

## ***“Open Agenda” Notes for the March 21, 2017 meeting of ANC1D***

### **Agenda approval**

### **Public discussion**

“Each Commission shall set aside a portion of each public meeting *to hear the views of residents* within the Commission area and other affected persons on problems or issues of concern within the Commission area and on proposed District government actions that affect the Commission area.”

### **Committee reports:**

**Transportation (Jon)**

**Public Space (Stuart)**

**Housing (Paul)**

### **Secretary’s report**

Minutes of the February 21 meeting (draft sent out February 22).

### **Treasurer’s report**

Consent items: Checks to James True, \$75, postering for the March meeting; HearSay Interpreting, \$100, interpreting at the March meeting; Julio Lopez, \$30, for assistance at the March meeting.

Response to Auditor's request for additional information for the Q4FY2016 report posted February 23.

## ***Unfinished business***

### **District of Columbia Comprehensive Plan (Stuart)**

Resolved, that ANC 1D adds its name to the diverse group of D.C.-area organizations and companies that support the below statement of priorities for housing and community development in the District of Columbia Comprehensive Plan. The priorities are below:

1. Meet the housing demand.
2. Equitably distribute housing.
3. Best utilize areas near transit.
4. Include families.
5. Prioritize affordable housing as a community benefit.

6. Preserve existing affordable housing
7. Protect tenants
8. Support neighborhood commercial corridors
9. Clarify zoning authority
10. Improve data collection and transparency.

**Why:** The District of Columbia has recently experienced rising housing prices that make the city an increasingly unaffordable place to live. A lack of affordable housing has been particularly acute in the Mount Pleasant neighborhood. In 2016, the median home sale price in Mount Pleasant was \$760,000, which was 40 percent higher than the regional median sale price of \$446,000. Nationwide, the median home sale price was \$322,000.

In looking to the future of D.C.'s housing market, it's possible to build new housing (including affordable housing), protect the needs of tenants in redevelopment, and grow the District's tax base in a way that makes business sense and advances the public good.

The D.C. government is working on revising the city's Comprehensive Plan, a document that city leaders use to guide how the city will grow and change in the coming decades. The D.C. Office of Planning is going to submit amendments to the Comprehensive Plan this year (the current version was adopted in 2006).

A diverse group of D.C.-area organizations – to include for-profit companies and non-profit community organizations – have developed a statement of priorities to ensure that affordable housing and community development are significant components of the Comprehensive Plan. By including these priorities in the comprehensive plan, the D.C. Office of Planning will ensure that the city government takes steps to alleviate the housing crisis in our cities. These priorities appear in full below:

1. Meet the housing demand. Through the Comprehensive Plan, the District should forecast, plan for, and encourage the creation and preservation of a supply of housing (market-rate and subsidized affordable) to meet the demand at all income levels. The supply of housing should be sufficient to slow rising costs of rental and for-sale housing.
2. Equitably distribute housing. Through the Comprehensive Plan, the District should fight against segregation, foster equitable access to opportunity, and comply with Affirmatively Furthering Fair Housing (AFFH) priorities. The District should require that every part of the city participate in adding housing to meet the need for all income levels, with an emphasis on transit and commercial corridors.
3. Best utilize areas near transit. When redevelopment occurs on blocks surrounding Metrorail stations and priority transit corridors, the District should, through the Comprehensive Plan, permit and encourage mixed-use developments of medium to high density. To the extent feasible, redevelopments involving increased zoning should include affordable housing in excess of what is required by inclusionary zoning.

4. Include families. The District should be a city that houses people of all income levels and of all household sizes, including families. Through the Comprehensive Plan, the District should promote the creation and preservation of 3+ bedroom units along with other housing types.
5. Prioritize affordable housing as a community benefit. When rezoning or granting significant zoning relief, the District should affirm through the Comprehensive Plan that affordable housing (in addition to any underlying requirement) is the highest priority benefit and that other community benefits should be long-lasting.
6. Preserve existing affordable housing. When redevelopment occurs on properties with housing made affordable through subsidy, covenant, or rent control, the District, Zoning Commission, and neighborhoods should work with landowners to create redevelopment plans that preserve such units or replace any lost ones with similar units either on-site or nearby. These entities should provide the necessary density and/or potential funding to ensure it is financially feasible to reinvest in the property with no net loss of affordable units.
7. Protect tenants. Through the Comprehensive Plan, the District should ensure that when affordable housing is undergoing redevelopment, tenants have a relocation plan, are allowed to continue their tenancy with minimal disruption, and will have the right to return to their units or an equivalent replacement. Whenever feasible, redevelopment should observe build-first principles.
8. Support neighborhood commercial corridors. Through the Comprehensive Plan, the District should encourage the success of neighborhood commercial corridors and locally owned businesses, especially in disadvantaged communities. This includes increased housing density that supports businesses and providing equitable opportunities for locally owned businesses in mixed-use and commercial developments.
9. Clarify zoning authority. Through the Comprehensive Plan, the District should affirm that the Zoning Commission has the purview to allow increased density for Planned Unit Developments that supersedes the levels in the Comprehensive Plan's maps in exchange for community benefits.
10. Improve data collection and transparency. The District should provide the highest quality public data. It should standardize housing-related data collection across agencies, and release all data and forecast analyses to the public, to facilitate transparency and regular reporting on the status and progress of housing-related programs. Data should include a comprehensive housing database and demand-based forecasts alongside existing supply-based (pipeline) forecasts.

## ***New business***

**1711 Kenyon St HPRB (Jon)**

**3304 19th St HPRB (Jack)**

### **Short-term Rental Regulation and Affordable Housing Protection Act of 2017**

Resolved, that ANC1D advises the District Council Committee of the Whole to revise the “short-term rental regulation and affordable housing protection Act of 2017” to accommodate the small bed-and-breakfast operations of communities like Mount Pleasant, and, specifically, to refrain from imposing such burdensome requirements that homeowners operating such short-term rentals will be forced to stop.

Why: the stated concern of the Act is that short term rentals “can take affordable housing away from D.C. residents and disrupt neighborhood quality of life” (Councilmember McDuffie press release, January 31, 2017). Consequently, the provisions of the Act are intentionally burdensome on short-term rentals, with the implicit assumption that such rentals will, pressured by these regulations, be converted to long-term rentals.

For Mount Pleasant, this concern is entirely unwarranted. First, much of the neighborhood is a Residential Flat zone, with hundreds of basement apartments offered for long-term rental. In addition, the RF portion of Mount Pleasant has numerous small apartment houses, offering from three to 32 long-term rentals. Furthermore, the A-2 and A-4 portions of Mount Pleasant comprise large apartment houses offering many thousands of rental apartments, e.g., the Woodner, with over 1000 units. In fact, two-thirds of the approximately 5000 households of Mount Pleasant are rentals.

Compare the number of short-term rentals currently in operation in Mount Pleasant, approximately 177. Forcing these to become long-term rentals would be an insignificant change to the total number of long-term rentals available in Mount Pleasant.

In addition, not all these short-term rentals could be converted to long-term, sometimes because the homeowners can offer their rentals for only portions of the year, and sometimes because the bread-and-breakfast units do not have the kitchen facilities required for long-term rentals.

Plainly, the short-term rentals in Mount Pleasant do not “take affordable housing away from DC residents”. Furthermore, a survey of residents has turned up no complaints from neighbors about nearby short-term rentals, so there is no detectable “disrupt[ion of] neighborhood quality of life”. There is, in sum, no problem here to be solved by regulating short-term rentals out of business.

ANC1D advises the District Council that the bill, as it currently stands, would be ineffectual in increasing the supply of long-term rentals in Mount Pleasant, and would impose great

hardship on the homeowners who offer short-term rentals for the income they need to afford their own homes.

### **Post traffic and parking ticket codes (Jack)**

Resolved, that ANC1D advises the Metropolitan Police Department, the Department of Public Works, and the Department of Motor Vehicles to make the list correlating traffic and parking ticket codes with Municipal Regulations readily available on their Web sites.

Why: Traffic and parking citations do not indicate the actual violation, but merely a three-digit code and a severely abbreviated indication of the supposed violation. Simple judicial fairness requires that persons receiving such citations be able to know precisely what the accused violation is. This is especially important where there is question about the violation, and the person accused wishes to defend himself or herself against the accusation. Only with the actual text of the DCMR regulation in hand is such a defense possible.

The only on-line document linking violation codes and DCMR regulations appears to be the DPW Parking Enforcement Training Manual, dated 2013, and providing only the P-codes, not the T-codes.

All three agencies should post this document where it is readily found by any person receiving a traffic or parking citation and wanting to obtain the precise language of the regulation that he or she is charged with having violated.

This is a reiteration of the resolution passed by this Commission in 2011, to no avail.

### **Liquor license for the Pupuseria San Miguel (Yasmin)**

The commission agrees that it will be supportive of a DT license for the Pupuseria.