



COUNCIL OF THE DISTRICT OF COLUMBIA
 THE JOHN A WILSON BUILDING
 1350 PENNSYLVANIA AVENUE, N W
 WASHINGTON, D C 20004

RECEIVED
 D.C. OFFICE OF ZONING
 2015 JUL -9 AM 11: 12

June 22, 2015

Sara Bardin, Director
 D C Office of Zoning
 441 4th Street N W , Suite 200 South
 Washington, D C 20001

Dear Ms Bardin.

Enclosed is a copy of Council Resolution 21-107, the “Sense of the Council in Support of Improving Inclusionary Zoning Resolution of 2015,” adopted by the Council at the June 2, 2015 Legislative Meeting

If you have any questions regarding this resolution, please contact Nyasha Smith, Secretary to the Council, at 202-724-8080 or nsmith@dccouncil.us

Sincerely,

Phil Mendelson
 Chairman of the Council

enc

ZONING COMMISSION
 District of Columbia
 CASE NO. 04-33G
 ZONING COMMISSION
 EXHIBIT NO. 9
 CASE NO.04-33G
 EXHIBIT NO.9

RECEIVED
D.C. OFFICE OF ZONING
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A RESOLUTION

21-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 2, 2015

To declare the sense of the Council in support of amendments to the inclusionary zoning regulations, Chapter 26 of Title 11 of the District of Columbia Municipal Regulations, which require new and rehabilitated residential developments to include housing units permanently affordable to low- and moderate-income residents in exchange for permitting housing developers to obtain additional zoning density as a matter of right, to increase the availability of affordable housing.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council in Support of Improving Inclusionary Zoning Resolution of 2015”

Sec 2. The Council finds that:

(1) The District of Columbia housing and rental market is among the most expensive in the country.

(2) Many of the District’s residents spend greater than 30% of their annual income on housing costs.

(3) The Inclusionary Zoning (“IZ”) regulations of the District of Columbia, Chapter 26 of Title 11 of the District of Columbia Municipal Regulations, are a critical component of the city’s overall strategy to create affordable housing units. The regulations require developers constructing new residential units to include a certain number of affordable units to be rented or sold at a price below market rate. The regulations create 2 levels of affordability: 80% of Area Median Income (“AMI”) and 50% of AMI. Prices are calibrated so that an individual earning either 80% or 50% AMI will spend between 38 to 41% of his or her annual income on housing. To offset the cost to developers of these mandates, developers are provided with bonus density, enabling the construction of an increased number of units above what the applicable zoning regulations would otherwise permit.

(4) As of May 2014, 477 IZ units in 57 projects throughout the District have been constructed, are under construction, or are planned. Of these, 78% of the units are priced at the 80% AMI level; the remaining 22% of units are priced at the 50% AMI level. According to 2013 data from the U.S. Census Bureau, the Washington, D.C. area had the highest median income in the United States at \$90,149. AMI includes income data from Maryland and Virginia residents, in addition to District residents.

(5) Many District residents earn below 80% AMI and are in need of affordable housing options.

(6) IZ can be a more effective tool to the extent that the IZ regulations are revised to require developers to produce more affordable units and at deeper affordability levels. Such revisions, however, must not be so significant as to discourage, or make financially unfeasible, future residential development plans.

(7) Construction of residential units is at an all-time high in the District. The sooner any revision is made to the IZ regulations, the greater the impact that revision will have.

Sec. 3. (a) For the reasons set forth in section 2, it is the sense of the Council that the Zoning Commission and the Mayor must revise the Inclusionary Zoning regulations, Chapter 26 of Title 11 of the District of Columbia Municipal Regulations, to accomplish the following objectives:

(1) Increase the number of Inclusionary Zoning units produced overall;

(2) Increase the number of units produced that are affordable for lower income households;

(3) Set maximum rent, purchase price, and eligibility thresholds in a manner that ensures affordability for an adequate pool of applicants;

(4) Achieve greater affordability by lowering the upper affordability limits for moderate income households;

(5) Ensure that the zoning density bonus needed to support the cost of IZ units is available and usable, by allowing greater flexibility within the parameters of the Comprehensive Plan and offering additional bonus density as necessary to compensate for increased affordability; and

(6) Clarify the intended role for qualified nonprofits, the Mayor, and the District of Columbia Housing Authority in exercising the right of first refusal to purchase and then rent units to low-income and very-low-income residents.

(b) The Zoning Commission and the Mayor should act with care and thoroughness in their review of the existing regulations, the market, and all possible alternatives, when determining the best course of action to achieve these objectives

Sec. 4. The Chairman shall transmit copies of this resolution, upon its adoption, to the Mayor, the Office of Planning, and the Zoning Commission.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

Docket No PR21-137

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 6/2/2015

VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn Mendelson	X				Evans	X				Orange	X			
Alexander	X				Grosso	X				Silverman	X			
Allen	X				May	X				Todd	X			
Bonds	X				McDuffie	X								
Cheh	X				Nadeau	X								

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

6.19.15

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn Mendelson					Evans					Orange				
Alexander					Grosso					Silverman				
Allen					May					Todd				
Bonds					McDuffie									
Cheh					Nadeau									

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn Mendelson					Evans					Orange				
Alexander					Grosso					Silverman				
Allen					May					Todd				
Bonds					McDuffie									
Cheh					Nadeau									

X - Indicate Vote

AB - Absent

NV - Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

Date