



## ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS

WAKEFIELD

CHEVY CHASE

FORT GAINES

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[www.anc3e.org](http://www.anc3e.org)

### Resolution Regarding Expanded IZ Requirements (ZC Case 20-02)

**Whereas**, the Inclusionary Zoning (IZ) Act of 2006 was approved by the DC Council and granted developers additional density in exchange for permanently setting aside portions of each property for tenants earning 80% of the Area Median Income (AMI) and the IZ regulations were subsequently updated in 2007 to incorporate more zoning categories and again in 2016 to lower the AMI for IZ units to 60% of AMI for rental units while maintaining 80% of AMI for ownership units covering a minimum of either 8 or 10% of a properties Gross Floor Area (GFA), and

**Whereas**, on January 3, 2020 OP filed an application with the Zoning Commission (ZC) to further amend the IZ requirements to increase the percentage of required IZ units when an applicant seeks a map amendment from the ZC as part of a Planned Unit Development (PUD); the new IZ requirement could rise to as high as 20% of the GFA of a prospective building depending on the increase in the Floor Area Ratio (FAR) but the requirement also varies depending on whether the proposed building is of stick construction or steel construction and the applicant can apply to provide a lower percentage of IZ in exchange for making the units available to tenants with incomes as low as 30% of the AMI, and

**Whereas**, beginning in 2015 the Office of Planning (OP) initiated a planning process to update the Comprehensive Plan (Comp Plan) which resulted in numerous proposed amendments to both the Comp Plan and the Future Land Use Map (FLUM) and at its third public meeting concerning the Comp Plan in February of 2020 ANC 3E passed a resolution supporting many of the proposed changes to the FLUM which if approved by the DC Council could result in greater densities on a number of properties along Wisconsin Avenue within ANC 3E's boundaries if they are redeveloped through a PUD, many of which would require map amendments, and

**Whereas**, Mayor Bowser in May of 2019 came to a business in ANC 3E to issue an Order on Housing setting a District wide goal of 36,000 additional housing units, 12,000 of which are to affordable, to be built by 2025. By making the announcement in Ward 3<sup>1</sup> Mayor Bowser was clearly signaling that her administrations expectation was that some of these new units would be constructed in Ward 3, and

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<sup>1</sup> <https://www.wusa9.com/article/news/local/dc/bowser-well-use-every-tool-to-prevent-housing-developers-being-scared-off/65-0f1d266c-6343-46f7-bf22-5c493787e585>

**Whereas**, ANC 3E has consistently asked developers that appear before the ANC that they provide more IZ units than required and since the debut of the IZ requirement the following projects have been approved within the boundaries of ANC 3E with IZ units:

The Broadcast at 4620 Wisconsin Avenue NW  
The Frequecy at 4000 Brandywine Street NW  
The Ladybird at 4330 48<sup>th</sup> Street NW  
Tenley View Apartments at 4600 Wisconsin Avenue NW  
Dancing Crab at 4611 41<sup>st</sup> Street NW

**Whereas**, despite ANC 3E's efforts to facilitate the construction of more IZ units within its boundaries of the housing units in Ward 3 as of 2018 only .4% of those units (222 total) are considered income restricted affordable housing<sup>2</sup> and as of 2018 only 53 IZ units had been delivered in all of Ward 3<sup>3</sup>,

**Whereas**, according to the OP setdown report in ZC case 20-02:

*As part of the Comprehensive Plan amendment process, OP has proposed revisions to the housing element that would encourage increased market-rate and affordable housing creation in "high cost" areas of the District where existing affordable housing is limited and where land prices make it very expensive to financially subsidize affordable housing. OP has also released a draft Future Land Use Map ("FLUM") that would change the intensity of land use designations in areas, such as around metro stations, along major corridors, and on large properties. Among the reasons for the proposed changes to the FLUM designations is to identify areas where affordable housing can be accommodated in areas that can support more density.*

*While many of these areas may be developed through a Planned Unit Development, it is anticipated that requests for zoning map amendments may also increase at properties where the draft FLUM increases the land use designation to a higher category. These map amendments would likely result in properties being "up-zoned" to higher density than currently permitted. An Expanded IZ set-aside scale 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. The intent is to produce a significant amount of affordable housing when residential density is increased through a map amendment Given that IZ has been the primary tool to create the few dedicated affordable units in high opportunity areas of the District, Expanded IZ set-*

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<sup>2</sup> <https://public.tableau.com/profile/travis.pate#!/vizhome/DistrictofColumbiaIncome-RestrictedAffordableHousingbyANC/AffordableHousingANC>

<sup>3</sup>

<https://public.tableau.com/profile/dc.fiscal.policy.institute#!/vizhome/AffordableHousingPipeline/MapView>

*asides would be a valuable tool for additional housing options that align with the Planning Area targets.*

**Now therefore be it resolved**, ANC 3E has in part supported OP's amendments to the FLUM because we believe the District and Ward 3 specifically would benefit from additional IZ units and we therefore support OP's application in case 20-02 to amend the IZ requirements to require a greater number of IZ units when PUD applications require map amendments.

**Be it further resolved**, ANC 3E authorizes Commissioners Tom Quinn and Jon Bender to testify to ANC 3E's position on case 20-02 consistent with this resolution when it is heard by the DC Zoning Commission.

ANC 3E approved this resolution at its meeting on November 12, 2020, which was properly noticed and at which a quorum was present. The resolution was approved by a vote of 4-0-0. Commissioners Jonathan Bender, Amy Hall, Jonathan McHugh and Tom Quinn were present.

Jonathan Bender

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ANC 3E  
By Jonathan Bender, Chairperson