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2 Councilmember Elissa Silverman


Councilmember Brianne K. Nadeau

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7 Councilmember Robert C. White, Jr.


Councilmember Jack Evans

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14 A BILL

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18 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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23 To amend the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of
24 2000 to establish a Department of Zoning, Planning, and Development in the Office of
25 Advisory Neighborhood Commissions to assist Commissioners in Planned Unit
26 Development negotiations and residential housing development and maximize the
27 amount of affordable housing units in residential Planned Unit Development projects;
28 and to amend the Unified Economic Development Budget Transparency and
29 Accountability Act of 2010 to include Planned Unit Developments in the definition of
30 economic development incentives for the purpose of tracking community benefits and
31 affordable housing units delivered.
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33 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
34 act may be cited as the “Development Expertise for ANCs Amendment Act of 2019”.

35 Sec. 2. Section 18 of the Advisory Neighborhood Commissions Act of 1975, effective
36 October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.15), is amended as follows:

37 (a) A new subsection (f) is added to read as follows:

38 “(f)(1) There is established a Department of Zoning, Planning, and Development within
39 the OANC to provide counsel to Advisory Neighborhood Commissioners on issues of zoning
40 and development and in negotiations on Planned Unit Developments (“PUD”) as described in 11
41 DCMR § X-300.

42 “(2) The duties of the Department of Zoning, Planning, and Development shall include:

43 “(A) Coordinating with Ward planners in the Office of Planning to provide
44 Commissioners with guidance, as requested, on how to maximize the land value capture of
45 public land dispositions or enhance the proffered public benefits resulting from a PUD;

46 “(B) Maximizing the amount of affordable housing and level of affordability
47 delivered in residential PUDs, in compliance with the Fair Housing Act, approved September 13,
48 1988 (82 Stat. 81; 42 U.S.C. §§ 3601 *et seq.*)
49 and affirmatively further fair housing;

50 “(C) Ensuring that PUDs do not result in a net loss of housing units made
51 affordable through subsidy, covenant, or rent control, and that such units are preserved or
52 replaced with similar-sized units either on-site or nearby;

53 “(D) Assisting Commissioners in gathering community input on developments
54 and serve as a representative of those interests.”

55 “(E) Providing additional resources, analysis, and staffing to Advisory
56 Neighborhood Commissions as requested on matters of PUD negotiations, housing production,
57 and residential displacement;

58 “(F) Corresponding and consulting directly with Advisory Neighborhood
59 Commissions, taking care to only act on behalf of the Advisory Neighborhood Commission in
60 question in correspondence with developers, the Zoning Commission, Board of Zoning
61 Adjustment, and other related parties; and

62 “(G) Reporting to the chair and commissioners of each Advisory Neighborhood
63 Commission twice per calendar year on the status of outstanding PUDs within the ANC’s
64 jurisdiction, including the delivery status of agreed-upon community benefits and any
65 recommended remediation for benefits that have not been delivered by the developer.”.

66 Sec. 3. The Unified Economic Development Budget Transparency and Accountability
67 Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 2-1208.01 *et*
68 *seq.*), is amended as follows:

69 (a) Section 2252 (D.C. Official Code § 2-1208.01), is amended as follows:

70 (1) Paragraph (2) is amended to read as follows:

71 "(2) "Economic development incentive" or "incentive" means any zoning relief
72 offered through a planned unit development or expenditure of public funds by a granting body
73 for the purpose of stimulating economic development or creating affordable housing within the
74 District of Columbia. Such an incentive may include any funds or resources from the District or
75 funds or resources that, in accordance with a federal grant or otherwise, the District government
76 administers, including land transfers, land disposition and development agreements, street or
77 alley closings, financial subsidies, expenditures of the Housing Production Trust Fund,
78 established in section of the Housing Production Trust Fund Act of 1989, effective March 16,
79 1989 (D.C. Law 7-202; 35 D.C. Official Code § 42-2802), expenditures of the Housing
80 Preservation Fund, established in section 2032 of the Housing Preservation Fund Establishment
81 Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 1-325.351), or
82 any bond issuance, including pilot bond, tax increment financing bond, or revenue bond
83 issuance, grant, loan, loan guarantee, fee waiver, land price subsidy, matching fund, tax
84 abatement, tax exemption, tax credit, or any other tax expenditure."

85 Sec. 4. Fiscal impact statement.

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

89 Sec. 5. Effective date.

90 This act shall take effect after approval by the Mayor (or in the event of veto by the
91 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
92 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
93 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
94 Columbia Register.