

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

Planned Unit Development
Inclusionary Housing Commitment Standards

Zoning Commission Case No. 05-25

Development Standards

Total Square Footage: Applicant shall commit to reserve **34,671 square feet** of the total marketable residential square footage for units affordable to households within the targeted income range.

Unit Types: The mixture of affordable unit types shall be comparable to the mixture market rate unit types. The proportion of affordable studios and 1-bedrooms may not exceed the proportional mix of market rate studios and 1-bedrooms.

Unit Sizes: Internal square footage of affordable units should be comparable to market rate units. **except for the 8th floor, and the 9th floor which has been architecturally designed to distinguish it from the other floors and includes higher ceiling heights.**

Unit Distribution: Affordable units shall be evenly distributed vertically and horizontally throughout all building and/or phases of the project. No floor or building within a development shall comprise of 100% affordable units.

Construction: External design and materials of affordable units shall be indistinguishable from market rate units. Internally, appliances and finishes shall be comparable, but may be of different quality.

Household Standards

Target Income Range: Eligible households are defined as those households that meet the following criteria:

- not less than 60% and**
- Having household income not exceeding the 80% of the Area Median Income for the Washington, D.C. Metropolitan Statistical Area and adjusted for family size (see below for the summary of current income limits);
- Purchasing or renting their primary residence;
- Have no ownership interest in any other housing within the past three years;
- Commit to continuous occupancy per the lease terms or deed covenants;
- Qualify for any necessary mortgage financing and down payment, and

**Affordability
Control Period:**

The affordability control period shall be for a time period of ten (10) years from the issuance of the first Certificate of Occupancy for the residential unit.

- Have an income eligibility certification letter by making application to the home purchase assistance programs of the DC Department of Housing and Community Development (DHCD).

Initial Housing Cost: Shall be determined by the District government based on the following assumptions as may be adjusted by future income limits:

- Monthly housing payment shall equal 30% of the Income Limits by family size and unit type.

Unit Type	Household Size	2005 Income Limit
Studio/Efficiency	1 Person Household	\$50,000
1-Bedroom	2 Person Household	\$57,200
2-Bedroom	3 Person Household	\$64,300
3-Bedroom	5 Person Household	\$77,200

- Purchase assumptions include:
 - 5% Down payment;
 - Monthly housing payment includes principal, interest, taxes, insurance and condo or home association fees;
 - 30 year term;
 - Current national average interest rate determined by FreddieMac weekly survey of mortgage (see www.freddiemac.com).
- Rental assumptions include:
 - Housing payment does not include utility allowance.

Final Housing Cost: Shall be determined 60 days prior to marketing of the affordable units using current information for the same assumptions above.

Occupant Selection: Applicant shall hold a lottery of all qualified families to be selected as the Initial Unit Purchasers. Applicant will provide notice of the lottery through advertisements in local newspapers and other vehicles reasonable to ensure broad exposure to potentially eligible purchasers. The Department of Housing and Community Development will also advise existing applicants to its home purchase assistance programs of this affordable housing opportunity. The Initial Unit Purchasers and the Initial Unit Price shall be determined six months prior to the projected completion of the Affordable Units.

Resale Restrictions: Resale During Control Period - The Affordable Units will be restricted (through a deed restriction, covenant and/or other legal means) in their resale for a period of 10 years to: (1) income-eligible homebuyers, a list of whom may be obtained from the Department of Housing and Community Development's applicant pool for home purchase assistance programs; (2) a maximum Purchase Price equal to the Initial Unit Price plus the cumulative change in the consumer price index and the cost of permanent improvements to the Unit; and (3) Sale within a given 10

year affordability restriction period shall create a new 10 year affordability restriction period.

Resale After Control Period - Upon the expiration of the ¹⁰~~20~~-year restricted selling period, the then current owner of the Unit may sell the Unit without restriction but the sales proceeds shall be allocated as follows:

First, to the seller in the amount of their original sales price plus the cumulative change in the consumer price index, the cost of permanent improvements to the Unit, the closing costs paid by the seller at their closing and a reasonable sales commission.

The remainder shall be split equally between the seller and a District of Columbia government fund dedicated to the provision of affordable housing.**

Enforcement:

~~Restrict covenants shall be active until the affordable Housing Production Trust Fund receives the appropriate contribution from the sale of the unit.***~~

The District government shall retain all rights to enforce the provisions of the affordability covenants, according to the provisions of this document or such enforcement mechanisms as the District government may deem appropriate. The District government shall have the right to recapture any enforcement costs.

Procedural Changes:

The substance of any of the above clauses that are included in deed restriction terms may not be modified without consent of both the unit owner(s) and the District government. Administrative, monitoring and enforcement mechanisms not included in deed restrictions may be modified at the sole discretion of the District government.

** if District funds are used to underwrite the affordability of the units. If District funds are not used, then to the H Street Community Development Corporation or its affiliated entity developing the project.

*** If District funds are used to underwrite the affordable units, the restrictive covenants applicable to the contributing funding source used will apply.