

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
25-149

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 Friendship Heights Business Improvement District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Friendship Heights Business Improvement District Amendment Act of 2023”.

Sec. 2. Title II of the Business Improvement District Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.51 *et seq.*), is amended by adding a new section 212 to read as follows:

“Section 212. Friendship Heights BID.

“(a) Subject to review and approval by the Mayor pursuant to sections 5 and 6, the formation of the Friendship Heights BID, including nonexempt real property within the geographic area set forth in subsection (b) of this section, is authorized and the BID taxes imposed in subsection (c) of this section shall be imposed, beginning immediately for collection on October 1, 2023, through the earlier of the expiration of this act or the termination or dissolution of the BID.

“(b) The Friendship Heights BID shall be comprised of the geographic area bounded by a line that starts beginning at the intersection of the southeast line of Western Avenue, NW and the northeast line of Wisconsin Avenue, NW, said beginning also being the northwest corner of

ENGROSSED ORIGINAL

29 Square 1661; with said southeast line of Western Avenue, NW, northeasterly, to the south line of
30 Military Road, NW; thence continuing with said south line of Military Road, NW, east, to the
31 west line of 43rd Street, NW; thence continuing with said west line of 43rd Street, NW, south, to
32 a northeast corner of former Lot 31, Square 1661; thence continuing with a southeasterly line of
33 former Lot 31, Square 1661, southwesterly, to a northeast corner of Lot 855, Square 1661;
34 thence, continuing with an easterly line of said Lot 855, Square 1661, southerly, to a point of
35 curve; thence continuing along an east boundary of said Lot 855, Square 1661, 39.13' on the arc
36 of a curve to the left of radius 103.08', to a point of tangent; thence continuing along an east
37 boundary of said Lot 855, Square 1661, southeasterly, to a point of curve; thence continuing
38 along an east boundary of said Lot 855, Square 1661, 27.71' on the arc of a curve to the right of
39 radius 73.04', to a point of tangent; thence continuing along an east boundary of said Lot 855,
40 Square 1661, southerly, to a north line of Lot 817, Square 1661; thence, continuing with a north
41 line of Lot 817, Square 1661, Easterly, to the northeast corner of said Lot 817, Square 1661;
42 thence with the east line of said Lot 817, Square 1661, south, to the north line of Jenifer Street,
43 NW; thence running across Jenifer Street, NW, southeasterly, to the intersection of the south line
44 of Jenifer Street, NW, and the west line of 43rd Street, NW, said intersection also being the
45 northeast corner of Square 1659; thence with said west line of 43rd Street, NW, south, to the
46 north line of Ingomar Street, NW, said intersection also being the southeast corner of Square
47 1659; thence running across Ingomar Street, NW, southeasterly, to the northeast corner of Lot
48 10, Square 1665, and the southwest line of a 15' public alley in Square 1665; thence with said
49 southwest line of 15' public alley, southeasterly, to the south line of a 15' public alley in Square
50 1665; thence with said south line of 15' public alley, east, to a corner of former Lot 11, Square

ENGROSSED ORIGINAL

51 1665; thence with a west line of said former Lot 11, Square 1665, southeasterly, to a corner of
52 said former Lot 11, Square 1665; thence with a northwest line of said former Lot 11, Square
53 1665, southwesterly, to the north most corner of Lot 2001, Square 1665; thence with an east line
54 of said Lot 2001, Square 1665, southeasterly, to a corner thereof; thence with an east line of said
55 Lot 2001, Square 1665, south, to the north line of Harrison Street, NW; thence running across
56 Harrison Street, NW, southeasterly, to the intersection of the south line of Harrison Street, NW,
57 and the west line of 42nd Street, NW, said intersection also being the northeast corner of Square
58 1666; thence with said west line of 42nd Street, NW, south, to the north line of Garrison Street,
59 NW, and the southeast corner of Square 1666; thence running across Garrison Street, NW,
60 southwesterly, to the northeast corner of former Lot 37, Square 1669 and the southwesterly line
61 of a 10' public alley in Square 1669; thence with said southwesterly line of 10' public alley,
62 southeasterly, to the southeast corner of Lot 34, Square 1669; thence running across said public
63 alley in Square 1669, southeasterly, to the northeast corner of Lot 26, Square 1669, and the west
64 line of 42nd Street, NW; thence, with said west line of 42nd Street, NW, south, to the north line
65 of Fessenden Street, NW; thence with said north line of Fessenden Street, NW, west, to the
66 northeast line of Wisconsin Avenue, NW; thence running across Wisconsin Avenue, NW,
67 westerly, to the intersection of the north line of Fessenden Street, NW and the southwest line of
68 Wisconsin Avenue, NW; thence with said north line of Fessenden Street, NW, west, to a
69 southwest corner of Lot 11, Square 1655; thence with the boundary of said Lot 11, Square 1655,
70 north, to a corner of said lot; thence continuing along the boundary of said Lot 11, Square 1655,
71 west, to another corner of said lot; thence continuing along the boundary of said Lot 11, Square
72 1655, north, to another corner of said lot; thence continuing along the boundary of said Lot 11,

ENGROSSED ORIGINAL

73 Square 1655, west, to another corner of said lot; thence continuing along the boundary of said
74 Lot 11, Square 1655, south, to another corner of said lot; thence continuing along the boundary
75 of said Lot 11, Square 1655, west, to another corner of said lot; thence continuing along the
76 boundary of said Lot 11, Square 1655, North, to another corner of said lot; thence continuing
77 along the boundary of said Lot 11, Square 1655, east, to another corner of said lot; thence
78 continuing along the boundary of said Lot 11, Square 1655, north, to the southwest corner of Lot
79 9, Square 1655; thence with the west line of said Lot 9, Square 1655, north, to the south line of
80 Garrison Street, NW; thence running across Garrison Street, NW, northwesterly, to the southwest
81 corner of Lot 9, Square 1656, and the east line of 16' public alley in Square 1656; thence with
82 said east line of public alley, north, to the south line of Harrison Street, NW; thence running
83 across Harrison Street, NW, northeasterly, to southwest corner of Lot 23, Square 1657 and the
84 intersection of the north line of Harrison Street, NW and the northeasterly line of 20' public alley
85 in Square 1657; thence with said northeasterly line of 20' public alley, northwesterly, to the east
86 extension of the north line of a 16' public alley in Square 1657; thence with said east extension
87 and said north line of a 16' public alley in Square 1657, west, to the east line of 44th Street, NW;
88 thence crossing said 44th Street, NW, southwesterly, to a southeast corner of Lot 33, Square
89 1580; thence with the south line of said Lot 33, Square 1580, west, to the east line of 45th Street,
90 NW; thence with said east line of 45th Street, NW, north, to a corner of Lot 33, Square 1580;
91 thence with the northeast line of 45th Street, NW, northwesterly, to the southeast line of Western
92 Avenue, NW; thence with said southeast line of Western Avenue, NW, northeasterly, to the
93 southwesterly line of Jenifer Street, NW; thence crossing Jenifer Street, NW, northeasterly, to
94 the west most corner of Lot 811, Square 1660, said corner also being the intersection of the

ENGROSSED ORIGINAL

95 southeast line of Western Avenue, NW and the northerly line of Jenifer Street, NW; thence with
96 said southeast line of Western Avenue, NW, northeasterly, to the southwest line of Wisconsin
97 Avenue, NW; thence running across Wisconsin Avenue, NW, northeasterly, to the intersection of
98 the northeast line of Wisconsin Avenue, NW and the southeast line of Western Avenue, NW, and
99 the place of beginning.

100 “(c)(1) The BID taxes for nonexempt properties in the Friendship Heights BID shall be as
101 follows:

102 “(A) The amount of \$0.165 per square foot for each net rentable square
103 foot for Class 2 Properties, excluding hotels;

104 “(B) The amount of \$120 per hotel or motel room annually; and

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

110 “(ii) If a residential unit is restricted to residents based upon
111 income pursuant to a federal or District affordable housing program, any residential unit with a
112 household income of 100% or less of the area median income, which the BID shall identify and
113 certify as such, shall be exempt from the BID tax that would otherwise be due on the unit.

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

ENGROSSED ORIGINAL

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

121 “(3) Subject to the requirements of section 8(b), a 3% annual increase in the BID
122 taxes over the current tax year rates specified in paragraph (1) of this subsection is authorized.”.

123 Sec. 3. Fiscal impact statement.

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

127 Sec. 4. Effective date.

128 This act shall take effect following the approval by the Mayor (or in the event of a veto
129 by the Mayor, action by the Council to override the veto), a 30-day period of congressional
130 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved
131 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-2602.02(c)(1)), and publication in the
132 District of Columbia Register.