

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: ^{JLS}
Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: May 24, 2019

SUBJECT: ZC Case 18-18 – Supplemental Report for a Proposed Zoning Text Amendment to Subtitle K to Create the Northern Howard Road Zone

At the May 2, 2019 hearing on this case, the Commission asked the Office of Planning (OP) to work with the affected ANCs and the property owner to incorporate, if appropriate, items from the ANC-property owner community benefits agreement (CBA) into the text of the Northern Howard Road (NHR) zone. OP discussed the CBA and potential zoning with representatives of ANCs 8A and 8C, as well as with the applicant's representatives.

After reviewing the CBA, OP concluded that there were no additional items that are appropriate for inclusion as development standards in the zone. However, OP is proposing an approach whereby the applicant for a design review application must provide updates to the Zoning Commission on how they are meeting various provisions of the CBA that are related to economic development. The specific items would be outlined in the text of the zone, and an update on each item would be required as part of the initial application submission. Please refer to the draft text in Attachment 1, § 1007.4.

OP is also proposing an additional IZ subsection that would state, in a reflection of the CBA, that any IZ provided beyond that required by the zone would be limited to a maximum 60% MFI. Please see § 1002.7 of the draft text.

The ANC representatives recommended that development in the NHR zone should provide a minimum of fifteen percent (15%) IZ, instead of the currently proposed and advertised ten percent (10%) requirement. OP agrees that 15% would be consistent with both the stated purpose of the proposed NHR zone (Section 1000.2 (c) states "Provide for increased height and density associated with increased affordable housing;") and the Mayor's Order 2019-036, dated May 10, 2019, which described the need to accelerate the production of affordable housing. The full Mayor's Order can be seen in Attachment 2.

OP also proposes some organizational edits to the text that should not change the intent or purpose of the regulations. The reorganization, however, would result in a new § 1011, which means that the new section of text proposed with case #18-19 would now be numbered § 1012. OP requests the opportunity to work with the Office of Attorney General on the final text for organizational consistency.

Attachment 1 – Draft NHR Zone
Attachment 2 – Mayor's Order 2019-036, Housing Initiative

JLS/mrj

NORTHERN HOWARD ROAD ZONE – SUBTITLE K, CHAPTER 10

1000 GENERAL PROVISIONS (NHR)

1000.1 The Northern Howard Road (NHR) zone is intended to be applied to a defined geographic area including the portions of squares 5860 and 5861 north of Interstate 295.

1000.2 The purposes of the Northern Howard Road (NHR) zone are to:

- (a) Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk, and design of buildings, as generally indicated in the Comprehensive Plan;
- (b) Encourage a variety of visitor-related uses, such as retail, service, and entertainment;
- (c) Provide for increased height and density associated with increased affordable housing;
- (d) Encourage superior architecture and design in all buildings and publicly accessible outdoor spaces;
- (e) Require preferred ground-level retail and service uses along Howard Road, SE;
- (f) Provide for the development of Howard Road, SE as a pedestrian- and bicycle-friendly street, with street-activating uses, and connections to metro and the broader neighborhood; and
- (g) Encourage the inclusion of a bicycle track along Howard Road.

1000.3 Where there are conflicts between this chapter and other chapters or subtitles of this title, the provisions of the NHR zone shall govern.

1000.4 Development in the ~~NHR~~[NHR-1](#) zone shall be in accordance with the development standards ~~found at Subtitle K §§ 1001 through 1010~~ [of this chapter](#).

1000.5 Penthouses shall be subject to the regulations of Subtitle C, Chapter 15 and the height and story limitations specified in this chapter.

[1000.6](#) ~~All requests to zone a property with an NHR zone shall be heard as a rulemaking.~~

1001 DEVELOPMENT STANDARDS (NHR-1)

1001.1 The NHR-1 zone is intended to permit high-density mixed-use development generally in the vicinity of the Anacostia Metrorail Station along Howard Road, SE; encourage a variety of support and visitor-related uses, such as retail, service, and entertainment uses; provide for increased height and bulk of buildings with increased affordable housing; and provide for development of Howard Road, SE as an active, pedestrian-oriented street with active ground floor uses.

~~1001.2 The development standards in Subtitle K §§ 1001.3 through 1001.19 shall control the bulk of buildings in NHR-1 zone.~~

1001.32 The maximum permitted density in the NHR-1 zone is 9.0 FAR, except as provided in Subtitle K § ~~1001.5~~ 1011.

1001.43 A building on a lot in the NHR-1 zone shall provide a minimum residential FAR of 2.5 on the lot unless modified through the provisions of Subtitle K § ~~1001.5~~ 1011 below. Residential FAR consists exclusively of uses that fall within the “Residential” use category described in Subtitle B, Section 200.2(aa).

~~1001.5 Two (2) or more lots in the NHR-1 zone may be combined for the purpose of achieving the minimum residential FAR required for all of the lots, provided that the total density limits of the zone shall not be exceeded, except that the maximum floor area on any one (1) lot in the combined lot shall not exceed 10.0 FAR.~~

~~1001.6 No allocation of gross floor area shall be effective unless an instrument is filed with the Zoning Administrator and recorded by the Recorder of Deeds in the land records against all lots included in the combined lot development.~~

~~1001.7 The instrument shall be in the form of a declaration of covenants that:~~

- ~~(a) Is signed by the owners of all affected lots;~~
- ~~(b) Runs with the land in perpetuity;~~
- ~~(c) Burdens all lots involved in the allocation of gross floor area; and~~
- ~~(d) States the maximum permitted gross floor areas for all uses in all lots, the maximum allowed gross floor area for nonresidential uses in all lots and the gross floor area of nonresidential uses allocated. The covenant shall further state that, after the transfer, the combined lots conform with the maximum gross floor area limitations.~~

~~1001.8 The declaration of covenants shall expressly state that it may be substantively amended or terminated only with the approval of the Zoning Administrator.~~

~~1001.9~~ The declaration of covenants shall be approved in content by the Zoning Administrator, who may, in his or her discretion, request their General Counsel or the Office of the Attorney General to undertake a legal sufficiency review.

~~1001.10~~ The declaration shall also contain a written statement by the Director of the Office of Planning attesting to:

~~(a)~~ The accuracy of the computations with respect to the amount of residential and nonresidential uses allocated; and

~~(b)~~ Whether, after the transfer, the combined lots will conform with the maximum gross floor area limitations for the lots before any such transfer.

~~1001.114~~ The maximum permitted building height, not including the penthouse, in the NHR-1 zone shall be:

Street Right of Way Width	Maximum Permitted Building Height, Not Including Penthouse
Greater than or equal to 110 ft.	130 feet
Less than 110 ft. but greater than or equal to one 100 ft.	120 feet
Less than 100 ft. but greater than or equal to 90 ft.	110 feet
Less than 90 ft.	No taller than the width of the street right of way, plus 20 feet

~~1001.125~~ The maximum permitted height of a penthouse in the NHR-1 zone shall be twenty feet (20 ft.); and the maximum number of stories within the penthouse shall be one (1), plus a mezzanine, except that a second story for penthouse mechanical space shall be permitted.

~~1001.136~~ The height and density limits of Subtitle K § 1001 shall serve as the maximum permitted under a planned unit development.

~~1001.97~~ The maximum permitted lot occupancy in the NHR-1 zone shall be one hundred percent (100%).

~~1001.158~~ No side yard is required for the principal building; however, any side yard provided on any portion of the principal building shall be at least two inches (2 in.) per one foot (1 ft.) of height, and no less than five feet (5 ft.).

~~1001.169~~ A minimum rear yard of two and one-half inches (2.5 in.) per one foot (1 ft.) of vertical distance measured from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than twelve feet (12 ft.) shall be provided, subject to the following conditions.

(a) A horizontal plane may be established at twenty feet (20 ft.) above the mean finished grade at the middle of the rear of the structure for the purpose of measuring rear yards;

- (b) A rear yard is not required to be provided below a horizontal plane as described in Subtitle K §1001.~~16~~9(a) above;
- (c) Where a lot abuts an alley, the rear yard may be measured from the center line of the alley to the rear wall of the building or other structure; and
- (d) Where a lot does not abut an alley, the rear yard shall be measured from the rear lot line to the rear wall of the building or other structure.

1001.~~17~~10 In the case of a corner lot, a court complying with the width requirements for a closed court may be provided in lieu of a required rear yard. For the purposes of this section, the required court shall be provided above a horizontal plane beginning not more than twenty feet (20 ft.) above the curb grade opposite the center of the front of the building and the width of the court shall be computed for the entire height of court.

1001.~~18~~11 A court is not required in the NHR-1 zone, but where it is provided, it shall have the following minimum dimensions:

Type of Structure	Minimum Width Open Court	Minimum Width Closed Court	Minimum Area Closed Court
Residential, more than 3 units	4 in./ft. of height of court; 10 ft. minimum	4 in./ft. of height of court; 15 ft. minimum	Twice the square of the required width of court dimension; 350 sq. ft. minimum
Non-Residential and Lodging	2.5 in./ft. of height of court; 6 ft. minimum	2.5 in./ft. of height of court; 12 ft. minimum	Twice the square of the required width of court dimension; 250 sq. ft. minimum

1001.~~19~~12 The minimum required Green Area Ratio for the ~~NHR~~NHR-1 zone shall be 0.2.

1002 INCLUSIONARY ZONING (~~NHR~~NHR-1)

1002.1 The ~~NHR~~NHR-1 zone shall be subject to the inclusionary zoning requirements of Subtitle C, Chapter 10, as modified by this chapter. Inclusionary zoning is indicated by the abbreviation “IZ”.

1002.2 No bonus density, as made available in Subtitle C § 1002, shall be available in the ~~NHR~~NHR-1 zone.

1002.3 Residential development in the ~~NHR~~NHR-1 zone shall set aside for IZ the following square footage:

- (a) Ten percent (10%) of the gross floor area dedicated to residential use, excluding penthouse habitable space; and
- (b) The equivalent of eight percent (8%) of the gross floor area of any residential penthouse habitable space.

1002.4 Inclusionary units resulting from the set aside required by Subtitle K § 1002.3 shall be reserved as follows:

- (a) Seventy-five percent (75%) of the set aside required by Subtitle K § 1002.3(a) shall be reserved for households earning equal to or less than sixty percent (60%) of the Median Family Income;
- (b) Twenty-five percent (25%) of the set aside required by Subtitle K § 1002.3(a) shall be reserved for households earning equal to or less than fifty percent (50%) of the Median Family Income; and
- (c) One hundred percent (100%) of the set aside required by Subtitle A § 1002.3(b) shall be reserved for households earning equal to or less than fifty percent (50%) of the Median Family Income.

1002.5 A minimum of twenty five percent (25%) of the total IZ set aside requirement shall be three-bedroom units.

1002.6 Any non-residential penthouse habitable space shall be subject to the affordable housing production requirements of Subtitle C § 1505.

1002.7 Any affordable housing generated in excess of that required by this section shall be reserved for households earning equal to or less than sixty percent (60%) of the Median Family Income.

1003 USE PERMISSIONS (NHR)

1003.1 The use permissions for the NHR-1 zone shall be in accordance with the provisions of MU-Use Group F. ~~in this section include uses permitted as a matter of right, as a special exception, and uses not permitted.~~

~~1003.2 Use permissions for the NHR zone are as specified in the following table:~~

TABLE K-§ 1002.2: NHR USE PERMISSIONS

Zone	Subtitle/Chapter	Use Group
NHRNHR-1	Subtitle U, Chapter 5	MU-Use Group F

1003.3 Buildings, structures and uses with frontage on a Designated Street of Subtitle K § 1004 shall provide specified ground floor uses in accordance with the requirements and provisions of Subtitle K § 1005.

1004 DESIGNATED STREETS (NHR)

- 1004.1 Designated Streets for the purposes of this chapter are those streets where a building with frontage on that street must comply with use and/or design regulations that may differ from the requirements of the zone through which the street passes.
- 1004.2 Refer to Subtitle K § 1005 for preferred use requirements that apply to a specified Designated Street.
- 1004.3 Refer to Subtitle K § 1006 for design related requirements that apply to a specified Designated Street.
- 1004.4 Any portion of Howard Road, SE (both sides of the street) in the ~~NHR~~NHR-1 zone shall be a Designated Street.

1005 USE REQUIREMENTS FOR DESIGNATED STREETS (NHR)

- 1005.1 Preferred use requirements shall apply only to a Designated Street identified in Subtitle K, § 1004.4.
- 1005.2 Preferred uses of this section shall include uses within the following use categories:
 - (a) Arts, design, and creation;
 - (b) Daytime care;
 - (c) Eating and drinking establishments;
 - (d) Education, public or private;
 - (e) Entertainment, assembly, and performing arts;
 - (f) Medical Care;
 - (g) Retail; and
 - (h) Service, general or financial.
- 1005.3 Any new building or structure with frontage on a Designated Street identified in Subtitle K § 1004.4 shall devote one hundred percent (100%) of the building's street frontage along a Designated Street to the preferred uses specified in this section, except for space devoted to building entrances or required for fire control.

1006 DESIGN REQUIREMENTS FOR DESIGNATED STREETS (NHR)

1006.1 The following design requirements shall apply to a Designated Street identified in Subtitle K, § 1004:

- (a) The ground floor shall have a minimum clear height of fourteen feet (14 ft.), for a continuous depth of at least thirty six feet (36 ft.) from the building line on the Designated Street;
- (b) The ground story shall devote at least fifty percent (50%) of the surface area facing a designated street to display windows or pedestrian entrances having clear low-emissivity glass, and ensure that the view through the display windows and pedestrian entrances is not blocked for at least ten feet (10 ft.) in from the building face;
- (c) Ground floor pedestrian entrances, or areas where a future ground floor entrance could be installed without structural changes, shall be located no more than an average distance of forty feet (40 ft.) apart on the façade facing the designated primary or secondary street segment; and
- (d) No direct vehicular garage or loading entrance or exit shall be permitted to a new building or structure.

1007 ZONING COMMISSION REVIEW OF BUILDINGS, STRUCTURES, AND USES (NHR)

1007.1 The provisions of this section apply to properties within the NHR zone.

1007.2 With respect to those properties described in Subtitle K § 1007.1, all proposed buildings and structures, or any proposed exterior renovation to any existing buildings or structures that would result in a substantial alteration of the exterior design, shall be subject to review and approval by the Zoning Commission in accordance with the following provisions.

1007.3 In addition to proving that the proposed use, building, or structure meets the standards set forth in Subtitle X, Chapter 6, and the relevant provisions of this chapter, an applicant requesting approval under this section shall prove that the proposed building or structure, including the architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

- (a) Help achieve the objectives of the NHR zone defined in Subtitle K § 1000.1;
- (b) Help achieve the desired use mix, with the identified preferred uses specifically being residential, office, entertainment, retail, or service uses;
- (c) Provide streetscape connections for future development on adjacent lots and parcels, and be in context with an urban street grid;

- (d) Minimize conflict between vehicles, bicycles and pedestrians;
- (e) Minimize unarticulated blank walls adjacent to public spaces through facade articulation;
- (f) Minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards; and
- (g) Promote safe and active streetscapes through building articulation, landscaping, and the provision of active ground level uses.

1007.4 Each application for review under the NHR zone shall provide a report on the following items as part of the initial submission:

- (a) Coordination by the applicant with the Department of Employment Services (DOES) regarding apprenticeship and training opportunities during construction and operation at the subject site, and the provision of any internship or training opportunities during construction and operation at the subject site, either with the applicant or with contractors working on the project independent of DOES;
- (b) Efforts by the applicant to include local businesses, especially Ward 7 and 8 businesses, in contracts for the construction or operation of the proposed project;
- (c) Efforts by the applicant to provide retail or commercial leasing opportunities to small and local businesses, especially Ward 8 businesses, and efforts to otherwise encourage local entrepreneurship and innovation; and
- (d) Coordination by the applicant with the State Archaeologist and any plans to study potential archeological resources at the subject site, and otherwise recognize local Anacostia history.

1007.5 The applicant shall also provide evidence that the information required by § 1000.7 has been served on any ANC on or adjacent to the NHR zone.

1008 RELIEF FROM DEVELOPMENT STANDARDS AND USE AND DESIGN REQUIREMENTS (NHR)

1008.1 The Zoning Commission may grant special exception relief to the development standards of this chapter and the Designated Street use and design standards of this chapter, subject to any applicable conditions of this chapter.

- 1008.2 As set forth in this chapter, specific conditions or criteria may be applicable in the consideration of relief and shall be considered in combination with the conditions of Subtitle X, Chapter 9.
- 1008.3 Requested relief that does not comply with the applicable conditions or limitations for a special exception as set out in this chapter shall be processed as a variance.
- 1008.4 Relief may be granted as a special exception by the Zoning Commission to the development standards and regulations of this chapter where, in the judgment of the Commission, the special exception:
- (a) Will be in harmony with the general purpose and intent of the NHR zone, the Zoning Regulations, and Zoning Maps;
 - (b) Will not tend to affect adversely the use of neighboring property, in accordance with the Zoning Regulations and Zoning Maps; and
 - (c) Will be subject in each case to any applicable conditions specified in this chapter.
- 1008.5 The Zoning Commission may grant, pursuant to Subtitle X, Chapter 9, special exception relief to the rear yard requirements of this chapter, provided:
- (a) No apartment window shall be located within forty feet (40 ft.) directly in front of another building;
 - (b) No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen feet (18 ft.) in front of a blank wall;
 - (c) In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards;
 - (d) Provision shall be included for service functions, including parking and loading access and adequate loading areas; and
 - (e) Upon receiving an application to waive rear yard requirements in the NHR zone, the Office of Zoning shall refer the application to the Office of Planning, the Office of Planning's Historic Preservation Office if a historic district or historic landmark is involved, the Department of Transportation, the District of Columbia Housing Authority, and any other relevant District agencies for review, report, and impact assessment.

- 1008.6 The Zoning Commission may grant, pursuant to Subtitle X, Chapter 9, special exception relief to the driveway prohibition of Subtitle K § 1006.1(d), subject to the following criteria:
- (a) The applicant shall demonstrate that there is no practical alternative means of serving the parking, loading, or drop-off needs of the building to be served by the proposed driveway, such as signage approved by DDOT that would direct vehicles to an alternative entrance point within the same square;
 - (b) The vehicular entrance will not impede the flow of pedestrian traffic on designated primary street frontage; and
 - (c) The driveway that would access the proposed parking or loading entrance or exit is not inconsistent with DDOT landscape plans for the public rights of way on the designated street frontage, to the extent that such plans exist at the time of the special exception application.

1009 PARKING AND LOADING REGULATIONS (NHR)

- 1009.1 This chapter provides conditions and requirements related to parking spaces and loading, including location and access.
- 1009.2 Vehicle parking shall be provided in accordance with the requirements of Subtitle C, Chapter 7.
- 1009.3 Bicycle parking shall be provided in accordance with the requirements of Subtitle C, Chapter 8.
- 1009.4 Loading shall be provided in accordance with the requirements of Subtitle C, Chapter 9.

1010 SUSTAINABILITY (~~NHR~~NHR-1)

- 1010.1 Each building constructed or substantially improved shall earn certification at the LEED v4.1 for New Construction Gold level, with a financial security compliant with the provisions of Section 6 of the Green Building Act of 2006, as amended (D.C. Official Code § 6-1451.05) provided to the Department of Consumer & Regulatory Affairs prior to receipt of the first certificate of occupancy for the new construction or substantial improvement.
- 1010.2 Each building constructed or substantially improved shall have an on-site renewable energy system installed and operating prior to receipt of the first certificate of occupancy for the new construction or substantial improvement, which renewable energy system shall generate at least 1% of the total energy estimated to be needed to operate the building as calculated in the energy model

submitted with the building permit application to the Department of Consumer & Regulatory Affairs.

1011 **COMBINED LOT**

1011.1 Two (2) or more lots in the NHR-1 zone may be combined for the purpose of achieving the minimum residential FAR required for all of the lots, provided that the total density limits of the zone shall not be exceeded, except that the maximum floor area on any one (1) lot in the combined lot shall not exceed 10.0 FAR.

1011.2 No allocation of gross floor area shall be effective unless an instrument is filed with the Zoning Administrator and recorded by the Recorder of Deeds in the land records against all lots included in the combined lot development.

1011.3 The instrument shall be in the form of a declaration of covenants that:

- (a) Is signed by the owners of all affected lots;
- (b) Runs with the land in perpetuity;
- (c) Burdens all lots involved in the allocation of gross floor area; and
- (d) States the maximum permitted gross floor areas for all uses in all lots, the maximum allowed gross floor area for nonresidential uses in all lots and the gross floor area of nonresidential uses allocated. The covenant shall further state that, after the transfer, the combined lots conform with the maximum gross floor area limitations.

1011.4 The declaration of covenants shall expressly state that it may be substantively amended or terminated only with the approval of the Zoning Administrator.

1011.5 The declaration of covenants shall be approved in content by the Zoning Administrator, who may, in his or her discretion, request their General Counsel or the Office of the Attorney General to undertake a legal sufficiency review.

1011.6 The declaration shall also contain a written statement by the Director of the Office of Planning attesting to:

- (a) The accuracy of the computations with respect to the amount of residential and nonresidential uses allocated; and
- (b) Whether, after the transfer, the combined lots will conform with the maximum gross floor area limitations for the lots before any such transfer.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2019-036
May 10, 2019

SUBJECT: HOUSING INITIATIVE

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to sections 422(4), (11) and 423 of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code §§ 1-204.22(4), (11) and 1-204.23 (2016 Repl.), and in accordance with Reorganization Plan No. 3 of 1975, effective July 3, 1975; Mayor's Order 83-25, dated January 3, 1983; Reorganization Plan No. 1 of 1983, effective March 31, 1983; Reorganization Plan No. 3 of 1986, effective January 3, 1987; and Mayor's Order 99-62, dated April 9, 1999, it is hereby **ORDERED** that:

I. POLICY

Housing not only provides physical, financial and emotional health and opportunity for our residents, their children and grandchildren, it also represents a critical underpinning for Washington, DC's sustainable and inclusive economic growth. For this reason, housing affordability is a top policy priority for Washington, DC. The District must work to foster housing opportunities that do not severely burden our residents, especially the most vulnerable, with high housing costs across all District neighborhoods.

The need to address housing affordability across Washington, DC is great. Since 2010, the District has experienced one of the fastest periods of sustained housing production in its history. The population has grown by more than 100,000, while 36,000 new housing unit permits were issued. Yet our housing production has not met the growing demand, as housing costs have continued to rise. Rental households across all income levels are paying a greater share of their income on housing costs and there are fewer opportunities for low- and moderate-income families to become homeowners. Nearly 50,000 District households now pay more than 50 percent of their income on housing. While it is unrealistic to expect housing costs to revert to levels of 20 years ago, increasing supply can help to slow housing cost increases, and affordable set-asides can help to ensure our communities remain inclusive to a wide range of income levels.

The next few decades are projected to continue as one the most significant periods of population growth in Washington DC's history, second only to the period between 1910 and 1950. In the last two decades, the federal government has continued to shrink and decentralize, creating an employment and economic drag on the regional economy. At the same time, however, private and technology sector employment growth in the District

and region, including Amazon's HQ2 in Arlington, VA, foretells both more opportunities for high-paying jobs and pathways to the middle class for residents and increased housing demand from middle- and high-income households.

The District already has one of the most robust set of affordable housing policies in the country and provides the greatest housing trust fund subsidy per capita of any city. Yet policies and funding alone are not enough to address the District's housing need. Increased housing production and preservation is required to address growth and ensure the District lives up to its values of being diverse and inclusive. To do this, the District must create 36,000 new residential units by 2025. Meeting the city's affordable housing needs will require that at least 12,000 of new residential units are affordable to low-income households and that the District preserve an additional 6,000 affordable housing units. The larger region must produce housing for an additional 240,000 households by 2025.

The District must plan for where these units can be located and whom these units house. The need for housing must be addressed on a continuum of income levels, unit types, and tenures. Policies affecting housing must address affordability, especially at moderate- and low-income levels. They must also include the needs for our system to support people experiencing homelessness and the goals of the Homeward DC plan. Similarly, these policies must address opportunities for both rental and ownership throughout the city with a special emphasis on high opportunity areas that provide ease of access to jobs, schools, and transit. The District must also plan for a variety of housing types, including units for large and/or multigenerational families, seniors, and persons with disabilities, in addition to emergency and permanent supportive housing for residents at risk of experiencing homelessness. Because the opportunities to meet these goals vary by neighborhood, area-specific targets for various housing types are needed.

Accordingly, this Order directs the DC Office of Planning (**OP**) and its sister housing agencies, the Office of the Deputy Mayor for Planning and Economic Development (**DMPED**), Department of Housing and Community Development (**DHCD**), Department of Consumer and Regulatory Affairs (**DCRA**), and Department of Human Services (**DHS**) to explore and implement a wide variety of policy approaches.

II. INCREASING PRODUCTION AND ACCELERATING DELIVERY

A. A Housing Framework for Equity and Growth

1. To meet the challenge of producing 36,000 additional housing units by 2025, OP shall undertake a comprehensive investigation of housing stock and production from affordable to market rate units to determine how the pace of new units can be increased, while also preserving existing affordable units.
2. Because housing markets and characteristics vary widely by neighborhood, OP shall conduct an area-specific investigation and identify tailored solutions. By area, the housing systems analysis shall:

- (a) Evaluate housing trends, needs, and capacity;
 - (b) Identify production and pipeline patterns, as well as impediments to production;
 - (c) Establish needs and identify targets for production focusing on income level (including low- and middle-income), tenure (including homeownership and emergency housing needs), type (including family-sized units, accessible units, and senior housing units), and affordable preservation;
 - (d) Propose appropriate policies and approaches for each planning area; and
 - (e) Develop a framework for evaluating progress.
3. These area-specific analyses will help achieve the goal of improving affordability and producing affordable housing throughout the city by providing a realistic picture of the opportunities for and impediments to housing production and preservation.

B. Production Incentives

1. In addition to the housing systems analysis performed by OP, DMPED and DHCD shall identify and implement policies and incentives for increasing the production of market-rate, affordable, and permanent supportive housing units.
2. These agencies shall thoroughly examine existing land use controls and recommend changes to zoning and the land use entitlement process to promote increased housing production consistent with the District's goals.
3. Within the existing planned unit development process, affordable housing shall be treated as a top priority public benefit.
4. Additional recommended changes shall include a proposal to enhance the District's inclusionary zoning rules by allowing greater density and height in return for increased affordable housing requirements aligned with financing tools such as tax-exempt bonds to achieve greater leverage and production of affordable units.
5. OP, with support from other appropriate agencies, shall evaluate increasing allowable building height and density to accommodate the city's housing goals.
6. OP shall consider and propose changes to the Comprehensive Plan necessary to facilitate the city's housing targets, and ensure the Comprehensive Plan is consistent with the aforementioned evaluation, including capturing any changes to building density and height.

C. Removing Regulatory Obstacles

1. DMPED, DHCD, OP, and the Department of Consumer and Regulatory Affairs (DCRA) shall identify and review regulatory impediments to producing market rate and affordable housing.

2. Based on this review, the agencies shall identify unnecessary and burdensome regulations or processes that can be modified or eliminated.
3. Agencies shall identify and propose more efficient and effective means of achieving important policy and regulatory goals. These regulatory goals include accelerating permit issuance for priority housing projects, including accessory dwelling units.

D. Removing Other Barriers to Affordable Housing Production

1. As part of this broader effort to accelerate housing production, DHCD shall evaluate approaches to lower the barriers of developing and producing affordable and permanent supportive housing units. To do so, DHCD shall examine ways to accelerate the time it takes to acquire property to better keep pace with private sector approaches. This examination shall include methods to expedite project selection, underwriting, and closings.
2. Concurrently, DHCD shall implement their Analysis of Impediments to Fair Housing and develop strategies to remove any such obstacles that would impede on one's ability to deliver affordable units.
3. To keep pace with the private sector and expedite affordable housing delivery, DHCD shall also implement techniques to reduce the risk of developing affordable housing and encourage larger and more complex affordable housing redevelopment projects.

E. Preserving Existing Affordable Units

In line with my efforts to preserve existing affordable housing units, I launched the Housing Preservation Strike Force, which has established a dedicated preservation unit that responsible agencies shall carry out and implement the Task Force's mandates to:

1. Identify and incentivize preserving affordable units;
2. Fund the maintenance, repair and overall inspection of affordable units; and
3. Enable vulnerable populations, such as elderly residents, to age in place.

These orders set forth at II.E.1-3 shall stand to further DHCD's preservation program and plans.

III. FAIR HOUSING

Historical patterns of land use and affordable housing investment present challenges to affirmatively furthering fair housing. DHCD, with the assistance of OP and other partner agencies, is currently conducting an Analysis of Impediments to Fair Housing. To advance Districtwide goals of an inclusive city and advance fair housing goals, I direct as follows:

1. No later than September 30, 2019, OP shall propose planning-area specific fair share targets for affordable housing production by 2025 necessary to achieve an equitable distribution of affordable units by 2045.
2. OP and DHCD shall identify new ways of promoting opportunities for affordable housing throughout the city, especially in high opportunity areas that provide access to good jobs, schools, and transit as part of the Analysis of Impediments to Fair Housing.

IV. CREATING HOMEOWNERSHIP OPPORTUNITIES

Owning a home is an important pathway for many households to achieve stability and economic wellbeing.

1. DMPED, DHCD, and OP shall seek ways to encourage developments that create ownership opportunities.
2. DHCD shall continue to help prepare and assist households to purchase homes and enjoy the stability and increased economic peace of mind that can come with homeownership.
3. Providing DC government employees, especially first responders, teachers, and front-line workers with an opportunity to live in the District is a critical goal. DHCD shall examine the effectiveness and ease of use of the Home Purchase Assistance Program and Employer Assisted Housing Program.

V. THE HOUSING SAFETY NET: HOMEWARD DC

In 2015, the District released a strategic plan to guide transformation of its housing crisis response system, with the ultimate goal of ensuring that homelessness in the District is rare, brief, and nonrecurring. Over the past four years, the District has devoted unprecedented resources to begin transforming its emergency housing stock and increase targeted housing subsidies to help individuals and families exit homelessness. Yet, rising housing costs and diminished affordable housing stock have created barriers to reaching this goal, as hundreds of households newly experience homelessness each year. To continue making progress against the Homeward DC plan, the District must redouble its efforts to fund deeply affordable and permanent supportive housing solutions. The Interagency Council on Homelessness shall work with DMPED, DHCD, and OP on aligning the affordable and permanent supportive housing strategies in the plan with the District's larger efforts.

VI. RESIDENT HOUSING EXPERIENCE

While the production of units is a critical need for the District, it is also critical that residents are able to occupy those units. The Lab @ DC shall:

1. Take a user-centered design approach to improve the way prospective and current homeowners find and utilize affordable housing programs and opportunities; and

2. Create a unified "Front Door" for housing programs that can guide residents to the appropriate opportunities for individual households.

VII. CONNECTION WITH LARGER INITIATIVES

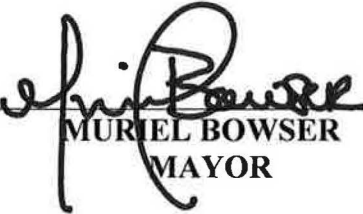
Although there is much that Washington, DC can and must do on its own to address its housing needs, the city's housing market does not exist in isolation or behind a wall. Consequently, the District's efforts to meet the housing needs for existing and future residents must leverage regional and national resources.

The demand for more housing is regional in nature and based on regional job growth. Based on projections from the Metropolitan Washington Council of Governments, DC and surrounding jurisdictions will require a minimum of 240,000 net new housing units by 2025. If other jurisdictions produce insufficient levels of housing and affordable housing or refuse to acknowledge the shared responsibility to accommodate growth, cost pressures will impact District resources and residents and disadvantage low-income residents. To address this:

1. Agencies shall work with their regional counterparts, regional constituencies, and stakeholders to broadly investigate how regulations, market forces, and community impacts and influences impede the ability to produce new housing region-wide and persuade neighboring jurisdictions to undertake their own plans.
2. Agency representatives metropolitan-wide shall advocate that such investigations into new housing production address opportunities for additional capacity, accessibility, and affordability.
3. DMPED, DHCD, and OP shall explore engaging major employers to support moderate- and middle-income housing production with an emphasis on proximity to employment opportunities.
4. Washington, DC must also make its voice heard in federal housing policy. As the Chair of the National League of Cities Task Force on Housing and a member of the advisory board of the US Conference of Mayors, I have a unique opportunity to build a strong coalition around the urgency to produce and preserve new housing units. With staff support from District agencies, this coalition should sound the call to the U.S. Department of Housing and Urban Development (HUD) that funding its public housing assets is a moral imperative. A lack of proper funding and deferred maintenance from HUD has created an unhealthy and unsafe environment for vulnerable residents who rely on public housing. This coalition should also advocate to increase funding for the Housing Choice Voucher Program, the National Housing Trust Fund, and public housing capital and operating funds to ensure the long-term sustainability of these critical sources of and supports for housing.
5. Staff and agencies shall support my efforts, through the National League of Cities and in other coalitions, to form and support partnerships to articulate and raise awareness over the impact that federal taxation policies have on housing affordability for renters and homeowners alike.

VIII. **SUPERCESSION**: This Order supersedes previous Mayor's Orders to the extent of any inconsistency therein.

IX. **EFFECTIVE DATE**: This Order shall become effective immediately.


MURIEL BOWSER
MAYOR

ATTEST: 
KIMBERLY A. BASSETT
ACTING SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA