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2
3 Councilmember Matthew Frumin


Councilmember Kenyan R. McDuffie

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6 A BILL
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10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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15 To amend, on an emergency basis, the Business Improvement District Act of 1996 to authorize
16 the establishment and administration of the Friendship Heights Business Improvement
17 District.
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19 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
20 Act may be cited as the “Friendship Heights Business Improvement District Emergency
21 Amendment Act of 2023”.

22 Sec. 2. Title II of the Business Improvement District Act of 1996, effective March 17,
23 2005 (D.C. Law 15-527; D.C. Official Code § 2-1215.51*et seq.*), is amended by adding a new
24 section 212 to read as follows:

25 “Sec. 212. Friendship Heights BID.

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

32 “(b) The Friendship Heights BID shall be comprised of the geographic area bounded by a
33 line that starts beginning at the intersection of the southeast line of Western Avenue, NW, and

34 the northeast line of Wisconsin Avenue, NW, said beginning also being the northwest corner of
35 Square 1661; with said southeast line of Western Avenue, NW, northeasterly, to the south line of
36 Military Road, NW; thence continuing with said south line of Military Road, NW, east, to the
37 west line of 43rd Street, NW; thence continuing with said west line of 43rd Street, NW, south, to
38 a northeast corner of former Lot 31, Square 1661; thence continuing with a southeasterly line of
39 former Lot 31, Square 1661, southwesterly, to a northeast corner of Lot 855, Square 1661;
40 thence, continuing with an easterly line of said Lot 855, Square 1661, southerly, to a point of
41 curve; thence continuing along an east boundary of said Lot 855, Square 1661, 39.13' on the arc
42 of a curve to the left of radius 103.08', to a point of tangent; thence continuing along an east
43 boundary of said Lot 855, Square 1661, southeasterly, to a point of curve; thence continuing
44 along an east boundary of said Lot 855, Square 1661, 27.71' on the arc of a curve to the right of
45 radius 73.04', to a point of tangent; thence continuing along an east boundary of said Lot 855,
46 Square 1661, southerly, to a north line of Lot 817, Square 1661; thence, continuing with a north
47 line of Lot 817, Square 1661, easterly, to the northeast corner of said Lot 817, Square 1661;
48 thence with the east line of said Lot 817, Square 1661, south, to the north line of Jenifer Street,
49 NW; thence running across Jenifer Street, NW, southeasterly, to the intersection of the south line
50 of Jenifer Street, NW, and the west line of 43rd Street, NW, said intersection also being the
51 northeast corner of Square 1659; thence with said west line of 43rd Street, NW, south, to the
52 north line of Ingomar Street, NW, said intersection also being the southeast corner of Square
53 1659; thence running across Ingomar Street, NW, southeasterly, to the northeast corner of Lot
54 10, Square 1665, and the southwest line of a 15' public alley in Square 1665; thence with said
55 southwest line of 15' public alley, southeasterly, to the south line of a 15' public alley in Square
56 1665; thence with said south line of 15' public alley, east, to a corner of former Lot 11, Square
57 1665; thence with a west line of said former Lot 11, Square 1665, southeasterly, to a corner of

58 said former Lot 11, Square 1665; thence with a northwest line of said former Lot 11, Square
59 1665, southwesterly, to the north most corner of Lot 2001, Square 1665; thence with an east line
60 of said Lot 2001, Square 1665, southeasterly, to a corner thereof; thence with an east line of said
61 Lot 2001, Square 1665, South, to the north line of Harrison Street, NW; thence running across
62 Harrison Street, NW, southeasterly, to the intersection of the south line of Harrison Street, NW,
63 and the west line of 42nd Street, NW,, said intersection also being the northeast corner of Square
64 1666; thence with said west line of 42nd Street, NW, south, to the north line of Garrison Street,
65 NW, and the southeast corner of Square 1666; thence running across Garrison Street, NW,
66 southwesterly, to the northeast corner of former Lot 37, Square 1669 and the southwesterly line
67 of a 10' public alley in Square 1669; thence with said southwesterly line of 10' public alley,
68 southeasterly, to the southeast corner of Lot 34, Square 1669; thence running across said public
69 alley in Square 1669, southeasterly, to the northeast corner of Lot 26, Square 1669, and the west
70 line of 42nd Street, NW; thence, with said west line of 42nd Street, NW, south, to the north line
71 of Fessenden Street, NW; thence with said north line of Fessenden Street, NW, West, to the
72 northeast line of Wisconsin Avenue, NW; thence running across Wisconsin Avenue, NW,
73 westerly, to the intersection of the north line of Fessenden Street and the southwest line of
74 Wisconsin Avenue, NW; thence with said north line of Fessenden Street, NW, west, to a
75 southwest corner of Lot 11, Square 1655; thence with the boundary of said Lot 11, Square 1655,
76 north, to a corner of said lot; thence continuing along the boundary of said Lot 11, Square 1655,
77 west, to another corner of said lot; thence continuing along the boundary of said Lot 11, Square
78 1655, north, to another corner of said lot; thence continuing along the boundary of said Lot 11,
79 Square 1655, west, to another corner of said lot; thence continuing along the boundary of said
80 Lot 11, Square 1655, south, to another corner of said lot; thence continuing along the boundary
81 of said Lot 11, Square 1655, west, to another corner of said lot; thence continuing along the

82 boundary of said Lot 11, Square 1655, north, to another corner of said lot; thence continuing
83 along the boundary of said Lot 11, Square 1655, east, to another corner of said lot; thence
84 continuing along the boundary of said Lot 11, Square 1655, north, to the southwest corner of Lot
85 9, Square 1655; thence with the west line of said Lot 9, Square 1655, north, to the south line of
86 Garrison Street, NW,; thence running across Garrison Street, NW, northwesterly, to the
87 southwest corner of Lot 9, Square 1656, and the east line of 16' public alley in Square 1656;
88 thence with said east line of public alley, north, to the south line of Harrison Street, NW; thence
89 running across Harrison Street, NW, northeasterly, to southwest corner of Lot 23, Square 1657
90 and the intersection of the north line of Harrison Street and the northeasterly line of 20' public
91 alley in Square 1657; thence with said northeasterly line of 20' public alley, northwesterly, to the
92 east extension of the north line of a 16' public alley in Square 1657; thence with said east
93 extension and said north line of a 16' public alley in Square 1657, West, to the east line of 44th
94 Street, NW; thence crossing said 44th Street, NW, southwesterly, to a southeast corner of Lot 33,
95 Square 1580; thence with the south line of said Lot 33, Square 1580, west, to the east line of 45th
96 Street, NW; thence with said east line of 45th Street, NW, north, to a corner of Lot 33, Square
97 1580; thence with the northeast line of 45th Street, NW, northwesterly, to the southeast line of
98 Western Avenue, NW; thence with said southeast line of Western Avenue, NW, northeasterly, to
99 the southwesterly line of Jenifer Street, NW; thence crossing Jenifer Street, NW, northeasterly,
100 to the west most corner of Lot 811, Square 1660, said corner also being the intersection of the
101 southeast line of Western Avenue, NW, and the northerly line of Jenifer Street, NW; thence with
102 said southeast line of Western Avenue, NW, northeasterly, to the southwest line of Wisconsin
103 Avenue, NW; thence running across Wisconsin Avenue, NW, northeasterly, to the intersection of
104 the northeast line of Wisconsin Avenue, NW, and the southeast line of Western Avenue, NW,
105 and the place of beginning.

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

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

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

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

116 (ii) If a residential unit is restricted to residents based upon income
117 pursuant to a Federal or District affordable housing program, any residential unit with a
118 household income of 100 percent or less of the Area Median Income, for which the BID shall
119 identify and certify as such, shall be exempt from BID tax that would otherwise be due on the
120 unit.

121 “(2) To the extent that a building that is subject to the BID tax is constructed pursuant to
122 a ground lease on land that is exempt from real property taxes, the assessed value of the real
123 property for purposes of the BID tax shall include the value of the building and the leasehold
124 interest, possessory interest, beneficial interest, or beneficial use of the land, and the lessee or
125 user of the land shall be assessed the corresponding BID tax, which shall be collected in the same
126 manner as possessory interest taxes under § 47-1005.01, or as otherwise provided in this
127 subchapter.

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

130 Sec. 3. Fiscal impact statement.

131 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
132 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
133 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

134 Sec. 4. Effective date.

135 This act shall take effect following the approval by the Mayor (or in the event of a veto
136 by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer
137 than 90 days, as provided for emergency acts of the Council for the District of Columbia in
138 section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87
139 Stat. 788; D.C. Official Code § 1-204.12(a)).