N.W., and along  
142 the south lines of Lot 21, 20, 19, 18, 17, and 104, Square 96, and across 21<sup>st</sup> Street, N.W., and  
143 along the south line of Lot 93, Square 68, west, to an east line of Lot 96, Square 68; thence  
144 running with an east line of the Lot 96, Square 68, south, to a south line of the lot; thence  
145 running with the south line of Lot 96, Square 68, west, to a break in the south boundary of the  
146 lot; thence continuing along a south line of Lot 96, Square 68, northwesterly, to a break in the  
147 south boundary of the lot; thence continuing along a south line of Lot 96, Square 68, and the  
148 south line of Lot 76, Square 68, and its west extension, west, to the east line of Lot 88, Square  
149 68; thence running with the east line of Lot 88, Square 68, and its south extension across a 30'  
150 public alley in Square 68, south, to the northeast corner of Lot 818, Square 68; thence running  
151 with a north line of Lot 818, Square 68, west, to a break in the north boundary of Lot 818, Square  
152 68; thence continuing along a north line of Lot 818, Square 68, south, to a break in the north  
153 boundary of Lot 818, Square 68; thence running with a north line of Lot 818, Square 68, and the

154 north line of Lot 86, Square 68, west, to the east line of 22<sup>nd</sup> Street, N.W.; thence running with  
155 the east line of 22<sup>nd</sup> Street, N.W., and its north extension across P Street, N.W., north, to the  
156 place of beginning.

157 (c)(1) Except as provided in subparagraph (B) of this paragraph, the BID taxes for the  
158 nonexempt properties in the Dupont Circle BID shall be:

159 (A) The amount that is the product of \$.09 per \$100 multiplied by the tax  
160 year's assessed value of a particular Class 2, 3, or 4 property up to \$70 million annually. Any  
161 amount of the tax year's assessed value of such property above \$70 million shall be taxed in the  
162 amount that is the product of \$.02 per \$100 for the first tax year, increased by the rate of \$.005  
163 per \$100 each tax year thereafter until the total BID tax rate is \$.09 per \$100, multiplied by the  
164 tax year's assessed value of such property above \$70 million.

165 (B) The amount of \$120 per hotel or motel room annually, for property  
166 defined under § 47-813(c-3)(3).

167 (C) The amount of \$120 per unit annually of Class 1 property that contains  
168 5 or more residential units available for rental for non-transient residential dwelling purposes that  
169 were placed in service after the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law  
170 6-10; D.C. Official Code § 42-3501.01 *et seq.*). All other Class 1 property is exempt from this  
171 BID tax.

172 (2) To the extent that a building that is subject to the BID tax is constructed  
173 pursuant to a ground lease on land that is exempt from real property taxes, the assessed value of  
174 the real property for purposes of the BID tax shall include the value of the building and the



175 leasehold interest, possessory interest, beneficial interest, or beneficial use of the land, and the  
176 lessee or user of the land shall be assessed the corresponding BID tax, which shall be collected in  
177 the same manner as possessory interest taxes under D.C. Official Code § 47-1005.01, or as  
178 otherwise provided in this act.

179 (3) A 3% annual increase in the BID taxes over the current tax year rates  
180 specified in paragraph (1) of this subsection is authorized subject to the requirements of section  
181 8(b). Notwithstanding the annual increase authorized in this paragraph, all tax amounts will  
182 remain fixed for the first 5 years.

183 (4) BID taxes under this section shall be imposed and become effective for tax  
184 years beginning after September 30, 2018, notwithstanding any other provision to the contrary  
185 under this act.

186 Sec. 3. Fiscal impact statement.

187 The Council adopts the fiscal impact statement in the committee report as the fiscal  
188 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
189 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

190 Sec. 4. Effective date.

191 This act shall take effect following approval by the Mayor (or in the event of veto by the  
192 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
193 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
194 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
195 Columbia Register.