

ANC 2B November 13th Draft Motions Packet

Land Use Agenda

[Vacant to Vibrant Amendment Act of 2024](#)

WHEREAS, The District of Columbia includes over 3,500 vacant or blighted properties, with approximately 900 (26%) sitting vacant for over 5 years and ANC 2B includes several such properties;

WHEREAS, Vacant and blighted properties often provide cover for illegal and criminal activity, contribute to lower property values, remove potential housing units from the market, and create unsafe and unsanitary conditions for neighboring buildings and the community;

WHEREAS, Vacant and blighted properties along commercial corridors impede neighborhood economic sustainability and growth potential, significantly limiting some areas from attracting and maintaining businesses;

WHEREAS, Current enforcement mechanisms and tax penalties have proven insufficient to motivate property owners to rehabilitate blighted properties, occupy vacant properties, or sell properties to responsible owners;

WHEREAS, Chairman Phil Mendelson introduced the Vacant to Vibrant Amendment Act of 2024 ("the Act"), which would comprehensively reform how the District prevents, identifies, and addresses vacant and blighted properties.

WHEREAS, While the Act represents a significant step forward in addressing vacant and blighted properties, there remain opportunities to strengthen the legislation, particularly regarding properties that pose immediate public health hazards, the unique challenges of commercial properties and corridors, the tax rate structure for the most egregious and long-standing vacant properties, and ensuring tax sale properties become opportunities for sustainable homeownership rather than corporate investment;

THEREFORE, BE IT RESOLVED THAT, ANC 2 B strongly supports the Vacant to Vibrant Amendment Act of 2024 and urges the Council of the District of Columbia to pass this legislation with recommended improvements.

BE IT FURTHER RESOLVED THAT, ANC 2 B strongly supports the Act's following provisions:

1. The creation of a vacant property receivership program, which will finally give the District an effective mechanism to acquire and rehabilitate long-term vacant properties;
2. The creation of new tax sale process for Class 3 and Class 4 properties, which will provide the District with clear authority to foreclose on chronically vacant properties and transfer them to responsible owners;
3. The financial incentives and assistance programs, including the expanded single-family home rehabilitation program, the new vacant and blighted home

revitalization tax credit program, and the tax abatement for redevelopment of vacant and blighted commercial properties, recognizing these tools as essential for both preventing properties from becoming vacant and encouraging investment in the rehabilitation of long-term vacant properties;

4. The requirement for a comprehensive strategic plan every three years, recognizing that addressing vacant properties requires sustained coordination across multiple District agencies.

BE IT FURTHER RESOLVED THAT, While strongly supporting the legislation overall, ANC 2 B urges the Council to consider the following improvements to further strengthen the Act's effectiveness:

1. Enhance the Office of Attorney General's authority to address rat-infested vacant properties without requiring a warrant, recognizing that these properties present an immediate public health threat requiring swift intervention;
2. Modify the graduated tax rate structure, as the proposed structure may inadvertently reduce pressure on property owners to act: a. Maintain stronger economic pressure in the early years of vacancy, as current tax rates have proven insufficient to motivate rehabilitation or sale b. Accelerate the timeline for reaching maximum rates rather than waiting until year five c. Increase maximum rates beyond current levels for properties vacant more than five years to create meaningful economic consequences for the most egregious cases of long-term vacancy;
3. Expand provisions specifically addressing commercial vacancies, recognizing that vacant properties in commercial areas are particularly devastating to neighborhood economic vitality, through: a. Establishing a commercial property land bank to facilitate property acquisition and rehabilitation b. Creating matching grants for commercial property improvements c. Designating priority commercial vacancy zones with enhanced incentives and enforcement d. Integrating these tools into the receivership program with specialized requirements for commercial properties e. Aligning efforts with the Great Streets program for comprehensive commercial corridor revitalization.
4. Establish homeownership preference requirements for tax sale properties to ensure vacant properties become opportunities for sustainable homeownership rather than corporate investment vehicles by: a. Creating a "first look" period where only prospective owner-occupants can bid on residential properties b. Providing priority to first-time homebuyers and current District residents c. Setting affordability requirements to create homeownership opportunities for moderate-income residents d. Limiting the percentage of properties that can be purchased by corporate entities or LLCs in any tax sale.

BE IT FINALLY RESOLVED THAT, The Commission authorizes Chair Meg Roggensack and Commissioner Christopher Davis to communicate this resolution to, and represent the Commission before, the Council of the District of Columbia and other District agencies.

Commissioner Sherman shall be the point of contact for further information on this matter for the Commission.

ADVISORY NEIGHBORHOOD COMMISSION 2 B, at a properly noticed regular meeting of the Commission on November 13, 2024, with a quorum present, voted YEAS XX, NAYS XX, ABSTENTIONS XX, to approve this resolution and direct its transmittal to the <Insert appropriate agency(ies) here>.

General Agenda

Consideration of a resolution regarding DDOT's proposed permanent streatery guidelines

WHEREAS, the District Department of Transportation (“DDOT”) created the Streatery program in 2020 to help restaurants survive the business downturn created by the restrictions necessary to curtail transmission of COVID-19.

WHEREAS, the urgency of launching the Streatery program necessitated suspension of the typical design and public review processes, which resulted in a large number of streateries that now are inconsistent with public space occupancy regulations and community sentiment.

WHEREAS, DDOT has issued proposed permanent Streatery Regulations that bring to the program standard guidelines and requirements such as:

- Uniform design, construction, and footprint standards
- Identifying the establishment a Streatery belongs to
- Street occupancy limited to an establishment’s street frontage without written permission from adjoining property owners to extend into their space.
- ADA accessibility
- Pedestrian and traffic safety
- Identification and access to in-street utilities
- Unobstructed gutters and other water and snow melt drainage pathways
- Clear definition of permitted and prohibited uses of a Streatery
- Required upkeep and maintenance of structures by establishments
- Notice to establishments that their use of public space may be rescinded for any reason including repurposing of the space’s use by DDOT or other agency

WHEREAS, the proposed Streatery Regulations resolve most of the concerns and issues associated with the existing Streatery program, however there are some issues that ANC 2B believes must be addressed:

- The Annual Public Space Rental Fee for Sidewalk Cafés is \$5 per square foot (\$10 for an enclosed café). For a Streatery, it is \$20 per square foot. This explicitly declares that an automobile right of way has greater value than a pedestrian right of way. It also specifies that automobile right of way is of greater value to the District

than an annual resident parking permit (\$55) that is valid throughout its specified Zone.

Streateries provide significant value to the community. They are inherently traffic-calming which improves safety at practically zero cost to DDOT or the District government. They invite patrons to neighborhood dining establishments which sustain those businesses and encourage new ones to open. Ultimately, they provide tax revenue to the District, which benefits all residents.

The annual space rental fee for Streateries should be commensurate with the Sidewalk Café program to encourage them.

- In the Sidewalk Café program there is a requirement that outdoor seating must be counted in satisfying restroom requirements for the business, including but not limited to, quantity, access, and location (DCMR 24, § 314.7); and that it affects the establishment's Certificate of Occupancy with the Department of Buildings (DOB). There is no comparable requirement for Streateries. Patrons in the streatory are also likely to use a restroom so this should be consistent between programs.
- The regulations should incorporate a "use it or lose it" provision that requires a streatory be actively used by its patrons at least during warm months or its permit is canceled.
- The regulations must include procedures for reporting, identifying, and prompt disposition of, streateries that violate the regulations or that are abandoned; not a process that drags on for months or years.
- Consider a design requirement that "extended" streateries must be modular and that excess occupancy can be easily removed on 24 hours' notice.
- Specify that permission to extend into another property's space may be rescinded by the property owner at any time and for any reason with 30 days' notice to quit.

WHEREAS, existing Streateries may continue to operate under the existing program rules through July 31, 2025, and all existing streateries must be permanently removed by that date.

WHEREAS, qualifying establishments may begin submitting applications with designs that conform to the new regulations beginning in December, 2024.

THEREFORE BE IT RESOLVED that ANC 2B supports DDOT's proposed Permanent Streatory Regulations subject to addressing and resolving these points:

- Reduce the Public Space Rental fee for Streateries for better alignment with the Sidewalk Café program, and not discourage establishments from operating Streateries
- Create parity with the Sidewalk Café with respect to restroom and occupancy requirements
- Consider a "use it or lose it" condition that Streateries must be utilized or lose the permit.

- Include a concise and timely process for non-compliant, unused or abandoned Streateries to be reported, reviewed, and removed.
- Include a design requirement that Streateries extending into other properties must be of a modular design and that extensions must be easily removed.
- Include in the regulations a provision that adjoining property owners may rescind their permission to use their space at any time and for any reason.

Consideration of a resolution regarding DDOT 16th St NW bus stop consolidation and shelter relocations (NOI # 24-291-CPD)

WHEREAS, the District Department of Transportation (“DDOT”) has issued Notice of Intent NOI# 24-291-CPD for the consolidation and relocation of certain WMATA bus stops along 16th Street NW.

WHEREAS, these relocations and consolidations were initially proposed in 2017 while the 16th Street Bus Lanes project was being developed to better balance stops along the corridor and speed up bus service.

WHEREAS, one of the stops proposed for removal (stop # 1001511) is a standalone northbound stop at 16th and Q Streets NW, in ANC 2B, and primarily serves the Jewish Community Center (“JCC”).

WHEREAS, the criteria justifying consolidation of the 16th and Q stop are the stop does not have a corresponding southbound “pair” stop; and current boardings and alightings indicate the stop is very lightly used.

WHEREAS, there are nearby bus stops approximately 700 feet away at either P Street or R Street.

WHEREAS, ANC 2B previously voted in 2017 to oppose elimination of the stop at 16th and Q Streets NW, based on concern raised by JCC for seniors and children attending activities and arriving or departing by bus.

WHEREAS, ANC 2B conducted public outreach, and sought public comment at a duly noticed meeting of its Mobility Committee on November 4, 2024.

WHEREAS, JCC responded that they have no objection at this time and ANC 2B has received no objections or opposition from the public.

THEREFORE BE IT RESOLVED that ANC 2B does not oppose DDOT’s NOI 24-291-CPD to remove bus stop #1001511.

Consideration of a resolution regarding installation of diplomatic parking zone along the 1200 blk of Q Street NW (NOI # 24-283- TOA)

WHEREAS, the District Department of Transportation (“DDOT”) has issued Notice of Intent NOI# 24-283-TOA provide and reconfigure diplomatic parking spaces in the 2100 block of Q Street NW for the Embassy of India.

WHEREAS, the current parking configuration in the area consists of:

- 4 exclusive spaces in front of the Embassy of India (2107 Q);
- 2 general diplomatic spaces at the western end of the 2000 block of Q Street (adjacent to the south side of Embassy of Morocco);
- 1-2 general diplomatic spaces on the eastern (on the 1500 block of 21st Street) side of Gandhi Memorial
- 1 general metered space north of the Embassy of India, adjacent to the Phillips Collection
- 5 general metered spaces on the north side of the Gandhi Memorial

WHEREAS, the proposed configuration would consolidate the diplomatic spaces:

- 4 exclusive spaces in front of the Embassy of India (2107 Q) remain.
- Convert the 5 general metered spaces on the north side of the Gandhi Memorial to diplomatic use.
- Convert the 1-2 general diplomatic spaces on the east side of the Gandhi Memorial to general metered spaces.
- Convert the 2 general diplomatic spaces in the 2000 block of Q Street to general metered spaces.

WHEREAS, the hours for diplomatic use of spaces will be between 9:30AM and 7:00PM Mondays through Fridays, and will be available for public use at all other times.

WHEREAS, ANC 2B conducted public outreach, and also sought public comment at a duly noticed meeting of its Mobility Committee on November 4, 2024.

WHEREAS, ANC 2B has received no objections or opposition from the public.

THEREFORE BE IT RESOLVED that ANC 2B supports DDOT’s NOI 24-283-TOA to provide and reconfigure diplomatic parking in the 2100 block of Q Street NW for the Embassy of India.

Budget authorization for [resource center repairs](#)

Administrative Matters

Approval of the ANC’s regular [October 2024 Meeting Minutes](#)