

TESTIMONY OF DAVID BOWERS
ZONING COMMISSION PUBLIC HEARING ON MANDATORY
INCLUSIONARY ZONING PROPOSALS

July 25, 2005

Good afternoon Madam Chair and members of the Zoning Commission. My name is David Bowers and I am a District resident. I currently serve as the Director of the Enterprise Foundation's Washington, D.C. office. I am here today to testify as a concerned citizen.

I urge the zoning commission to adopt a proposal that adheres as closely as possible to the principles of The Campaign for Mandatory Inclusionary Zoning ("Campaign"). First, adopt a proposal that "maximizes the number of units that will be produced". Second, adopt a proposal that "reaches the deepest levels of affordability possible". Finally, embrace a policy that "balances any costs associated with the program with some form of compensation in order to mitigate any impact on developers and landowners".

Madam Chair, we must all admit that we have a housing crisis in our city. Increasingly, hard working families are being priced out of the market. Thousands of units of affordable housing have been lost to condominium conversion and other market forces in recent years, with thousands of other affordable units in danger of being lost in the coming years. As a person who works daily to direct the efforts of an organization committed to preserving and expanding the supply of affordable housing, I am acutely aware that there is no "silver bullet" solution to the affordable housing crisis we face in our city. That said, I am confident that one necessary component of the response to the crisis is a strong and well thought out mandatory inclusionary zoning policy.

I applaud the Zoning Commission for making the decision to consider only mandatory inclusionary zoning proposals. The key now is to make sure we have a balanced policy that works in the market, and one that will produce the maximum number of units serving those most in need to the greatest extent possible. Specifically, I strongly encourage the Zoning Commission to consider the Campaign's set-aside ratios and income targeting and the length of price controls. We live in a market where the reality is that many of our working families can't afford the average home for sale or apartment for rent on the market. Nurses, police, teachers, firefighters, hotel workers and many entry-level "white-collar" employees make insufficient income to buy or rent in our city. Even if the market were to cool off, the reality is that market prices will continue to outpace incomes for the foreseeable future. The Commission needs to ensure that the maximum numbers of units are provided for at income levels that will help those most in need. We should learn the lessons from our neighbors in Montgomery County that affordable units gained can easily be lost when price controls expire. Many units that could have been produced in recent years were not produced because of the lack of a mandatory inclusionary zoning policy. The lack of action that led to this reality is a sad one that we can not only lament but also learn from today. Let us not lose this opportunity to secure as many units as we can for as long as we can now that the opportunity presents itself.

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In addition, I encourage the Commission to ensure that the requirement for on-site affordable units is a strong one, with clear provisions on what constitutes an unreasonable hardship for developers. That said, I also encourage the Commission to establish a reasonable system for developers to request waivers. There is no desire on my part to run developers out of town or out of business. Developers play a critical role in providing the housing that residents need. The Commission, advocates and developers should work to develop a system that allows developers to make appeals that will be considered by clearly defined guidelines in an expeditious manner.

Madam Chair, we as a community – advocates, developers and policy makers, must be willing to have an honest conversation about the type of city we have, the type of city that is emerging, and the type of city we want to see in the future. I firmly believe that the Nation's Capital, our city, my home, is one that should be welcoming for people from all types of social and economic backgrounds. This makes for a more vibrant city, a more inviting city, and I would offer a city that works more effectively because its workforce can live in the city and be engaged in making it better. I hope that all parties involved will take the time to work together thoughtfully to produce the most effective inclusionary zoning policy that serves the residents of the District of Columbia.

Thank you for allowing me to testify.