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Councilmember Charles Allen

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, the Urban Forest Preservation Act of 2002 to provide that a permit in accordance with the Special Tree requirements that were in effect prior to July 1, 2016, may be issued to the Sursum Corda Cooperative Association, Inc., pursuant to its application for a first-stage planned unit development approved by the Zoning Commission by Order No. 15-20, for the development of Lots 250,893, 894, 895, 900, 904, and 905 in Square 600, and that section 104a does not apply to the Sursum Corda Cooperative Association, Inc., development approved by the Zoning Commission by Order No. 15-2; and to make a technical and conforming amendment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act be cited as the “Sursum Corda Cooperative Association Clarification Emergency Amendment Act of 2019”.

Sec. 2. The Urban Forest Preservation Act of 2002, effective June 12, 2003 (D.C. Law 14-309; D.C. Official Code § 8-651.01 *et seq.*), is amended as follows:

(a) Section 104(b)(3) (D.C. Official Code § 8-651.04(b)(3)) is amended as follows:

(1) Designation the existing text as subparagraph (A).

(2) The newly designated subparagraph (A) is amended by striking the phrase “Paid into” and inserting the phrase “Except as provided in subparagraph (B) of this paragraph, paid into” in its place.

34 (3) A new subparagraph (B) is added to read as follow:

35 “(B)(i) A person or nongovernmental entity that has an application for a Special
36 Tree removal permit pending as of July 1, 2016, and the Sursum Corda Cooperative Association,
37 Inc., pursuant to its application for a first-stage planned unit development approved by the
38 Zoning Commission by Order No. 15-20 for the development Lots 250,893, 894, 895, 900, 904,
39 and 905 in Square 600, shall pay into the Tree Fund an amount equal to \$35 for each inch of the
40 circumference of the Special Tree in question.

41 “(ii) For the purposes of this subparagraph the term “Special Tree” means
42 a tree with a circumference of 55 inches or more.”.

43 (b) Section 104a (D.C. Official Code § 8-651.04a) is amended as follows:

44 (1) Subsection (a) is amended by striking the phrase “It shall be” and inserting the
45 phrase “Except as provided in subsection (e) of this section, it shall be” in its place.

46 (2) A new subsection (e) is added to read as follows:

47 “(e) The requirements of this section shall not apply to a person or
48 nongovernmental entity that has an application for a Special Tree removal permit pending as of
49 July 1, 2016, or to the Sursum Corda Cooperative Association, Inc., pursuant to its application
50 for a first-stage planned unit development approved by the Zoning Commission by Order No.
51 15-20, for the development Lots 250,893, 894, 895, 900, 904, and 905 in Square 600.”.

52 Sec. 3. Conforming amendment.

53 Section 4(a) of the Tree Canopy Protection Amendment Act of 2016, effective July 1,
54 2016 (D.C. Law 21-133; 63 DCR 10578), is repealed.

55 Sec. 4. Fiscal impact statement.

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

59 Sec. 5. Effective date.

60 This act shall take effect upon its approval by the Mayor (or in the event of veto by the
61 Mayor, action by the Council to override the veto) and shall remain in effect for no longer than
62 90 days, as provided for emergency acts of the Council of the District of Columbia in section
63 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
64 D.C. Official Code § 1-204.12(a)).

DRAFT