
Councilmember Harry Thomas, Jr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Section 47-829 of the District of Columbia Official Code to provide a time-limited freeze on real property taxes for certain real property zoned C-2-A within the boundaries of the Rhode Island Avenue and North Capitol Street Great Street initiatives, thereby fostering local and small neighborhood developments along these corridors, which have suffered underinvestment for numerous decades.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this Act shall be cited as the “Rhode Island Avenue and North Capitol Street Neighborhood Development Special Tax District Act of 2009.”

Sec. 2. Section 47-829 of the District of Columbia Code is amended by adding a new subsection (d-1) to read as follows:

(d-1) Beginning with the tax year 2010 and for each year thereafter, all real property that is zoned C-2-A and located within the boundaries of the North Capitol Street Great Street or the Rhode Island Avenue Great Street initiatives shall be assessed at no higher than the level at which it was assessed in the immediately preceding tax-year, and this assessment will be in effect for the next five (5) consecutive years, so long as:

(a) The real property is vacant or the property owner or tenant has made in the preceding 12 months improvements to the real property equal to at least 25 percent of the real property’s most recent assessed value; and

(b) The real property shall be used to develop establishments that meet a preferred list of uses. The preferred list of uses are: antique store; apparel and accessories shop; appliance sales or repair; art center; art gallery; art or performing arts school; artist housing; artist studio; artists' supply store; arts services, including set design and restoration of artworks; auction house; bakery; bank or financial institution (excluding check cashing services); bar, nightclub, or cocktail lounge; bicycle shop; bookstore; cabaret; café, coffee shop; delicatessen, or lunch counter (excluding fast food); camera/photo sales; catering establishments; cobbler or shoe repair; collection center for dry cleaning; concert hall or other performing arts space; cosmetics or toiletries sale; department store; dressmaker or tailor; drug store; dry goods store; electronic sales; fabric store; film exchange or development; florist; gift or card shop; grocery store; gym or exercise studio; hardware store; hobby shop; home furnishings store; ice cream parlor; interior decorating shop; jewelry shop; movie theater; museum; music or instrument sales; office supplies or services store; performing arts ticket office or booking agency; pet shop; pharmacy; professional services or office not on the ground floor; picture framing shop; photographic studio; printing, lithographing, or photoengraving establishment, in each case not exceeding twenty-five hundred square feet (2,500 ft.2) of gross floor area; record store; recording studio; restaurant (excluding fast food); secondhand or consignment store; shoe store; sporting goods store; video media rental for general public and family.

(c-1) The DC Department of Small and Local Business Development shall certify in a publicly available report to the Office of Tax and Revenue that the use of the real property is compatible with the list of preferred uses, and that the real property was

previously vacant or received in the preceding 12 months improvements equal to at least 25 percent of the real property's most recent assessed value.

(c-2) No later than April 1 of each year, the DC Department of Small and Local Business Development shall produce a publicly available report with information sufficient to allow the Office of Tax and Revenue to determine whether the real property and its owner are in compliance with the requirements of this freeze.

(d-1) If there is noncompliance with any of the conditions set forth in subsection (a) of this section, the freeze shall terminate as of the beginning of the year in which the noncompliance occurred.

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective Date.

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