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**ADVISORY NEIGHBORHOOD COMMISSION 4D RESOLUTION ON  
COMPREHENSIVE PLAN PROCESSES AND AMENDMENTS**

January 15, 2020

Advisory Neighborhood Commission 4D urges the Office of Planning (“OP”) to adopt the following proposals for the proposed amendments to the 13 Citywide and 10 Area Elements, and the Future Land Use Map (“FLUM”) and the Generalized Policy Map (“GPM”).

**What Processes Comprehensive Plan Law Requires**

ANC 4D is concerned that the established legal process for developing amendments to the Comprehensive Plan has not been followed. The Comprehensive Plan at DC Code §1-306.04(a), titled “Preserving and Ensuring Community Input,” states that continuous community input in every phase of developing the Comprehensive Plan is essential to assure that it is the valid expression of all District stakeholders. The law contains a nonexhaustive variety of methods that should be used to secure community input which to date have not been used. The process for proposing and developing amendments to the Framework Element of the Comprehensive Plan took place over a nearly three-year period. Yet OP which released proposed amendments to the Citywide and Area Elements and the FLUM and GPM to the public on October 15, 2019 is seeking to conclude public’s and ANC involvement in the process in less than four months by February 14.

In addition, the Comprehensive Plan process has not been followed with regard to reporting the progress and impact of implementing its provisions. The Comprehensive Plan at DC Code §1-306.04(b) requires the Mayor to submit a report on the progress made in implementing the District elements of the Comprehensive Plan. It is especially important to know what impact the current provisions have had before so many major changes are proposed. As ANC 4D urged in its unanimously passed March 20, 2018 ANC 4D Resolution Regarding District of Columbia Comprehensive Plan Amendment Process and Framework

Element, OP must provide understandable data and clear impact analysis to show the need for the wholesale changes to the Comprehensive Plan Elements. ANC 4D urges OP to explain whether or not existing Plan policies and actions are working before continuing its attempt to drastically change the law.

**Comprehensive Plan Must Establish and Implement Policies to Remediate Housing Crisis that Low-Income Households Experience**

ANC 4D urges OP to identify extremely low-income households and very low-income households as the households who suffer the most under DC's housing crisis and to focus programs on these income groups in order provide safe, secure housing affordable to them to mitigate homelessness and the risk of homelessness. U.S. Department of Housing and Urban Development (HUD) 2019 statistics show that a family of four in an extremely low-income household has annual income at 30% of the Median Family Income (MFI) at the poverty level or \$36,400. The 2019 National Low Income Housing Coalition (NLIHC) DC report shows that: (1) extremely low income households can afford monthly rents of little more than \$900; (2) DC has only 40 housing units available to every 100 extremely low income households seeking housing; and (3) 80% of these households pay more than 50% of their income on housing. According to 2019 HUD reports, a very low-income household of four is at 50% of MFI and has annual income limit of \$60,650. There are only 65 homes available to every 100 very low-income households seeking housing. NLIHC's 2019 report shows that 68% of very low-income households spend more than 30% of their income on housing and 25% spend more than 50% of their income on housing. DC Code §§42-2801(1)(B)(3), (9A) (Housing Production Trust Fund definitions of extremely and very low-income); DHCD Inclusionary Zoning 2019 Maximum Income, Rent and Purchase Price Schedule, June 28, 2019 at 2; National Low Income Housing Coalition, 2019 District of Columbia Housing Profile (updated 02/28/2019).

**Commit to Preserving, Upgrading, and Building Additional Public Housing.** Based on these realities, ANC 4D urges OP to include in the Housing Element a renewed commitment to preserving, upgrading, and building more public housing. Public housing is a major tool to house extremely low-income (poverty level) households. OP should not eliminate the current Housing Element provision which calls for 1000 additional units of public housing to be built; rather, because public housing serves poverty level households (approximately 35% in the labor force, 29% seniors, and 22% disabled), OP should commit to strengthening public housing. The history of DC's demolishing public housing under HUD's HOPE VI program shows that DCHA failed to rebuild the same number and sizes of public housing units in any of the renovated developments as the District of Columbia Housing Authority (DCHA) eliminated under the HOPE VI revitalization. This drastic loss of housing for poverty level residents must be reversed. The Comprehensive Plan must require one for one replacement in the form of the same number of housing units with the same number of bedrooms as the public housing units demolished. Public housing tenants must be able to enforce DCHA's commitments regarding one for one replacement and return in order to prevent permanent displacement.

**Comprehensive Plan must commit to building majority of housing for households below 80% MFI.** ANC 4D urges the Office of Planning to be specific in continuing the Comprehensive Plan commitment to the production of housing for the neediest households who are extremely low income at or below 30% MFI and those households who are very low income at or below 50% MFI first under Policy H-1.2.1: Affordable Housing as a Civic Priority. With the current crisis in housing, ANC 4D urges the Office of Planning to change the targets in Figure 5.3 Targeted Distribution of New Affordable Units by Income Group to require two-thirds of housing production in the next 15 years to households with incomes between 0% and 80% MFI rather than targeting two-thirds of housing production for households with incomes greater than 80% MFI.

**Comprehensive Plan Commitment to Increasing Supply of Larger Households.** ANC 4D urges the Office of Planning in Policy H-1.3.1: Housing for Larger Households which calls for increasing the supply of larger family sized housing units and Policy H-2.1.3: Avoiding Displacement to establish a requirement that DC government will not fund or incentivize projects that will result in fewer housing units for large households who require 3, 4, and 5-bedroom units following redevelopment and fewer units affordable to low income households who occupied the housing units prior to redevelopment. ANC 4D is mindful that in December, 2018 DC Council approved \$47 million tax increment financing for a mixed-use project at the Brookland Manor housing complex that will produce a greater number of units overall but result in fewer units affordable for the current low-income tenant population. Many of the nearly 500 current tenant households will not be able to live at the redeveloped property because redevelopment will eliminate all four- and five-bedroom units, substantially reduce the number of three-bedroom units, and build fewer units affordable to low income tenants. Although 200 senior units will be built, seniors cannot live in the units if they choose to live with family members who are not seniors. Katie Arcieri, D.C. Council Approves TIF Financing for MidCity's Rhode Island Avenue Project, Washington Business Journal, Dec. 18, 2019; Andrew Giambrone, Northeast Tenants Sue Owner for Alleged Discrimination, Washington City Paper, Aug. 25, 2016.

**Comprehensive Plan Must Foster Strengthening Rent Control.** ANC 4D urges OP to require a strong commitment to a strengthened rent control law to preserve and upgrade existing rent-controlled buildings and bring new buildings under rent control. D.C. Code §42-3501.02(1) (rent control statutory purpose to protect low- and moderate-income tenants). In 2005, the DC Office of the Inspector General found, using the Rittenhouse, a Ward 4 rent-controlled building as one example of the impact of rent control, that rent controlled buildings experienced dramatic increases in unaffordability over a six-year period. Charles Willoughby, Review of Housing Provider Filings at the Rental Accommodations and Conversion Division of DCRA, DC Office of the Inspector General, OIG No. 05-2-19CR, Dec. 12, 2005. Although the law has since been amended, several provisions in current rent control law (e.g., voluntary agreements and hardship petitions) incentivize building owners to raise rents which force out tenants even when the housing is in extreme disrepair. Aaron Weiner, Losing Control, Washington City Paper, Dec. 12, 2014 at 6. Such owner actions reduce the supply of this nonsubsidized form of housing affordable to residents of modest income.

**Reinstate Support for Community Land Trusts.** ANC 4D urges OP to reinstate the provision supporting the formation of community land trusts (CLTs) which OP eliminated from the Housing Element amendments. With the rapidly increasing costs of purchasing housing in DC, CLTs are an important tool for maintaining long term housing affordability. CLTs separate land ownership from housing ownership. The CLT maintains ownership of the land and an individual owns the house and improvements. CLTs keep down housing appreciation.

**Prioritize Economic Development for Lasting, Tangible Benefits for DC Residents**

ANC 4D urges OP to establish policies which use public financing to advance social, economic, and racial equity in DC and that mandate the enforcement of project impact assessment requirements that mandate detailed reports from relevant government agencies which are necessary for city planners and zoning officials to evaluate proposed project benefits and impacts, measure progress toward DC's affordable goals, mitigate rising housing costs, prevent displacement, and address other project effects in collaboration with the surrounding impacted communities and their identified social and developmental priorities (adopted as part of Advisory Neighborhood Commission 4D Resolution to Strengthen the Framework Element of the 20-Year DC Comprehensive Plan, June 19, 2019). Prohibit use of public financing, public incentives, zoning variances, or special exemptions for stadiums, entertainment centers, luxury apartments, condos, or hotels unless such funding substantially benefits:

1. Mitigation of homelessness and provides housing for extremely low income, very low income, and low-income households in the District;
2. Implementation of DC's First Source Law and implements claw back legislation to take back public funding when beneficiaries of public funding fail to deliver promised jobs or other economic development;
3. Long term residents and small businesses vulnerable to displacement due to increased property values; and
4. Public transportation needs without cuts to public bus or Metrorail services, cuts to pay and benefits for workers of public bus and Metrorail services, or increases in fares for extremely low-income and very low-income riders in excess of the cost of living increases at their income levels.

**Economic, Social, and Racial Equity in Access to Social Services**

ANC 4D urges OP to establish as a fundamental provision of the Comprehensive Plan the provision of equal access to high quality public institutions and social services in every Ward and across all neighborhoods of each Ward, including, but not limited to, public libraries, public schools, hospitals and other medical facilities, clinics, parks, recreation centers, transportation services, food services, and job training centers. Legislation must be enacted and public financing must appropriated in order to ensure equity in public institutions and social services across the City.

**Rock Creek East Area Element**

**Kennedy Street Development.** There are youth who live in or frequent the Kennedy Street, NW area within and near the boundaries of ANC 4D who lack the education and training to

prepare them for gainful employment in our City. ANC 4D urges OP, in addition to requiring investment in retail and shopping in the Rock Creek East Area Element, to require investment in the youth of the Kennedy Street corridor. ANC 4D urges that investment in Kennedy Street shall include establishment of a multi-purpose, multi-generational recreation and job training center that will provide a library as well as multi-year apprenticeship training in the skilled trades and entrepreneurship training and other services focused on youth.

**ANC 4D** authorizes Commissioners Bowser and Barden to serve as the Commission's representatives in all matters relating to this resolution.

**Advisory Neighborhood Commission 4D Resolution on Comprehensive Plan Processes and Amendments** was considered on January 15, 2020 before ANC 4D at a duly noticed meeting of the Commission in the presence of a quorum. The vote of the Commission was 6 in favor, 0 against, and 0 abstaining. The Resolution is

*adopted.*

Signed by Renee L. Bowser (Renee L. Bowser), Chair of ANC 4D on 1/17/2020.