

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Official Code*

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To approve the Northwest One Redevelopment Plan and authorize the Mayor to exercise eminent domain authority in the area bounded by North Capitol Street, N.E., K Street, N.E., New Jersey Avenue, N.E., and New York Avenue, N.E.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Northwest One / Sursum Corda Affordable Housing Protection, Preservation and Production Act of 2006".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Human Capital Plan" means the planning and budget estimates in the NW1 Redevelopment Plan for the 6 programmatic priorities emphasized by community stakeholders, including economic opportunity, education and recreation for all ages, safety and security, physical and mental health, senior programming, and community-based technology.

(2) "Master Plan" means the proposed improvements in the NW1 Redevelopment Plan for housing, public facilities, urban design, parks and open space, and transportation, including creation of a mixed-income community of more than 1,600 housing units, construction of a new consolidated public school to replace Walker Jones Elementary School and Terrell Junior High School, construction of a new community recreation center, plans for a new 5,000 square foot library, and a new health clinic to replace the existing Walker Jones Health Clinic.

(3) "Northwest One New Communities Project Area" ("NOCPA") means the area bounded by North Capitol Street, N.E., K Street, N.W., New Jersey Avenue, N.W., and New York Avenue, N.W. in Washington, D.C.

(4) "Northwest One Redevelopment Plan" ("NW1 Redevelopment Plan") means the redevelopment plan for the NOCPA that includes a Master Plan for the physical redevelopment of the NOCPA and a Human Capital Plan.

Sec. 3. Findings.

The Council finds that:

(1) The Northwest One New Communities Project Area (“NOCPA”) is an area that suffers certain community-wide structural problems that have inhibited private sector attempts to revitalize properties in the NOCPA such as defective or inadequate street layout, and aging and inadequate infrastructure that is insufficient to service the property uses in the NOCPA, including:

(A) Faulty storm and sewer drainage facilities and deteriorated roads;
(B) Property lot configurations and sizes that limit the adequacy, accessibility, and usefulness of common areas, parks, open spaces, and other green spaces; and
(C) Inadequate integration of public and private property usage in the area;

(2) Along with a failure to coordinate the spatial arrangement of improvements and open spaces, these problems have produced a community characterized by structures of obsolete design with open spaces that facilitate illegal activity rather than community interaction and increased security;

(3) These factors, among others, have contributed to physical and economic conditions conducive to the development or transmission of disease, ill health, infant mortality, juvenile delinquency, poverty, and crime, and individually and in combination, have substantially impaired the provision or expansion of safe and sanitary affordable housing accommodations in the NOCPA;

(4) In addition to community-wide impediments to revitalization, there are buildings and improvements within the NOCPA that are obsolete, dilapidated, and deteriorated to the point of being uninhabitable and nuisances to the community, which also contribute to the development or transmission of disease, ill health, infant mortality, juvenile delinquency, poverty, and crime and have impeded the provision or expansion of safe and sanitary affordable housing accommodations in the NOCPA;

(5) The provision of safe, sanitary affordable housing, particularly in the context of thriving, mixed-income neighborhoods, is an urgent need and high priority of the District of Columbia;

(6) In the NW1 Redevelopment Plan, the Mayor has proposed a redevelopment of the NOCPA that will create over 1,000 new units of affordable housing for low- and moderate-income of the District, coordinate housing redevelopment activities with the construction of a new public facilities, carefully integrate supportive human capital services with the new housing units, attract businesses that are desired by the citizens of the NOCPA, and improve the safety and quality of life for the current residents of the NOCPA;

(7) The assemblage of properties within the NOCPA is necessary to allow for the redevelopment activities contemplated by the NW1 Redevelopment Plan;

(8) The assemblage of the properties comprising the NOCPA and the

construction of a substantial number of new, safe, and sanitary affordable housing units in the NOCPA, guided by the policies and requirements of the District government, will further many important public purposes, including:

(A) Removal of unsafe and unsanitary conditions due to dilapidation, deterioration, age, and obsolescence of buildings or improvements;

(B) Removal of inadequate or defective street layouts, faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(C) Removal of inadequate provision for ventilation, light, air, sanitation, open spaces, high density of population, or overcrowding;

(D) Reduction of the incidence of crime, transmission of disease, ill health, infant mortality, juvenile delinquency, poverty, and endangerment of life or property by fire or other means;

(E) Reorganization and reorientation of improvements to make the improvements safer and more attractive;

(F) Preservation and expansion of affordable housing for the citizens of the District; and

(G) Revitalization of a distressed community;

(9) The proposed redevelopment will significantly contribute to the preservation and enhancement of safe and sanitary affordable housing within the District of Columbia; and

(10) The assemblage of properties in the Northwest One New Communities Project Area and the redevelopment of the NOCPA pursuant to the NW1 Redevelopment Plan is a municipal use that serves many public purposes and is in the interest of, and for the benefit of, the citizens of the District of Columbia.

Sec. 4. Approval of plan.

The Council hereby approves the NW1 Redevelopment Plan.

Sec. 5. Condemnation by eminent domain.

(a) The Mayor is authorized to exercise eminent domain under this act to acquire properties in the Northwest One New Communities Project Area in accordance with the NW1 Redevelopment Plan. Any taking of property by eminent domain under the authority granted in this act, shall follow the procedures set forth in subchapter II of chapter 13 of title 16 of the District of Columbia Official Code.

(b) If eminent domain is exercised, the City Administrator shall deliver to the Council, within 30 days after service of a notice of intent to take the property, a detailed plan regarding the housing accommodations made for the persons affected. The City Administrator shall include the amount offered for the property pursuant to the use of eminent domain.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 7. 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), and 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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia