

DC's Zoning Commission Hearing on Inclusionary Zoning
Case Number 04-33G to the Inclusionary Zoning ("IZ") regulations, 11 DCMR 2600
6:30 PM on Thursday, March 3 & April 14, 2016, 441 4th St. NW, Suite 220-South

- My name is John Healy. I am a 28 year Ward 3 voter, taxpayer, and home owner. We are engaged, along with other residents across Ward 3, in advocating for stronger leadership and better results from DC's government agencies and commissions to make dramatic progress both in creating more affordable housing and on ending homelessness throughout the City as they are different points on the same continuum as noted by DHCD Director Polly Donaldson at your March 3 IZ hearing.
- Thank you to the Commission for holding this hearing so that we may speak up in support of the necessary changes that must be made to the inclusionary zoning program as there is a mushrooming shortage of low and moderate income housing and rents continue to rise to astronomical levels across the City. And contrary to one of its goals the IZ program to date has mostly benefited residents who are able to easily afford market rate housing. As the DC Council and the Mayor have both noted, affordable housing is a rapidly skyrocketing crisis that is now spiraling out of control adversely affecting seniors, middle and low income families, the teachers of our children, the lives of our first responders (the police, firefighters, EMTs), the wait staff and chefs who may have even prepared and served your dinner tonight and other rank and file residents alike. The reality is that not everyone who lives in DC is a rich real estate developer or an über rich professional or among the other high income households, like most of us in this room, who can readily absorb DC's sky high housing costs.
- We support the intent of the IZ program to provide affordable housing in market rate developments in exchange for development bonuses, and further support the following sorely needed amendments to the program regulations and urge the Zoning Commission to:
 1. Adopt an increase in the percent of new development set aside for affordable units from 8-10% to 15% or the greater of 15% or 75% of bonus density.
 2. Adopt a maximum income eligibility of 50% of AMI for rental units, NOT 60%, and 70% for homeownership units NOT 80%. My networks throughout the DC development community confirm that setting this AMI level will in fact NOT drive them away and that to say that it would is an unfounded urban legend that the Office of Planning likes to perpetuate. The developers want the ridiculously high profit margins that development in DC readily provides ~~them as they chuckle all the way to their bank that OP tries to get people to believe that developers would walk away~~ from DC's white hot residential development market.
 3. Include downtown residential development in the IZ program requirements.
 4. As previously noted by Vice Chair Cohen at the March 3 hearing, provide for multi-bedroom IZ units even if the development's market rate units are not designed for families.

5. As noted by Commissioner Turnbull at the March 3 hearing, expand the Mayor's authority to purchase unsold IZ units so that she can purchase as few as one unit and as many units as a developer agrees to sell for the purpose of providing affordable rental housing to residents up to 50% of AMI.
 6. Maintain the IZ homeownership units in the IZ program in perpetuity.
 7. Allow for some of the profit resulting from the sale of IZ homeownership units to be shared between the IZ seller and the IZ program.
- We do not support:
 1. Permitting off site location of IZ units even if it would result in more units because one of the goals of IZ that is distinct from other District affordable housing programs is its intent to integrate higher income residents with lower income residents and provide the latter with the potential advantages of nearby public transportation, jobs, and services;
 2. Do not support increasing the bonus density from 20% to 22% because the intent to exchange 20% bonus density for access to affordable housing for a significant group of residents who could not afford or would spend an excessive percentage of their income on market rate housing has not been realized, and it is necessary to only change the income eligibility criteria to fulfill the intent of the IZ program;
 3. Do not support increasing the matter of right bonus height from 10 feet to 20 feet because this could conflict with the Comprehensive Plan's policies on the range of heights that are appropriate for different zones and that take into account preserving neighborhood character, avoiding marked changes in heights between commercial and adjoining residential neighborhoods, and would conflict with the decisions made during ZRR that matter of right heights should not be increased; and
 4. Do not support authorizing matter of right height and density bonus in exchange for IZ unit(s) in small developments that don't meet the threshold IZ criteria because this is based on one developer's request rather than a solid and comprehensive analysis of the IZ benefit versus potential negative effects on land use policies.
 - Again thank you to the Commission for your work to get Inclusionary Zoning fixed such that you can better achieve the Commission's mandate to create mixed income neighborhoods, provide affordable housing units in market rate developments and increase home ownership for low and moderate income families and individuals within the District to ensure that the Zoning Commission fulfills your mandates to best serve the public interest and not the whims of the developers as is the well-established pattern today.

Respectfully, John Healy, Ward 3 resident, taxpayer, homeowner and voter