

★ ★ ★ SEP -3 PM 12 117	ADVISORY NEIGHBORHOOD COMMISSION 3C GOVERNMENT OF THE DISTRICT OF COLUMBIA CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE HEIGHTS MCLEAN GARDENS • WOODLEY PARK
Single Member District Commissioners 01-Dia Black; 02-Deborah Jane Lindeman, 03-Stephanie Zobay 04-Avram Fechter; 05-Bruce Beckner; 06-Trudy Reeves 07-Sheila Hogan; 08-Catherine May; 09-Nancy MacWood	2737 DEVONSHIRE PLACE, NW WASHINGTON, DC 20008 TEL 202/232-2232 • FAX 202/232-0667 Email anc3cmail@gmail.com Listserv http://groups.yahoo.com/group/anc3cgroup Website http://www.anc3c.org

Submitted Comments from ANC 3C To the Zoning Commission on Case 04-33 regarding Inclusionary Zoning

Advisory Neighborhood Commission 3C (ANC 3C) submits the following comments to the DC Zoning Commission on Case Number 04-33, which would establish mandatory inclusionary zoning in the District of Columbia. These comments are pursuant to a resolution approved by ANC 3C at its public meeting on April 25, 2005. The resolution is attached.

ANC 3C supports instituting mandatory inclusionary zoning in the District of Columbia, but does not support density bonuses or any other compensatory measures offered to developers as a trade-off for providing affordable housing. We agree that there is a lack of affordable housing in the District and that the cost of housing in the District has resulted in the dislocation from the District of many employees providing essential city services. It is critical that the District have a diverse workforce that can respond quickly to local and regional emergencies, such as severe snowstorms and floods, and that these employees have a realistic opportunity to live in the city where they work. Therefore, ANC 3C calls on the Zoning Commission to develop an inclusionary zoning program that includes preferences for categories of essential employment in addition to income level criteria.

ANC 3C urges the Zoning Commission to amend the Planned Unit Development (PUD) regulations to require a percentage of affordable housing units be included in any PUD application for more than 10 housing units. The PUD already allows a developer to exceed matter of right densities if the project is exceptional and includes public amenities, such as rehabilitating a park or providing public school improvements. It is established zoning law in the District that building densities must be compatible with the general housing stock in a zone district. The intent is to preserve the network of neighborhoods throughout the city while providing targeted areas for commercial development to support those neighborhoods or to consolidate larger scale development in areas like downtown. To provide flexibility for exceptions the PUD program was established, but it clearly sets out strict conditions and parameters for deviating from the carefully considered zone district limits. The current proposals before the Zoning Commission ignore the history of zoning in the District. They would automatically change the city matter of right zoning map without the usual deliberate consideration that accompanies upgrading of zone districts. They would eliminate the ability of ANCs, community organizations, and citizens to work with a developer to make sure that the project is compatible with the community and includes amenities that are needed in the community by allowing the developer to achieve the density bonus as a matter of right as long as some affordable units are provided.

~~2005-04-33~~
~~District of Columbia~~
 CASE NO. 04-33
 EXHIBIT NO. 142

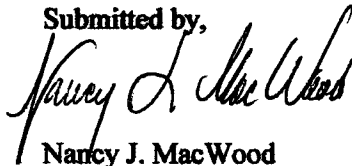
ZONING COMMISSION
 District of Columbia
 CASE NO. 04-33
 EXHIBIT NO. 142

The Zoning Commission can incorporate a city-wide need for affordable housing units as a required condition for any PUD project involving more than 10 housing units, which is the threshold suggested in the current proposals. This would allow ANC's, community groups, and citizens to work with the Zoning Commission, the Office of Planning, and developers in ensuring that affordable units are provided and that the density bonus provided by the PUD is accomplished in a manner that enhances the principles of the underlying zone district. If mandatory inclusionary zoning had been required of all PUDs in the last few years, there would be a significant stock of affordable units in the District rather than the thousands and thousands of luxury priced units now covering the city.

ANC 3C also urges the Zoning Commission to include affordable housing requirements for all PUDs no matter where these projects are located. This should be a city-wide commitment. In this regard, we also recommend that evergreen ground leases and restrictive covenants be attached to "inclusionary" units so that affordable units are not eliminated after a number of years from the housing stock. Finally, ANC 3C believes that any inclusionary zoning program must require that "inclusionary" units be standardized with the other units in a building so that there is no diminishing of the quality or livability of those units.

ANC 3C looks forward to working with the Zoning Commission in what we hope will be an expeditious enactment of inclusionary zoning within the PUD regulations, and we thank the Commission for giving our resolution great weight in your deliberations.

Submitted by,

A handwritten signature in black ink, appearing to read "Nancy J. MacWood", written in a cursive style.

Nancy J. MacWood
Chair, ANC 3C

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RESOLUTION 2005-026

Regarding Affordable Housing, Including Inclusionary Zoning

WHEREAS ANC 3C supports the concept of affordable/workforce housing, but has serious reservations about density bonuses and other issues related to the implementation of inclusionary zoning; and

WHEREAS there is already a PUD process for giving bonus density for projects that provide public amenities, but the process is structured to advocate for amenities that benefit current residents (e.g., park rehabilitation, school or recreation center amenities) more than those that would benefit future residents (affordable/workforce housing); and

WHEREAS local and regional emergencies, such as severe snowstorms, have illustrated the real risks to certain neighborhoods and the city at large from not having a diverse resident workforce (e.g., emergency health workers, nurses, firefighters) and the inclusionary zoning "income test" does not fully reflect the need for such diversity;

BE IT HEREBY RESOLVED that ANC3C supports instituting mandatory affordable housing provisions in the District of Columbia;

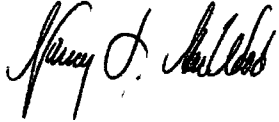
BE IT FURTHER RESOLVED that ANC3C calls upon the Zoning Commission to require that inclusionary zoning provisions requiring a percentage of affordable housing units be applied to ALL PUDs with more than 10 units of housing effective immediately, with no additional density bonuses or other trade-offs given as a result of this requirement;

BE IT FURTHER RESOLVED that ANC3C urges the Zoning Commission to adopt a mandatory affordable housing/inclusionary zoning program in the near future, but only a program uniquely tailored to DC and not based on suburban models;

BE IT FURTHER RESOLVED that ANC3C suggests the following features to be included in any affordable housing regulations:

- a) Institute evergreen ground leases and restrictive covenants on inclusionary units to keep them affordable in perpetuity instead of a limited number of years
- b) Make the provisions of affordable housing city-wide and not neighborhood-specific
- c) Include a preference system for affordable units based on employment (essential DC public services) and not just income level
- d) Ensure that affordable units are not sub-standard to other units in construction quality and livability;

BE IT FUTHER RESOLVED that ANC3C authorizes its Commissioners to petition the Mayor, Council, and Zoning Commission on behalf of this resolution.

Attested by  Chair, on May 3, 2005

Nancy J. MacWood

This resolution was approved by a vote of 7-0-1 by ANC 3C at a publicly noticed special meeting on April 25, 2005, at which a quorum of 8 of 8 members was present.