

September 22, 2020

MEMORANDUM

To: Land Use and Neighborhoods Committee
From: Ketil Freeman, Analyst
Subject: Council Bill 119877 – Land Use and Historic Preservation Procedures During the COVID-19 Civil Emergency

On September 23, the Land Use and Neighborhoods (LUN) Committee will hold a public hearing and may make a recommendation on Council Bill (CB) 119877. CB 119877 would extend some temporary modifications to land use and historic preservation processes initially approved through [Ordinance 126072](#). Among other things, CB 119877 would:

- Allow projects, otherwise subject to full design review that elected to be processed under administrative design review, to continue with administrative design review until December 31, 2020;
- Continue the exemption for affordable housing projects from design review until 180 days after the Mayor terminates the COVID-19 civil emergency; and
- Allow other land use and historic preservation approvals, which would otherwise require in-person meetings, to continue to be reviewed administratively until 180 days after the Mayor terminates the COVID-19 civil emergency.

This memorandum: (1) provides more detail on the number and location of design review projects that have been and could continue to be processed administratively, if CB 119877 is approved, and (2) sets out two amendments Chair Strauss may propose.

Location and Number of Design Review Projects

At the initial briefing, the Committee asked for more detail on the number of projects otherwise subject to full design review that have been reviewed administratively and the number of project in early design guidance that could continue administrative review, if CB 119877 is approved. Those projects are shown by design review board district, zone category, and urban village on Attachment 1 to this memo. Forty-seven projects are in the design review recommendation phase and twenty projects are in early design guidance.

Amendments

Councilmember Strauss proposes two amendments to CB 119877. Amendment one would: (1) add a new section making findings-of-fact related to the COVID-19 pandemic to support a State Environmental Policy Act procedural exemption for the affordable housing design review exemption and (2) add a severability clause. Amendment 2 would shorten the duration the provisions of the bill would be in effect after the COVID-19 civil emergency is terminated from 180 days to 60 days.

Attachment:

- Attachment 1: Map Locating Projects Electing Administrative Design Review
- Attachment 2: Strauss Amendment 1
- Attachment 3: Strauss Amendment 2

cc: Aly Pennucci, Supervising Analyst