



COALITION FOR SMARTER GROWTH

D.C. OFFICE OF ZONING

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October 20, 2010

Anthony Hood, Chair
D.C. Zoning Commission
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001
via fax: (202) 727-6072

RE: Case No. 04-33D – Amend proposed text amendment for exemptions of affordable housing developments

Dear Chairman Hood and members of the Commission:

Please accept this testimony on behalf of the Coalition for Smarter Growth. We are a regional nonprofit organization based in D.C., focused on ensuring that transportation and development decisions are made with genuine community involvement and accommodate growth while revitalizing communities, providing more housing and travel choices, and conserving our natural and historic areas. We have participated in the creation of Inclusionary Zoning since 2003 and worked as a core member of the Campaign for Mandatory Inclusionary Zoning. We applaud the efforts of the Commission to craft this important affordable housing program. We are eager to see the full benefits of this program as the housing market recovers.

We believe that the proposed amendment is an overreach. It goes inappropriately beyond correcting the conflict between the treatment of tenants in federal and D.C.'s Inclusionary Zoning (IZ) rules. We support correcting this conflict with federal rules by exempting affordable housing developments for the period that they are subject to federal rules. We caution against going beyond this correction and creating new, overly broad exemptions which would contradict the intent of the Commission to apply IZ as broadly and consistently as possible.

In its memo to the Office of Planning (7/16/10), DHCD expressed concern that possible conflicts could arise between other District rules and IZ rules. DHCD also expresses concern that IZ regulations added to other standards for District-supported affordable housing projects would make the deals more complicated and create an administrative burden. If the Commission finds that there is sufficient evidence that District-supported affordable housing developments should be exempt from IZ, we suggest applying IZ rules after the expiration of other District requirements. IZ rules would apply after the expiration of the shorter time period (15 and 30 years) mandated in this proposed amendment. This is essentially what amended Section 2640 (Density Bonus) provides. We recommend modifying Section 2640 to provide an exemption only for the shorter control period. Once the period expires, IZ rules would apply.

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We find it disappointing that this proposed amendment would allow for the loss of affordable units after the expiration of a shorter time period than that established by Inclusionary Zoning. While 15 and 30 years might seem like a long time, currently our city – and low income families – face the loss of thousands of affordable units due to the expiration of control periods. Many of these affordable homes are found in neighborhoods such as the U Street Corridor and Columbia Heights – places that have seen dramatic increases in housing prices and loss of affordable buildings. While the revitalization of the city is positive, the loss of long-time residents and the erosion of an affordable housing stock is a tremendous problem. Inclusionary Zoning helps address this issue.

Inclusionary Zoning is a thoughtful tool to sustain mixed-income communities. It is part of the city's comprehensive housing strategy designed to ensure that the District is truly an inclusive city that can grow, change and ensure that moderate- and low-income families can still live here and share in its prosperity. Given the increased housing challenges faced by less affluent D.C. residents, we urge the Commission to not make unnecessary exemptions to its foresighted Inclusionary Zoning program.

Thank you for your consideration.

Sincerely,

Cheryl Cort
Policy Director