

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Columbia
Official Code*

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To amend, on a temporary basis, the National Capital Revitalization Act of 1998 to clarify the procedures by which the National Capital Revitalization Corporation may exercise its eminent domain authority, and to approve the exercise of eminent domain authority by the National Capital Revitalization Corporation or the RLA Revitalization Corporation in the Skyland area.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “National Capital Revitalization Corporation Eminent Domain Clarification and Skyland Eminent Domain Approval Temporary Amendment Act of 2004”.

Sec. 2. The National Capital Revitalization Act of 1998, effective September 11, 1998 (D.C. Law 12-144; D.C. Official Code § 2-1219.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 2-1219.01) is amended as follows:

Note,
§ 2-1219.01

(1) A new paragraph (30A) is added to read as follows:

“(30A) “Project area” means a geographic area designated by the Corporation, by a majority vote of the Board, for which the Corporation has developed a site and use plan, which shall include the following elements:

“(A) The reasons for the designation of the area;

“(B) A description of the area, which shall include:

“(i) The total number of square feet or acres within the area;

“(ii) A map of the area that identifies the property; and

“(iii) A description of the physical and economic conditions existing in the area;

“(C) A description of the development proposed by the Corporation for the area, including:

“(i) A description of the buildings, other structures, parks, public

spaces, or public amenities to be constructed or rehabilitated; and

“(ii) A description of the uses to be located on the site; and

“(D) A description of how the development in the area will improve or alleviate the conditions described in subparagraph (B)(iii) of this paragraph.”.

(2) A new paragraph (36A) is added to read as follows:

“(36A) “Slum area” means an area where there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired or substandard by reason of dilapidation, deterioration, age, or obsolescence which:

“(A) Contribute to physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime; and

“(B) Endanger life or property by fire or other causes.”.

(b) Section 8(b) (D.C. Official Code § 2-1219.07(b)) is amended by striking the phrase “shall be subject to the following Council review provisions” and inserting the phrase “shall be conducted pursuant to the following procedures” in its place.

Note,
§ 2-1219.07

(c) Section 20 (D.C. Official Code § 2-1219.19) is amended as follows:

Note,
§ 2-1219.19

(1) Subsection (a) is amended as follows:

(A) The introductory language is amended as follows:

(i) Add the phrase “; provided, the declaration of taking may be signed by the chief executive officer of the Corporation” after the phrase “16-1316”.

(ii) Strike the phrase “to be a” and insert the phrase “to be” in its place.

(B) Paragraphs (1), (2), (3), and (4) are amended to read as follows:

“(1) A redevelopment district;

“(2) A project area;

“(3) A blighted area or slum area; or

“(4) A blighted area, slum area, or substandard area within the meaning of the Redevelopment Act;”.

(C) New paragraphs (5) and (6) are added to read as follows:

“(5) An area subject to an urban renewal or redevelopment plan; or

“(6) An area subject to a neighborhood development plan.”.

(2) Subsection (b) is amended by striking the phrase “any exercise of eminent domain powers that is approved by an affirmative vote of the Corporation shall be submitted to the Council” and inserting the phrase “the Corporation shall submit to the Council a resolution to approve the exercise of eminent domain powers” in its place.

(3) A new subsection (c) is added to read as follows:

“(c) Notwithstanding the second or last sentence of subsection (a) of this section and notwithstanding subsection (b) of this subsection the Council, finding that the properties below are necessary and desirable for the public use, approves the exercise of eminent domain by the

National Capital Revitalization Corporation or the RLA Revitalization Corporation for the following parcels and lots and squares: Square 5632, Lot 1; Square 5632, Lot 2; Square 5632, Lot 3; Square 5632, Lot 4; Square 5632, Lot 5; Square 5632, Lot 802; Square 5633, Lot 800; Square 5633, Lot 801; Square 5641, Lot 0010; Square 5641, Lot 0011; Square 5641, Lot 0012; Square 5641, Lot 0012; Square 5641, Lot 0891; Square 5641N, Lot 0012; Square 5641N, Lot 0013; Square 5641N, Lot 0014; Square 5641N, Lot 0015; Square 5641N, Lot 0016; Square 5641N, Lot 0017; Square 5641N, Lot 0018; Square 5641N, Lot 0019; Square 5641N, Lot 0020; Square 5641N, Lot 0021; Square 5641N, Lot 0022; Square 5641N, Lot 0023; Square 5641N, Lot 0024; Square 5641N, Lot 0025; Square 5641N, Lot 0026; Square 5641N, Lot 0027; Square 5641N, Lot 0028; Square 5641N, Lot 0029; Square 5641N, Lot 0030; Square 5641N, Lot 0031; Square 5641N, Lot 0033; Parcel 02130052; Parcel 02130060; Parcel 02130061; Parcel 02140062; Parcel 02140088; Parcel 02140104; Parcel 02140182; Parcel 02140187; Parcel 02140189; Parcel 02140190; and Parcel 02140196 and for any other parcel located within the geographic area bounded by a line beginning at a point at the intersection of the northerly line of Good Hope Road, S.E., with the northerly line of Alabama Avenue, S.E., and running thence Northwesterly along said line of Good Hope Road, S.E., extended, to intersect a point on the east line of Naylor Road, S.E.; thence Northwesterly along said line of Naylor Road, to a point at the northwesterly corner of Lot 801 in Square 5633; thence Northeasterly along the northerly line of said lot & square, to a point at the westernmost corner of Parcel 213/52; thence continuing northeasterly along the northerly line of said Parcel 213/52, to a point at the southwesterly corner of Parcel 213/60; thence northwesterly along the arc of a curve, deflecting to the right, along the westerly line of said Parcel 213/60, to a point at the northernmost corner of said Parcel 213/60; thence Southeasterly along the easterly lines of said Parcels 213/60 and 213/52, to a point at the northwesterly corner of Lot 33 in Square North of Square 5641; thence Easterly along the north property lines of said Lot 33, and Lots 16 through 31, both inclusive, in Square North of Square 5641, to a point at the northeast corner of said Lot 31 in said square; thence South along the east line of said Lot 31 in said square, to a point at the southeast corner thereof; thence Westerly along the south lines of said Lots 31, 30, 29, 28, 27, 26, 25, 24, 23 and 22 in said square, to a point at the southwest corner of said Lot 22, to intersect a line drawn Northwesterly from the northeast corner of Lot 12 in Square North of Square 5641; thence Southeasterly along said line drawn and the east line of said Lot 12 in said square, to a point at the southeast corner thereof, to a point that intersects a line drawn Northwesterly from the northeast corner of Lot 13 in Square 5641; thence Southeasterly along said line drawn and the east line of said Lot 13 in said square, to a point at the southeast corner thereof; thence Southwesterly along the south property lines of Lots 13 and 12 in Square 5641, to a point that intersects a line drawn Northwesterly from the northeast corner of Lot 819 in Square 5641; thence Southeasterly along said line drawn and the east line of said Lot 819 in said square, to a point at the southeast corner of said Lot 819 in said square, on the north line of

Alabama Avenue, S.E.; and thence southwesterly along the arc of a circle, deflecting to the right, along said line of Alabama Avenue, to the point of beginning.”.

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.

(a) 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.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia