

Comments of Caroline Petti
on
DC Office of Planning's Proposed Concept to Expand Inclusionary Zoning Requirements
to Certain Zoning Map Amendments - Expanded IZ (ZC Case No. 20-02)
July 15, 2020

Thank you for the opportunity to offer comments on the Office of Planning's proposed concept to expand the existing Inclusionary Zoning requirements for certain map amendments (Zoning Commission Case No. 20-02). OP's Expanded IZ proposal would establish more affordable housing when a zoning map amendment results in greater residential density permitted on a site than allowed under the current zoning district. OP's intent is "to produce a significant amount of affordable housing when residential density is increased through a map amendment."

Let me start by offering my strong support for OP's conceptual idea and for their interest and effort, generally, in increasing the affordable housing set-aside associated with residential development projects. I have long been concerned that changes to the Comprehensive Plan's Future Land Use Map (i.e., land use designation increases to a higher category) could presage a move away from Planned Unit Developments (PUDs) and toward map amendments and matter-of-right (MOR) development. This, in turn, would mean a lost opportunity that PUDs offer for securing additional affordable housing and other valuable city and community benefits. I believe OP's conceptual proposal is intended to mitigate that potential effect and, as such, I support it. I believe in a city as attractive and as great as Washington, D.C., density is a resource; it should be treated like an asset and never be given away without something in return.

That said, I offer the following more specific comments on several areas OP has flagged for input:

- Economic Analysis of the Enhanced IZ Concept: It goes without saying that an economic analysis of any enhanced IZ concept is critical. It should include the elements OP has identified (construction costs, unit sizes, unit mix, lot size, land values).

OP should take a close look at the possibility of proposing higher affordable set-asides than the ones proposed and, in the face of the uncertainty always attendant in economic analyses, OP should err on the side of proposing higher set-asides. In this case, even if the set-asides turn out too high, developers still have a choice of developing through a PUD process, developing matter-of-right under existing zoning or applying for a variance from the set-aside requirement with a showing that compliance will deny economically viable use of his or her land.

I also hope OP will take a particularly close look at construction costs as part of the economic analyses underlying the Expanded IZ proposal. OP seems to be gravitating toward a proposal that would require smaller affordable housing set-asides for buildings higher than fifty feet. Presumably this is based on the assumption that buildings higher than fifty feet require more expensive steel-and-concrete construction. But, this assumption may no longer be warranted. Changes in stick-built construction have enabled less expensive stick construction in much higher buildings. In any case, after analysis, if smaller affordable housing set-asides turn out to

be warranted for higher-cost steel-and-concrete construction, then the regulatory text addressing the smaller set-asides should make clear they apply to steel-and-concrete construction, not to buildings of a certain height.

- Requiring/incentivizing family-sized units (3 or more bedrooms), multi-generational housing, and units for persons with special needs: Strongly support.

- Requiring/incentivizing deeper affordability units for households earning less than 50 percent of the median family income: Strongly support.

- Requiring IZ to apply to zones currently exempt from Regular IZ: Strongly support.

- Requiring/incentivizing the preservation of PDR uses in areas also identified for residential uses: The Comprehensive Plan addresses competing interests throughout. Considering the strong policy imperatives for preserving the District's scarce and ever-dwindling PDR zones, the Zoning Commission will have to weigh PDR re-zoning requests very carefully. The case for residential re-zoning may be stronger at PDR locations close to transit hubs or in conflict with nearby land uses.

- General comment with respect to other expanded IZ concepts for discussion: OP's proposed concept to expand IZ to certain zoning map amendments is responding to 1) an anticipated increase in requests for zoning map amendments at properties where the Comprehensive Plan's Future Land Use Map increases the land use designation to a higher category, and 2) a possible decrease in PUD requests. We will lose the affordability benefit offered by Expanded IZ if the proposal and subsequent regulatory approval does not occur in a reasonably timely manner. While I support expanding IZ to the extent feasible, I would not want to see the process bog down and become a multi-year paralysis-by-analysis while map amendment approvals and matter-of-right development without expanded IZ proceed apace.

Thank you for the opportunity to comment.

--Comments submitted by Caroline Petti, DC Ward 5/Brookland resident,
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