

HOUSING WORK GROUP REPORT
ANC 3/4G TASK FORCE ON RACISM
November 13, 2020 (Draft)

EXECUTIVE SUMMARY

Most of us chose to live in this community because it offers good schools, welcoming neighbors, a convenient and lively commercial district, public amenities like the library and community center, and tree-lined, walkable streets. We are justifiably proud of our neighborhood and want to preserve those characteristics that drew us here.

Events this year have heightened our awareness, however, of the inequities that persist in our District and society. We have marched and put up signs acknowledging the need for racial justice. We have studied and re-examined the history of our neighborhood. We have looked for ways to make our community even better, fairer, and more equitable.

The Housing Work Group — whose members include Connie Chang, Ron Eichner, Libby Martin, Judy Mays, Sarah Remes, Cal Simone, and Randy Speck, with occasional participation by others — certainly does not have all the answers. We were tasked to explore ways to begin to reverse the exclusionary housing practices of the past by encouraging a variety of housing options that will be attainable for residents with a wider range of incomes and backgrounds.¹ Creating meaningful affordable housing must be a multi-pronged, multi-year, sustained effort to be successful. The wider community will need to be involved in every step. Both government and private resources will have to be marshaled to achieve the common objective of a more diverse, inclusive community.

Part I of this report describes how the neighborhood's history shapes its present. No one defends or condones the decades of Black people's exclusion and displacement from Chevy Chase. Even into the 1970s, government and private policies and practices prevented Black people from participating in the growth and development of this community. The consequences of those policies and practices persist today in the form of elevated housing prices and few affordable housing options for most District residents.

Part II identifies what needs to change in order to rectify past inequities. Modest, incremental measures can begin to reverse that past discrimination and permit a broader range of residents to share the benefits of living in our community. We focused

¹ Appendix B describes the process that the Housing Work Group followed and includes brief bios for the Group members.

on significantly increasing the supply of attainable and affordable housing,² while building on the unique character of our Main Street and its surrounding neighborhoods.

Part III lays out our recommendations. We acknowledge that our neighborhood has been shaped by race-based policies and decisions that excluded Black residents and prevented them from sharing its benefits. Table 1 summarizes our seven recommendations and the actions that the ANC can take to address that historical inequity in housing.

Recommendation 1: Build Significant Dedicated Affordable Housing and Work Force Housing Above the Chevy Chase Community Center and the Chevy Chase Library.

The modernized Chevy Chase Community Center and the Chevy Chase Neighborhood Library should be the “town center” of the ANC-recommended Chevy Chase Gateway. Earlier this year, the ANC proposed developing significant affordable housing on this new combined campus. The strategy of co-locating mixed-income housing and public services has ample precedents in other cities. The Office of Planning’s upcoming Small Area Plan is expected to flesh out this proposal to provide a minimum of 50% income-restricted affordable housing, family-sized units, and opportunities for residents’ ownership. The District government, non-profit entities, private investment, and perhaps even the community could contribute to financing for this project. This development would provide accessible choices for District residents who have been overtly excluded from living in our neighborhood.

Recommendation 2: Encourage Significant Dedicated Affordable Housing and Work Force Housing in Private Development Along the Chevy Chase Gateway Through Expanded Inclusionary Zoning and the Small Area Plan.

The Small Area Planning process provides a unique opportunity to shape future mixed-use development along the Chevy Chase Gateway. The current Safeway, Wells Fargo Bank, and WMATA bus depot are potential sites for low-density commercial, moderate-density residential buildings. Inclusionary Zoning is a tool already in place to require a proportion of new units to be set aside for lower-income tenants or owners. We also suggest that the planning process include a charrette with broad participation by all potential stakeholders to explore how best to incorporate affordable housing into this new development and to integrate these modest projects into our neighborhood.

² “Affordable housing” is subsidized or price-regulated and occupied by a household that earns less than 120% of the Area Median Income. “Attainable housing” is not a formal term, but refers to housing priced so that a renter of modest means can rent or purchase it without spending more than 30% of the family’s income on housing and utilities. See the Glossary in Appendix A for definitions of terms.

Recommendation 3: Maintain Affordability of Currently Affordable Rental Units.

Some of our neighborhood's existing housing stock is either naturally affordable based on market forces or is subject to rent control — e.g., the buildings south of Livingston Street along Connecticut Avenue. We could find no database, however, that identifies and classifies these units so that they can be made accessible to those who need them the most. We propose that this data be collected and made publicly accessible and that it be used to ensure equitable availability. It is also essential that these rental units continue to be affordable, while also ensuring that they will be maintained.

Recommendation 4: Encourage the Council to update the District's rent control law.

The District last updated its rent control law in 1985. It should be modernized to address today's conditions. The number of rent controlled units in the District has declined significantly, and more than a quarter of all renters pay more than 50% of their income on rent and utilities — significantly more than the 30% considered affordable. Although the Council has considered reforms, it has not acted on proposed new legislation that would increase the number of units subject to rent control and limit exemptions and adjustments. We recommend that the ANC study the proposed changes to rent control in the context of addressing historic racism and urge the Council to enact those reforms that will help to increase diversity in our community.

Recommendation 5: Study Ways to Permit Familiar, Modest Home Choices — i.e., “Gentle Density” — Without Disrupting the Look and Feel of the Neighborhood.

Older neighborhoods that developed organically often had a mix of housing types — single-family homes next to duplexes, triplexes, or quadplexes. There were a range of houses between those with one family and larger multi-family apartment buildings. Some progressive cities have begun to permit this “Missing Middle Housing” that disappeared with the advent of exclusionary zoning. The look and feel of the neighborhood can be maintained through form-based codes that include resident input and allow some diversity in the way buildings look while maintaining the architectural character of the neighborhood. By design, a multi-family house should be more affordable, but the District should establish criteria and incentives to promote affordability.

Recommendation 6: Stimulate Use of Accessory Dwelling Units.

Since 2016, the District has permitted Accessory Dwelling Units (ADUs), but they have not caught on because of challenges and issues created by the complex process for approval. ADUs have real potential to address some affordable housing needs, but the District needs to streamline the process and give residents incentives to take advantage

of it. Other cities provide a model for how the District could make ADUs more accessible.

Recommendation 7: Support Vouchers to Increase Housing Diversity.

The federal Housing Choice Voucher Program provides rent subsidies for qualified participants so that tenants pay no more than 30% of their income for housing. Such vouchers can bring more families into affordable housing in Chevy Chase. In some cases, however, landlords are wary of accepting voucher recipients. Recognizing that voucher recipients, like all other tenants, must comply with the terms of their leases, more landlords should be encouraged to accept voucher tenants in existing area buildings.

Part IV describes the benefits that will accrue to our neighborhood from the increased availability of affordable housing. We have an opportunity to reimagine a community that retains the characteristics that we appreciate — walkable, tree-lined streets and a vibrant commercial corridor — and that encourages greater racial, ethnic, and income diversity.

Table 1

Recommendation 1: Build Significant Dedicated Affordable Housing and Work Force Housing Above the Chevy Chase Community Center and the Chevy Chase Library.

Key ANC Actions:

- Advise the Office of Planning to **include mixed-income housing with at least 50% dedicated affordable housing** as part of the **Small Area Plan**;
- Include **a mix of affordable and workforce housing for families** including **ownership** by residents;
- Advise the District to **work with a coalition of non-profit and for-profit developers** and the community;
- Work with the Deputy Mayor for Planning and Economic Development to prepare **a financing plan that may include participation by community groups, businesses, and foundations**; and
- Create an **ANC task force to coordinate programmatic requirements and architectural design**.

Recommendation 2: Encourage Significant Dedicated Affordable Housing and Work Force Housing in Private Development Along the Chevy Chase Gateway

Key ANC Actions:

- Advise the Office of Planning that the ANC supports enhancements to Inclusionary Zoning for **upzoned parcels in the Chevy Chase Gateway to include at least 25% affordable housing**;
- Advise the Office of Planning to hold a **charrette as part of a Small Area Plan** to explore possibilities for development in the Chevy Chase Gateway;
- In coordination with Chevy Chase Main Street, the Office of Planning, local businesses, property owners, and the Office of the Deputy Mayor for Planning and Economic Development, **solicit development proposals for mixed-use buildings along the Chevy Chase Gateway**; and
- Create an **ANC task force to work on the Chevy Chase Gateway Small Area Plan and subsequent implementation**.

Recommendation 3: Maintain Affordability of Currently Affordable Rental Units

Key ANC Actions:

- Request that the Office of Planning **establish criteria for identifying “naturally occurring affordable housing,”** determine the amount of such naturally occurring affordable housing in an area and make it publicly available;
- Request that the Office of Planning **establish protocols for how market-rate, naturally occurring affordable housing properties can be preserved**,

Recommendation 4: Encourage Council to update the District’s rent control law.

Key ANC Action:

- Study proposals to **extend the coverage of rent control** in the context of addressing historic racism, including making the law permanent.

Recommendation 5: Study Ways to Permit Familiar Modest Home Choices - “Gentle Density” - Without Disrupting the Look and Feel of the Neighborhood

Key ANC Action:

- Urge the Office of Planning to **study the feasibility and appropriateness of Gentle Density**, specifically, how the recommendations in the April 2020 publication, *Single Family Zoning in the District of Columbia*, might be implemented, and in particular the impact on existing neighborhoods, the creation of form-based codes, and strategies for achieving affordability goals.

Recommendation 6: Stimulate Use of Accessory Dwelling Units

Key ANC Actions:

- Advise the District to develop and implement incentives and mechanisms to **streamline the ADU permitting, licensing, and zoning process**; and
- Advise the District to **explore granting subsidies or incentives to promote ADU development**. Boston, Portland, and Los Angeles have been successful in stimulating ADUs with these fiscal tools.

Recommendation 7: Support Vouchers to Increase Housing Diversity

Key ANC Action:

- **Encourage landlords in Chevy Chase to accept more voucher tenants**.

The Housing Work Group’s report first looks at how the deliberately exclusionary actions of the past contributed to the inequities of the present. We then discuss what needs to change in order to make our community more inclusive. Finally, we identify key recommendations for actions that will begin to address the legacy of racism that underpins the neighborhood we hold dear.

PART I. ACKNOWLEDGING OUR HISTORY

The convening of this Task Force comes at a moment of reflection and an enhanced commitment to racial equity. It is particularly timely because of the impending development of a Small Area Plan for the Chevy Chase Gateway³ that will give our community a chance to share ideas for how to reimagine a more inclusive Chevy Chase neighborhood. Such inclusion requires a broad array of housing options that will accommodate a range of incomes and backgrounds. By providing access to housing, we can foster the environmental, sustainability, and resiliency goals the District has set for the coming decades.

We have the opportunity — and responsibility — to encourage diversity by adopting measures that enable greater and fairer access to housing. By engaging our community in conversation and action, we can work together to build a more just, enriching neighborhood that provides affordable housing and includes people across a span of income levels, ethnicities and races, and professions and occupations. In short, we can create a more welcoming environment that can help foster a sense of belonging for all the members of our community and begin to rectify the injustices of the past.

Our Historical Legacy

The European presence in Chevy Chase began with a land grant to Colonel Joseph Bell in 1725.⁴ Bell named it “Chevy Chase” after an English hunting area. For over 160 years it remained farmland until 1886 when Senator Francis Newlands led developers in a buying spree of property along Connecticut Avenue.

In 1890, Newlands and his partners formed the Chevy Chase Land Company to create residential subdivisions along the commercial stretch of Connecticut Avenue that was served by an electric streetcar and provided a direct route to downtown.

³ The “Chevy Chase Gateway” is the area along Connecticut Avenue, NW from Chevy Chase Circle to Livingston Street, NW. See ANC 3/4G Resolution Requesting Changes to the Office of Planning’s Proposed Amendments to the Comprehensive Plan, February 10, 2020, at paragraphs 5 and 8, available at <https://bit.ly/2Ir1Gzb>.

⁴ Retrieved from the Cultural Tourism DC website on September 21, 2020, available at <https://bit.ly/2IRIdeq>.

In 1908, the first of these exclusive subdivisions in Chevy Chase, DC began on Oliver Street. Expensive and of high-quality materials, many houses in the area were catalog bought and were mostly “four square,” bungalows, and Dutch colonials, with many still standing to this day.⁵

The 1920s saw the building of the Chevy Chase Arcade and the Chevy Chase Theatre (now the Avalon Theatre) on Connecticut Avenue as well as the beginning of active racial segregation. Existing Black communities were removed, racial covenants were built into the deeds of properties, and discriminatory lending practices and other barriers kept ownership of real estate in the hands of White residents.⁶

Discrimination has multi-generational effects. As the economy grew and prospered, assets like real estate appreciated in value. White property owners saw their wealth increase through home ownership and home equity, which raised their standard of living and allowed them greater access to better healthcare and educational resources and gave their children a springboard to a better life. Blacks were denied this opportunity.

This history of discrimination is not limited to our area. It is an integral part of our national story and is at the heart of a huge disparity in wealth, where an average White family has 13 times the wealth of an average Black family.⁷ This is not by accident and is not a result of personal choice of Black families.

A History of Segregation

Ward 3 is 72% White and 7% Black, compared to the District as a whole, which is 37% White and 44% Black.⁸ This disparity is the result of systemic and long-standing racism — government policies, supported by White citizens, to exclude Black residents and homeowners, both nationally and specifically in our neighborhood. Even though many of the explicitly racist legal structures no longer exist, there has never been sufficient race-

⁵ *Ibid.*

⁶ This report uses the convention adopted by *The Washington Post* and others and capitalizes both “White” and “Black.” See “The Washington Post announces writing style changes for racial and ethnic identifiers,” July 29, 2020, available at <https://wapo.st/3o96EEe>.

⁷ See “The racial wealth gap: A stark reflection of structural inequity: Lessons learned from two decades of work,” Ford Foundation website (accessed October 11, 2020) available at <https://bit.ly/2Th03JY>, and see “*In D.C., White Families Are on Average 81 Times Richer Than Black Ones*,” November 26, 2016, *The Atlantic*. Accessed on September 17, 2020, available at <https://bit.ly/2TqZmxv>.

⁸ Census Reporter, Ward 3, DC, U.S. Census Bureau, 2018, available at <https://bit.ly/31xNaQ8>; Census Reporter, District of Columbia, U.S. Census Bureau, 2018, available at <https://bit.ly/3mhVhsc>.

aware government action to dismantle the history of race supremacy. What follows is a brief summary of the history of racism that has brought us to this point.⁹

Historic Racism Led to Segregation Locally

When many wealthy neighborhoods in DC and beyond were established by developers, they were intended to be for White people only. Francis Newlands, the developer of Chevy Chase, was an avowed racist, testifying in Congress about the need for White-only neighborhoods. Restrictive covenants were not used as much in this neighborhood as they were in neighborhoods closer to the city center because high housing costs tended to keep Blacks and other racial minorities from buying here. Nevertheless, certain areas, especially around what is now Lafayette Elementary School and Lafayette Park, did have restrictive covenants.¹⁰ Thus, regardless of income or wealth, Black would-be homeowners were legally prohibited from buying houses in Chevy Chase.

To make matters worse, the land that Francis Newlands developed for the benefit of White families was not empty when he began building Chevy Chase. Black families were actively displaced from the neighborhood as it became more desirable for White families. In the 1920s, the Chevy Chase Citizens' Association actively engaged in acts of hostility to drive Black families out of Chevy Chase; the Association did not even accept Black members until the 1960s. Established and thriving Black neighborhoods in Reno City and Broad Branch Road were destroyed to make room for a growing White population, including to build two new schools, Lafayette Elementary School and Alice Deal Junior High School (now Alice Deal Middle School), that were only available to White students.¹¹

The Chevy Chase Historical Association has done extensive research on the Black community that lived along Broad Branch Road prior to 1928.¹² For 80 years, the Pointer family had lived in and farmed the area where Lafayette Park now stands until they were forced to move in the 1920s. They were among the first freed Black people to own land in upper northwest DC. At the time the Pointer family lived here, there were few houses in the area and it was not considered a desirable part of the District. This changed by 1907, with the arrival of the streetcar along Connecticut Avenue. The Chevy

⁹ For more details, we recommend reading *Color of Law: A Forgotten History of How Our Government Segregated America*, by Richard Rothstein (2017).

¹⁰ See "Mapping Segregation in DC," available at <https://bit.ly/35uufqy>.

¹¹ The Black Jesse Reno School was subsumed within the White Alice Deal school. See "Jesse Reno School," Historic DC Sites, available at <https://bit.ly/3jtM0eR>.

¹² See "Black Families Once Owned Part of Lafayette Park," Historic Chevy Chase DC, available at <https://bit.ly/3meCJsT>.

Chase Land Company began to build a suburb, accessible from downtown, and Whites began to buy land and build houses. The White families believed they needed a school and a park, so they used their political power to seize the Pointer family's land through eminent domain. Lafayette Elementary School opened for White students only in 1928.

A similar dynamic occurred at what is now known as Ft. Reno.¹³ After the Civil War, the area that had housed the fort began to be developed. Land prices were low enough — \$12.50 per lot — that some newly freed Blacks were able to buy a plot and build a home. In the years that followed, few people of any race lived in the area because it was largely inaccessible from the jobs located downtown.

In 1902, Congress established the McMillan Commission to develop plans for the District's architecture and parkland. This Commission was attracted to Ft. Reno because of its combination of spectacular views and historical meaning. White residents of nearby Tenleytown thought that this was a splendid idea, and the fact that there was already an existing Black community there was no barrier. As a newspaper reported at the time, building a park on Ft. Reno would "wipe out the colored settlement on Reno, where the houses are small and detrimental to surrounding interests." However, the District did not immediately accept this plan. Instead, it encouraged the growth of the Black community, including opening a school for Black students.

By the 1920s, the political power of the Black community in DC was at a low point because of President Woodrow Wilson's segregation of the federal workforce. With increased pressure from the growing White community, the National Park Service offered to buy land from the White absentee landowners. Remaining landowners, knowing that the Ft. Reno neighborhood would soon come to an end, stopped maintaining their properties. By the time the last Black families moved out, the once thriving community had become a slum. Even Black landowners were not able to build wealth from their investments.

By the 1940 census, the only Black people living in Chevy Chase were live-in domestics in White families or the maintenance staff in the apartment buildings along Connecticut Avenue.¹⁴

White families who bought houses in the new Chevy Chase and similar suburban neighborhoods saw their familial wealth increase as housing values rose; Black families who were unable to do so were cut out of the major wealth generator in the mid-20th century. As a result, the wealth gap between Black and White households is even

¹³ See "The Battle of Fort Reno," *The City Paper*, November 2, 2017, available at <https://bit.ly/35eoJIp>.

¹⁴ "Jim Crow Came to Chevy Chase DC: Broad Branch Rd. Black Community Evicted," presentation by the Chevy Chase Historical Society, September 16, 2020.

greater than the income gap. According to the Urban Institute, in 2016 nationally, the average White family had \$919,000 in assets, while the average Black family had only \$140,000 in assets. In DC, the gap is even greater: in 2016, the median White household wealth was \$284,000, compared to the median Black household wealth of \$3,500.¹⁵ This shockingly large wealth disparity is both a symptom and a cause of decades of housing segregation.

Racist Laws Led to Housing Segregation Throughout the Country

The federal government worked to ensure that the rising wealth of increasing housing equity stayed in the White community and that Black households would not benefit. Beginning in 1935, the Federal Housing Administration (FHA) subsidized private developers by underwriting loans — as long as those developers excluded Black households from their developments. The FHA developed maps that coded different neighborhoods according to their alleged creditworthiness, but were, in reality, based on their dominant racial makeup. Redlining, as this practice was called, prevented Black families from obtaining mortgages, which prevented them from building wealth through home equity, as White families did. Instead, Black people who wanted to own their houses entered into expensive rent-to-own contracts, where one missed payment could cause them to lose their entire investment. The impact of redlining can still be seen today through an almost perfect correlation between neighborhoods that were redlined and current high poverty levels.¹⁶ As recently reported in a *Washington Post* article headlined, “Being Black Lowers the Value of My Home: the Legacy of Redlining,” houses in previously redlined but now more affluent Black neighborhoods are significantly undervalued compared with comparable houses in White neighborhoods.¹⁷

The Supreme Court ruled that restrictive covenants were unenforceable in 1948, and the FHA stopped using redlining maps in 1975. However, that did not end banks’ and governments’ efforts to maintain all-White neighborhoods. Exclusionary zoning laws were used to keep “undesirable” residents out of neighborhoods. The first zoning laws, in the early 20th century, were explicitly racist. Nevertheless, exclusionary zoning laws were found constitutional in 1926 and were used following World War II to keep Blacks and others out of the new suburbs. In the 1970s, the Supreme Court found that exclusionary zoning laws that were race-neutral on their face were constitutional,

¹⁵ See “The Color of Wealth in the Nation’s Capital,” Urban Land Institute, November 2016, available at <https://urban.is/3onO8bp>.

¹⁶ The Office of Planning’s April 2020 report to the Council on “Single-Family Zoning in the District of Columbia” (available at <https://bit.ly/37hAznX>) includes a more detailed description of the practices that intentionally excluded groups from areas of the District, including Chevy Chase.

¹⁷ “Being Black lowers the value of my home: The legacy of redlining,” *Washington Post*, October 23, 2020, available at <https://wapo.st/2HIGcHj>.

regardless of their impact or even intent. Exclusionary zoning laws, such as those in our neighborhood that mandate single-family houses, are an artifact of legal attempts to keep neighborhoods segregated.

Today, this history of development is reflected in the makeup of our neighborhood here in Chevy Chase, DC, both in our housing stock (our “built environment”) and in the class and race of our residents. We are one of the most sought-after residential suburbs in our nation’s capital¹⁸ and also one of the least diverse among the eight Wards of DC, with only 1% in our housing stock considered affordable.¹⁹

Current Policies Continue Segregated Neighborhoods

Current policies continue to foster segregated neighborhoods, even controlling for income. One national study found that White and Asian-American middle-income families tend to live in middle-income neighborhoods, while Black middle-income families tend to live in poor neighborhoods.²⁰ Strikingly, middle-income Black families live in poorer neighborhoods than low-income White families. This matters because middle- and higher-income neighborhoods have more amenities including, of course, schools with more resources and higher test scores.

In addition to promoting exclusionary zoning laws, government and private realtors and banks have continued efforts to keep certain neighborhoods primarily White. Redlining has been replaced with so-called “reverse redlining,” in which non-White home buyers are more likely to be steered toward high interest rate and predatory mortgage loans, while White buyers with the same income and credit scores received traditional mortgages. Nationally, Black and Latino home buyers were twice as likely as White home buyers to receive subprime loans with higher interest rates, even controlling for income.²¹ This, of course, makes home-buying substantially more expensive and makes more neighborhoods unaffordable. Similarly, appraisers provide lower valuations for homes that “look Black.”²² In addition, after 2008, when subprime mortgages were more

¹⁸ See “History of Chevy Chase DC, Historic Chevy Chase DC,” available at <https://bit.ly/3dSEkkV>, accessed on September 21, 2020.

¹⁹ See “Bringing More Affordable Housing and Density to D.C.’s Affluent Neighborhoods,” Urban Land Institute, July 17, 2019, available at <https://bit.ly/2Hs4RtC>, accessed on September 10, 2020.

²⁰ “Middle-Class Black Families, in Low-Income Neighborhoods,” *The New York Times*, June 24, 2015, available at <https://nyti.ms/2U6mtOB>.

²¹ See “The Dramatic Racial Bias of Subprime Lending During the Housing Boom,” *Bloomberg News*, August 16, 2013, available at <https://bloom.bg/2IZmsto>.

²² “Black Homeowners Face Discrimination in Appraisals,” *New York Times*, August 25, 2020, available at <https://nyti.ms/37lowpy>.

tightly regulated, banks and other lenders returned to rejecting Black mortgage applications at higher rates than Whites' applications, nationally and in DC.²³

Although realtor steering — in which real estate agents steer Black families to “Black neighborhoods” and White families to “White neighborhoods” — violates fair housing laws, it continues to be a problem. A 2013 study found that Whites looking for housing were shown more options than Blacks, Latinos, and Asian-Americans.²⁴ In addition, a Long Island investigation found that Black families were steered toward certain neighborhoods, despite their expressed preferences, almost half of the time.²⁵ While there has been no equivalent study in DC, similar behavior may occur here.

External Forces Driving Change

We could continue living our lives as if this history does not matter because we can regard ourselves as good people who aren't actively denying another person an opportunity to live here if they so choose. But complacency is a corrosive factor contributing to today's injustices. The arrival of the global pandemic earlier this year laid bare the disparity in healthcare, employment, education, and housing across the District where our Black and Brown neighbors in other wards fared far worse than those of us living in Ward 3. According to the DC Fiscal Policy Institute, in April 2019, 50,000 families were on the DC Housing Authority's waiting list for public housing and over 6,000 adults and children were experiencing homelessness.²⁶ Since the beginning of the pandemic, the number of families at risk of eviction has skyrocketed.

As the global pandemic raged on, nationwide protests over racially motivated killings of Black persons by police and vigilante citizens pushed all of us to confront and reckon with our part in the creation, or quiet acceptance, of injustice. Social unrest in our cities is a reminder that we must act to end racism and social inequity or risk grave consequences to our social fabric. We have the opportunity to do our part by expanding housing opportunities in Chevy Chase.

PART II. IMAGINE OUR FUTURE: WHAT NEEDS TO CHANGE TO

²³ “For people of color, banks are shutting the door to homeownership,” *Reveal News*, February 15, 2018, available at <https://bit.ly/2FHe7Js>.

²⁴ “Discrimination in Housing Against Nonwhites Persists Quietly, U.S. Study Finds,” *New York Times*, June 11, 2013, available at <https://nyti.ms/3j8ttEp>.

²⁵ “Long Island Divided,” *Newsday*, November 17, 2019, available at <https://bit.ly/2FGUMbi>.

²⁶ DC Policy Institute, *DC's Affordable Housing Toolbox*, available at <https://www.dcfpi.org/all/dcs-affordable-housing-toolbox/> (accessed Oct. 4, 2020).

ENHANCE INCLUSIVITY IN OUR NEIGHBORHOOD

Goal: Provide a variety of housing options that will be attainable for a broad range of residents to reverse the exclusionary housing practices of the past.

What Needs to Change — Expand Housing Resources and Options

While we cannot change a history of discrimination based on race and religion in housing decisions, we can look at the legacy of those decisions, understand that they continue to have an adverse impact, and choose to act now to correct them or mitigate those impacts.

After describing that history, the Office of Planning concluded that

Segregation and inequities in the District are not exclusively the product of zoning so allowing for additional housing in single-family zones will not solve the legacy of centuries of racial discrimination and exclusion. However, ensuring that certain neighborhoods are not completely closed-off to different types of housing is an important step in that process.²⁷

The legacy of past institutionalized practices of discrimination is our lack of affordable housing, limited range of home prices, present lack of choices in housing types, and the limited diversity in neighborhood demographics. These are not simple issues to address, but, as a community and District, we should explore ways to rectify the consequences of this history.

More attainable options for housing will broaden opportunities in our neighborhood for:

- Lower-income families from diverse backgrounds;
- Retirees and those who choose to downsize and age in place;
- Recent college graduates paying off student loan debt;
- Single parent families whose resources are stretched;
- First responders and other government employees who cannot afford to live near their work; and
- First-time home buyers.

Introducing more attainable homes in the neighborhood is important, but it does not necessarily increase the amount of “dedicated affordable housing” as defined in the

²⁷ The Office of Planning’s April 2020 report to the Council on “Single-Family Zoning in the District of Columbia,” page 19, available at <https://bit.ly/37hAznX>.

Mayor's October 2019 *"Housing Equity Report: Creating Goals for Areas of Our City."* Both efforts need to be pursued to achieve meaningful range of affordable and attainable options and real levels of inclusion.

"Dedicated Affordable Housing" is "defined as income- and rent-restricted housing supported or subsidized by local and federal programs for households ranging from extremely low-income earning less than 30% of the Median Family Income (MFI) up to households earning less than 80% of the MFI."²⁸ Based on that definition, the Rock Creek West planning area — essentially Ward 3 and Ward 4 west of the Park — had only 470 dedicated affordable housing units (as compared to 2650 in Rock Creek East or 4520 in Upper Northeast, which are of similar size.) In an effort to correct this kind of inequitable distribution and address the District's acute housing affordability crisis, the Mayor has established a goal of adding 12,000 dedicated affordable housing units by 2025, with 1,990 to be located in Rock Creek West.

The Mayor's report reviews the data and methodology in some detail, but this excerpt discusses why equitable housing matters.

Establishing equitable housing goals by Planning Area is critical to advancing the District's goals of equity and inclusive prosperity and promoting the wellbeing of all residents. As Mayor Bowser's Department of Health 2018 Health Equity Report shows, where people can afford and are able to live affects not only their quality of life, but also life expectancy and economic opportunity. A growing body of evidence-based research continues to reveal just how deeply vital neighborhood conditions are to influencing and shaping life outcomes.

The availability of safe, decent, stable affordable housing across all neighborhoods is fundamental to achieving an inclusive city where all residents can thrive. The equitable affordable housing development and distribution goals presented in this report can help expand opportunities for all residents to access important health and economic opportunities.

The affordability, stability, and location of housing shapes the physical, emotional, and mental wellbeing of District residents. Families struggling to pay high housing costs or who are experiencing housing instability are more likely to have poor self-rated health, hypertension, and arthritis; more likely to forgo paying for other important needs like healthcare, healthy food, and utilities; and more likely to be evicted or become homeless.

²⁸ Available at <https://bit.ly/3fLYhJw>. The attached Glossary defines a number of the terms used in this Report.

Where people live and can afford to live matters too. Neighborhoods differ by the diversity and quality of the amenities they provide, ranging from safe streets, to vibrant retail, to green space. When neighborhoods have higher economic opportunities, less economic and racial segregation, and improved built environments, they foster improved physical and mental health for both adults and children.

Often known as “high-opportunity areas,” neighborhoods with high performing schools, amenities like grocery stores and safe parks, and accessible public transit improve access to important economic, educational, and employment opportunities. When high-opportunity neighborhoods lack affordable housing or when areas with affordable housing lack neighborhood services and amenities, low-income residents are excluded from important social and economic opportunities of those healthy neighborhoods.

Perhaps most importantly, when low-income residents can move or afford to live in high-opportunity neighborhoods, they thrive. Low-income children living in high-opportunity areas are more likely to perform better in the classroom and on academic tests compared to their peers in high-poverty areas. The benefits continue to accrue as life progresses, as those children are more likely to attend college and have increased lifetime earnings, averaging \$302,000 higher as adults compared to their low-income peers living in high-poverty areas.

PART III. WHAT SPECIFIC STEPS SHOULD BE TAKEN TO COUNTER EXCLUSIONARY PRACTICES IN HOUSING

Objectives: To significantly increase the amount of attainable and affordable housing in an equitable manner and reverse the history of exclusionary practices, while building on the unique character of our Main Street and the surrounding neighborhoods.

The Housing Work Group did not limit its objective to providing only more “dedicated affordable housing,” which has been the focus of the Mayor’s *Housing Equity Report*. Rather, the Group’s recommendations also include “workforce housing,” defined as 80% to 120% of the Area Median Income, and “attainable housing,” which is not necessarily income-restricted but requires no more than 30% of a household’s income and may include rent-controlled, rent-subsidized, and naturally occurring affordable housing. The Glossary at the end of this Report provides more detailed definitions for these terms.

Recommendation 1: Build Significant Dedicated Affordable Housing and Work Force Housing Above the Chevy Chase Community Center and the Chevy Chase Library.

Our community has a unique opportunity to create affordable and workforce housing as part of a new Community Center and Library. This combined campus can be the foundation of a vibrant Chevy Chase Gateway. By leveraging this publicly-owned site, the community can provide a significant number of affordable housing units as part of a modern Community Center and Library that will serve all residents for decades to come and that will make our community more equitable and diverse.

Funding is currently available for a new Community Center and Library. The FY 2021 Capital Budget includes \$19.506 million for the Community Center and \$18.128 million for the Library, both with expenditures budgeted for FY 2023 and FY 2024.²⁹ The ANC has recommended to the Council that these two projects be consolidated and “treated as a single project.”³⁰ The Commission further proposed that

the Community Center/Library should be a model for incorporating mixed-use residential that can help to address the District’s acute housing needs. Our Commission’s Comprehensive Plan resolution advocated for “a policy that the District will use its publicly-owned property at the Chevy Chase Public Library for future development of a new library that also includes mixed-income housing, with emphasis on affordable and workforce housing and on housing for public employees (e.g., first responders, librarians, and teachers).” By combining the Community Center and Library projects, the District can maximize its owned property to encourage this housing.³¹

Construction of housing above these public facilities is also consistent with the ANC’s recommendations for changes to the Comprehensive Plan. The Commission’s February 10, 2020 resolution envisioned “enhancement of the space around the Chevy Chase Public Library and the Chevy Chase Community Center to create an active public space” and “modernization of the Chevy Chase Public Library to include mixed-use/co-location with affordable housing development.”³²

²⁹ “FY 2021 To FY 2026 Capital Improvements Plan,” August 27, 2020, at pages 47 and 207, available at <https://bit.ly/34IHvi2>.

³⁰ ANC 3/4G Testimony before the Committee of the Whole, approved May 19, 2020, at page 4, available at <https://bit.ly/3fY4hPZ>.

³¹ *Ibid* at page 5.

³² ANC 3/4G Resolution Requesting Changes to the Office of Planning’s Proposed Amendments to the Comprehensive Plan, February 10, 2020, at pages 5 and 6, available at <https://bit.ly/2Ir1Gzb>.

The Task Force reiterates these recommendations and proposes that the combined Community Center/Library modernization project include affordable and work force housing as part of the mixed use/moderate density and as an integral part of the Small Area Plan that will be developed for the Chevy Chase Gateway.³³

Chevy Chase can look to an abundance of precedents for building affordable housing above a library³⁴ or community center.³⁵ Other cities have adopted this model for several reasons. First, the use of public property reduces the land costs for new affordable housing and makes it feasible to offer much more housing at lower costs. In order to assure the long term use of this site for affordable housing, it may be desirable to create a community land trust that would lease the land for 99 years for the purpose of developing affordable housing.³⁶ Second, a library or community center provides desirable amenities that are conveniently available to residents living in the same buildings. The Chevy Chase Gateway location is particularly attractive because it is also near grocery stores, a movie theater, multiple restaurants and shops, and public transit. Third, because the library and community center provide a meeting and activities place for the entire neighborhood, they can help to integrate residents who live in those buildings into the larger community.

The Task Force believes that the housing above the Library and Community Center should accommodate mixed incomes but with at least 50% of the units designated as affordable and income restricted. Including some market-rate units can subsidize the costs of affordable units. Experience also shows that mixed-income buildings generally fare better than buildings that are exclusively low-income.³⁷ Affordable, income-

³³ The District has also appropriated \$150,000 in FY 2021 for development of a Small Area Plan for the Chevy Chase Gateway. See District of Columbia FY 2021 Approved Budget and Financial Plan, Agency Budget Chapters, Part I at page B-79, available at <https://bit.ly/3bVYeKO>.

³⁴ See, e.g., “Cities Are Tackling the Housing Crunch—by Building Above the Library,” Lincoln Institute of Land Policy, September 27, 2019, available at <https://bit.ly/37fdPTc>; “Libraries as Affordable Housing Partners?” *Nonprofit Quarterly*, June 11, 2018, available at <https://bit.ly/2RkyK05>; “New development pairs public housing, library with aim of fostering community,” *Chicago Tribune*, January 28, 2018, available at <https://bit.ly/2ZqP5Vy>; “Affordable Housing, New Library Coming to Upper Manhattan,” *Affordable Housing Finance*, March 12, 2018, available at <https://bit.ly/2FokS2i>; “How Library Systems Can Help Address Affordable Housing Crises,” *Next City*, June 8, 2018, available at <https://bit.ly/3hjwkta>; “New Concept: A Library Topped with Affordable Housing,” *GlobeSt.*, February 6, 2019, available at <https://bit.ly/3mcYBVY>; “Independence Library and Apartments by John Ronan Architects,” *Architectural Record*, October 1, 2019, available at <https://bit.ly/3k6wZ32>; “The New Sunset Park [Brooklyn] Library,” available at <https://bit.ly/2ZB5MOg>; “Chicago Finds a Way to Improve Public Housing: Libraries,” *New York Times*, May 15, 2019, available at <https://nyti.ms/2FiXX99>.

³⁵ See, e.g., “Governor Cuomo Announces Start of Construction on \$39 Million Affordable Housing Development and Community Center in Yonkers,” December 11, 2019, available at <https://on.ny.gov/3hCacWJ>; “This is how boomers are reinventing retirement living,” *MarketWatch*, August 4, 2019, available at <https://on.mktw.net/2ZyRxJC>; “Construction To Begin On Walnut Creek Affordable Housing,” *Patch*, May 10, 2018, available at <https://bit.ly/2DYarSI>.

³⁶ See “Community Land Trusts: Leasing Land for Affordable Housing,” Lincoln Institute of Land Policy, available at <https://bit.ly/33tg04j>.

³⁷ See “Mixed-Income Housing Leads to Vibrant Neighborhoods,” Useful Community Development, available at <https://bit.ly/2RsBoRA>.

restricted units should be at a variety of levels, from 50% of the area median income³⁸ (AMI), or less, to 120% of AMI, which could be available for the District's teachers, first responders, and librarians. A majority of the units should also be designed for families. Ours is a community of families, and we want families of all incomes to be able to access the schools, parks, and other family-oriented facilities in Chevy Chase.

The Task Force also supports home ownership and recommends that a significant portion of the residences above the Library and Community Center be available for purchase. Home ownership gives low-income residents an opportunity to build equity and wealth. In order to assure continued affordability for these ownership units, there should be a requirement to live in the unit for a minimum period (e.g., five years) and a gradual ability for the owner to recover all of the accumulated equity in the unit (e.g., over the subsequent ten years). It may be desirable to have the residences above one of the buildings be rental and the other building condominiums or cooperatives.

Even with subsidies from market-rate units and the use of public land, financing this project to include substantial affordable housing may be challenging. The Task Force believes that the Chevy Chase community is up to this challenge. We propose a variation on the model that the community used successfully to purchase the Avalon Theater. Affordable housing provides a substantial benefit by diversifying our neighborhood and addressing the longstanding need for economic and racial equity. Many of our residents have the means to provide financial support to ensure that affordable housing gets built. Instead of using additional public funds or increased taxes to subsidize affordable housing, the Task Force suggests that the community raise funds — perhaps in partnership with a foundation or large donor — to reduce owners' or renters' costs to live in new residences above the Community Center and Library. A fundraising campaign, perhaps including a gala or auction, could provide concrete support for affordable housing in our neighborhood. A broad-based effort to make affordable housing a reality will build community and pride in our affirmatively inclusive neighborhood.

Of course, the development of the Community Center and Library should be respectful of the immediate neighbors. Because of the multiple uses for these buildings, they should include underground parking. Even if there is a move toward less reliance on cars generally, the patrons of the Community Center and Library — especially seniors — will need to have reliable access.

Affordable housing above the Community Center and Library will set the stage for other development along the Chevy Chase Gateway. It will demonstrate the concept and encourage other developers — both for-profit and not-for-profit — to include significant affordable housing in all the future developments on the Gateway. This influx of new residents will help bring new customers to our businesses. Most importantly, it will demonstrate concretely our community's commitment to equality and inclusiveness.

³⁸ The Washington region's AMI is \$126,000 for a family of four. See Department of Housing and Community Development, "2020 Inclusionary Zoning Maximum Income, Rent and Purchase Price Schedule," available at <https://bit.ly/2ZzNFIq>.

Action: For Recommendation 1, the Task Force recommends that the ANC take the following specific actions to include affordable housing above the Chevy Chase Community Center and the Chevy Chase Neighborhood Library:

- Advise the Office of Planning to include mixed-income housing with at least 50% dedicated affordable housing above these facilities as part of the Small Area Plan;
- Advise the Department of Parks and Recreation (DPW) and the DC Public Library to design these facilities to include a mix of affordable and workforce housing that will accommodate families and, if feasible, ownership by residents;
- Advise DPW and the Library to work with a coalition of non-profit and for-profit developers and the community on the design, construction, and implementation of affordable housing above these facilities;
- Work with the Deputy Mayor for Planning and Economic Development to prepare a financing plan that may include participation by community groups, businesses, and foundations to raise funds to help subsidize affordable housing above these facilities; and
- Create a standing task force to coordinate programmatic requirements for residences above the new Community Center and Library and to oversee and implement these specific actions.

Recommendation 2: Encourage Significant Dedicated Affordable Housing and Work Force Housing in Private Development Along the Chevy Chase Gateway Through Expanded Inclusionary Zoning and the Small Area Plan

Expanded Inclusionary Zoning

In addition to development on public property such as the Library and Community Center, privately-held parcels — and in particular those that would benefit from increased density under the proposed Comprehensive Plan amendments — should be required to provide a significant number of affordable housing units.

The District's Inclusionary Zoning (IZ) program requires developers to provide approximately 10% of their residential area as affordable housing. In instances where density is increased by the Comprehensive Plan amendments, that percentage increases to about 20% or more, based on the amount of increased density.

In light of the need to substantially increase the amount of affordable housing, the ANC's Comprehensive Plan Task Force found that "the ambitious goals for new affordable housing units in our area will not be achieved solely through traditional programs such as Inclusionary Zoning, . . . [which] simply cannot be the primary source to achieve the number of affordable units that the Comprehensive Plan contemplates for our neighborhood."³⁹

³⁹ "Advisory Neighborhood Commission 3/4G Comprehensive Plan Task Force Report and Recommendations," January 23, 2020, pages 19, available at <https://bit.ly/2RV5mPi>.

The Comprehensive Plan Task Force recognized that “a more effective way to create affordable and moderate-income units in our neighborhood may be through partnerships that include non-profit developers who are not constrained by the same economics that control traditional, for-profit projects.”⁴⁰ Such partnerships “could undertake mixed-income projects that could achieve a much higher percentage of affordable units in smaller-scale projects that are suitable for the Chevy Chase Gateway area.”⁴¹ It will be necessary and desirable, however, to include market-rate housing along with affordable housing both to provide a subsidy for affordable housing and to ensure a healthy mix of incomes.

That will require a change in how private property is developed in our neighborhood. Rather than wait for property owners to propose development of their property, the Task Force recommends that the ANC, along with the Chevy Chase Main Street, encourage developers to prepare proposals that will take advantage of the unique characteristics of the Gateway and provide mixed-income housing to complement and enhance the commercial businesses along the corridor. The extensive community involvement in the process from its inception will facilitate approval of any new development project.

Planning the Chevy Chase Gateway

With the pressing need to increase housing options to address equity, comes a need to plan carefully how best to incorporate new buildings and uses into the fabric of our existing neighborhood — e.g., what kind of buildings, what kind of shops, restaurants, and other uses?

The ANC’s February 10, 2020 resolution on proposed amendments to the Comprehensive Plan supported increased density for the Chevy Chase Gateway but asked that no zoning changes be approved until completion of a Small Area Plan, which would be a prerequisite to new development.⁴² The Office of Planning began preparing that Small Area Plan in October 2020, and it will shape future development along the Connecticut Avenue corridor.

Small Area Plans can establish a community vision and a specific framework for future development. They become part of the Comprehensive Plan, and any zoning or other development actions must be consistent with that plan.

One of the most effective ways to conduct a community planning effort is the “charrette,” an intensive and inclusive brainstorming effort to envision the future – how changes might look, how they might work, how they might be financed. The Task Force recommends that the ANC — in collaboration with the Office of Planning — convene a

⁴⁰ Comprehensive Plan Task Force Report, page 19.

⁴¹ Comprehensive Plan Task Force Report, page 19.

⁴² “ANC 3/4G Resolution Requesting Changes to the Office of Planning’s Proposed Amendments to the Comprehensive Plan,” February 10, 2020, page 4, available at <https://bit.ly/2Ir1Gzb>.

charrette to explore ways to develop key sites while maintaining the urban qualities we cherish along the Chevy Chase Gateway. The charrette should include for-profit and non-profit developers, property owners, affected businesses, design/construction/financing professionals, community members, and prospective low-income residents. The charrette should identify ways to achieve our affordable housing, diversity, and inclusivity objectives while preserving the neighborhood's other important values.

There is an opportunity here for a Small Area Plan to focus particular attention on the mixed-use, mixed-income development of three sites to ensure that they include the maximum feasible levels of affordable housing: (1) the current Safeway grocery store and parking lot; (2) the current Wells Fargo Bank and parking lot; and (3) the WMATA bus depot and the adjacent office building and parking lot. Other sites may also be suitable for developing affordable housing, but these probably offer the most potential.

A Small Area Plan would address key questions for privately owned property along the Chevy Chase Gateway, including those that the ANC raised in its Comprehensive Plan resolution:

New mixed-use buildings — e.g., at the current Safeway and Wells Fargo bank buildings —should be visually and physically compatible with existing buildings on Connecticut Avenue and *should include significant affordable and workforce housing*;

* * *

Modernization of the bus depot site to serve as a station for a new shuttle connector to Metro, a location for local history and arts displays, retail pop-ups, *potentially being incorporated into housing*, etc; [and]

* * *

Ensure new affordable and workforce housing in mixed-income developments is built at a level significantly above Inclusionary Zoning and Inclusionary-Plus Zoning and that such housing is offered on a first-priority basis to teachers, librarians, first responders, caregivers, etc., who work locally and whose salaries are publicly funded (i.e., workforce housing).⁴³

As the Comprehensive Plan Task Force recommended, the Small Area Plan “should encourage ownership of affordable and moderate-income housing for families” while retaining affordability for at least 15 years.⁴⁴ This will allow lower-income families to build equity and wealth over time. The Task Force fully supports those ANC recommendations.

⁴³ Comprehensive Plan Resolution, pages 4-5 (emphasis added).

⁴⁴ Comprehensive Plan Task Force Report, page 20.

Action: For Recommendation 2, the Task Force recommends that the ANC take the following specific actions to encourage significant affordable housing at Chevy Chase Gateway sites:

- Advise the Office of Planning that it supports enhancements to Inclusionary Zoning for upzoned parcels in the Chevy Chase Gateway area to include at least 25% affordable housing;
- Advise the Office of Planning to convene a broad-based, inclusive charrette as part of a Small Area Plan process to explore possibilities for development of key sites along the Chevy Chase Gateway that will include substantial affordable housing;
- In coordination with Chevy Chase Main Street, the Office of Planning, local businesses, property owners, and the Office of the Deputy Mayor for Planning and Economic Development, solicit development proposals for mixed-use buildings along the Chevy Chase Gateway consistent with opportunities identified in the Small Area Plan; and
- Create a standing task force to work with the Office of Planning on the Chevy Chase Gateway Small Area Plan and to oversee and implement these specific actions.

Recommendation 3: Maintain Affordability of Currently Affordable Rental Units

In the District, housing is generally considered “affordable” when a household spends no more than 30% of its income on housing and utilities. In addition to strictly “affordable” units, our neighborhood includes apartment buildings with naturally occurring affordable housing — basically, reasonably priced, “attainable” housing. To foster greater equity and encourage real diversity in Chevy Chase, we must employ all affordability measures — adding new affordable housing as well as maintaining existing attainable housing. We must also gain a better understanding of where these occur in our neighborhood and have access to accurate data. Some of the rental units in buildings on Connecticut Avenue south of Livingston Street are priced lower cost due to market forces. Units in other buildings are less affordable despite being rent controlled. The number of units in these categories is not readily available, which makes it harder to forecast and benchmark toward a specific housing goal.

To protect the full range of affordability, we must be able to preserve the existing stock of well-maintained, lower cost housing units available in Chevy Chase. For buildings not subject to rent control, it is unclear what mechanisms are available to achieve this goal.

Action: For Recommendation 3, the Task Force recommends that the ANC take the following specific actions to identify ways to support naturally occurring affordable housing in the area:

- Request that the Office of Planning establish criteria for “naturally occurring affordable housing,” determine the amount of such naturally occurring affordable housing in an area, and make the data publicly available;

- Request that the Office of Planning establish protocols based on innovative examples for how market-rate, naturally occurring affordable housing properties can be preserved, including local incentives that have been proven effective in preserving these types of units

Recommendation 4: Encourage the Council to update the District’s rent control law.

Over half (57.6%) of District households are renters — 35.6% are Black and 15.6% are White. There are roughly 80,000 rent-controlled units in the District — nearly half of all the rental apartments. In 2018, 26.4% of District renters were severely cost-burdened — i.e., the household spends at least 50% of its income on rent and utilities.⁴⁵

In the District, the current rent control law is the Rental Housing Act of 1985. The law limits rent increases in buildings constructed prior to 1975 and guarantees landlords a 12% rate of return. In 2019, the annual rental increase allowed was 4.3%. For senior and disabled tenants, the amount was the consumer price index, 2.3%.⁴⁶

The Rental Housing Act’s goal is to protect tenants from rapid, unreasonable increases in their rents. The law is also seen as a simple, straight-forward way to keep housing affordable for families in rent-controlled buildings. Additionally, at a time when many areas are falling prey to gentrification, rent control can help people afford to stay in their communities rather than be displaced. Advocates also emphasize that the goal of housing should be the provision of decent, affordable shelter for individuals, rather than only investment opportunities for landlords.

Opponents believe that rent control isn’t effective in promoting housing affordability, and that it even worsens the housing shortage. Taking large shares of units off the market can cause prices to rise, which ultimately contributes to forcing residents out of their residences. Those against rent control also argue that if the District’s goal is to maintain the size of the city’s rent-stabilized stock, the answer is to relax the rules that govern rent increases, not tighten them so that costs stay feasible for landlords. Another criticism is that rent regulations impede the natural filtering of households from one rental unit to another. People with a capped rent may be disinclined to move, even as their incomes increase. As a result, apartments in rent-controlled buildings may not become available to low-income people.

⁴⁵ See “The D.C. and U.S. Rental Market by the Numbers,” *Urban Turf*, February 4, 2020, citing Harvard University’s Joint Center for Housing Studies Rental Housing report, available at <https://bit.ly/3kcFGcN>.

⁴⁶ DC Government, Office of the Tenant Advocate, *Rent Control CPI 2019*, available at <https://bit.ly/2FMfwP4> (accessed Oct. 4, 2020).

Since 1985, the District has lost about 50,000 rent-controlled units, a decline of more than 38% from the 130,000 rent-controlled units in the past.⁴⁷ Specific reasons for the decline include conversion of rent controlled units to condominiums and cooperatives, vacancy increases, hardship petitions, and voluntary agreements pursued by landlords. Voluntary agreements allow landlords raise rents on future tenants, which often results in landlords finding ways of pushing existing tenants to move out. Landlords can also get other increases approved by petitioning in various ways.

In general, representatives of the property management industry have been active opponents to rent control expansion, calling instead for more government-backed rental assistance and affordable housing funds. On the other hand, coalitions such as Reclaim Rent Control say property owners exploit holes in the current rent control law to the detriment of lower-income residents, who are disproportionately Black and Latinx.

On July 27, 2020, Councilmembers Trayon White and Brianne Nadeau introduced an amendment that would substantially reform rent control. “The Rent Stabilization Program Reform and Expansion Amendment Act of 2020” would:

- Limit the new construction exemption to buildings constructed in the last 15 years;
- Limit the small housing provider exemption to landlords with three or fewer units;
- Eliminate the vacancy increase;
- Change hardship petition rent adjustments to surcharges reviewable after a three-year period;
- Cap hardship petition rent surcharges at 5% per year;
- Eliminate rent adjustments based on voluntary agreement; and
- Require landlords to maintain replacement reserve accounts for three years before seeking a rent adjustment by petition.

On July 28, 2020, the Council voted to extend the current rent control law, without the proposed reforms, for another ten years, until the end of 2030. The Office of the Tenant Advocate (OTA) is urging individuals and partner groups to push to extend rent control to more buildings in the District and to make the law permanent by contacting the ANC and asking them to send Official Resolutions to the Council. The Task Force recommends that the ANC consider a resolution urging the Council to reform rent control and to make the law permanent.

Action: The Task Force recommends that the ANC study proposals to extend the coverage of rent control in the context of addressing historic racism and urge the Council to enact those reforms that will help to increase diversity in our community, including making the law permanent.

⁴⁷ Curbed Washington DC, *DC Could Extend Rent Control through 2030*, (updated Nov. 1, 2019), available at <https://bit.ly/35toSYX> (accessed Oct. 4, 2020).

Recommendation 5: Study Ways to Permit Familiar Modest Home Choices — i.e., “Gentle Density” — Without Disrupting the Look and Feel of the Neighborhood

In addition to taking advantage of opportunities along the Avenues west of the Park to develop buildings that include significant affordable housing, the District should examine how to permit familiar, modest home choices like duplexes, triplexes and quadplexes throughout our neighborhood while ensuring that those homes will be more affordable as well as compatible with the look and feel of the existing homes. Historically, before they were banned by discriminatory zoning practices, such modest home choices co-existed with single-detached residences to create mixed-income neighborhoods that allowed opportunities for diversity.

This effort to revitalize that mix of housing types is sometimes called “Missing Middle Housing” or “Gentle Density” and is being studied and implemented in progressive cities across the nation.

Missing Middle Housing refers to “a range of multi-unit or clustered housing types that are compatible in scale with detached single-family homes that fall somewhere between a single-family home and a larger apartment building in their density.” These types of housing options can be more affordable for low- and moderate-income families than single-family homes.

Gentle Density

refers to allowing additional housing density through context-sensitive development . . . development that respects neighborhood character, while considering neighborhood priorities, such as affordable housing and public facilities. . . . The types of housing that could fit within a single-family neighborhood will vary but could include many different types of missing middle housing that are compatible in scale and design with single-family homes. For example, duplexes, triplexes, quadplexes, residential flats, or accessory apartments can be nearly indistinguishable in a detached single-family neighborhood, and a small multi-unit building may not be out of context in an attached single-family neighborhood. There is not a one-size-fits-all solution that can be applied across the District’s single-family neighborhoods.⁴⁸

⁴⁸The Office of Planning’s April 2020 report to the Council on “Single-Family Zoning in the District of Columbia,” available at <https://bit.ly/37hAznX>.

Spectrum of Solutions — Affordable by Design⁴⁹

Solutions to the affordability crisis lie on a spectrum. At one end, an increase in subsidized housing can help those with lower incomes. At the other end, an increase in housing of all kinds in walkable places can help alleviate rising prices due to high demand for low supply. Missing Middle Housing can be “naturally occurring affordable housing” because it is *affordable by design*. The following qualities of missing Middle contribute to their relative affordability.

Smaller Units and Lower Land Costs

Missing Middle Housing units typically range from studios to three-bedrooms, but they are inherently smaller than conventional detached houses. This makes them more affordable, both as smaller units and because they share a lot with other units, so the land costs associated with each unit are lower.

Simple Construction

Missing Middle Housing is stick-built (wood-frame construction) and low-rise, which means construction costs are lower than for larger buildings, since costs such as concrete podiums are avoided. The simple construction also makes it viable for homeowners and small, local businesses to build Missing Middle Housing, vastly increasing the pool of “developers” able to contribute to the supply of affordable housing.

Local Business and Ownership Opportunities

Missing Middle Housing also provides local business and ownership opportunities. Federal home loans can be used for buildings up to four units, which means homeowners can qualify to purchase a Missing Middle Housing building that could contain their own, more affordable unit, plus up to three additional units, which can provide additional income.

In addition, Missing Middle Housing in infill locations is not likely to be built by large developers. Instead, small, local developers will build it incrementally.⁵⁰

⁴⁹ Ideas on affordable by design, middle housing, and their advantages are based on the work of Opticos Design, Inc., an architectural design consulting B corporation, founded in 2000 and located in Berkeley, CA. For more information, go to <https://opticosdesign.com/about/>.

⁵⁰ “Helping locals strengthen their neighborhoods through small-scale real estate projects,” available at <https://www.incrementaldevelopment.org>.

Other jurisdictions have increased the variety of housing types in single-family zones. For instance, Minneapolis and Oregon have passed laws that require all single-family zones to accommodate more housing. Minneapolis justified this change because of the historical connection between single-family zoning, segregation, and a lack of affordable housing. Virginia and Nebraska both proposed similar bills, which would allow up to duplexes and up to quadplexes in all single-family zones, respectively. Both states cited housing affordability concerns.⁵¹

Closer to home, Montgomery County, MD and Arlington, VA are both studying Missing Middle Housing options for their single-family zones. The Arlington County Department of Community Planning, Housing and Development (CPHD) is currently undertaking an extensive, impressive study of the feasibility of Missing Middle Housing, particularly regarding its affordability.⁵² The Task Force urges the ANC to request that the Office of Planning review Arlington's efforts to use Missing Middle Housing:

- To expand the supply of housing;
- To broaden the types of housing available; and
- Preserve or increase the supply of affordable housing.

Arlington recognizes that Missing Middle Housing could be an effective tool to counter a history of racist exclusionary practices that is being studied or implemented nationwide. Understanding that many communities have similar concerns and parameters, they are reaching out broadly in order to benefit from the experience and creativity of others as they formulate the details of their plans. The Task Force believes that is a model worth emulating.


Form-Based Codes — Defining Compatibility with Existing Neighborhood

A key to making Missing Middle Housing successful is to develop what the planners call “Form-based Codes” that define what it means to be compatible with the existing neighborhood. This usually includes restrictions on height, size, size of lots, etc. The critical goal would be to allow some diversity in the way buildings look while maintaining the architectural character of the neighborhood.

⁵¹ See the Office of Planning's April 2020 report on “Single-Family Zoning in the District of Columbia,” available at <https://bit.ly/37hAznX>.

⁵² “Call for Ideas,” Arlington County Department of Planning, Housing, and Development, Housing Division, October 2020, available at <https://bit.ly/3oBu7hH>. Arlington County's presentation lists key points that are almost identical to the essence of the Task Force's recommendation: (1) exclusionary land use policies contribute to lack of housing affordability, (2) multi-pronged efforts are needed to address housing issues; (3) must plan for growth; and (4) making a choice to correct mistakes of the past and pave a path for the future.

Traditionally, most great urban neighborhoods already show how this can be achieved. The phenomenon of block after block of single detached houses on big lots actually grew up relatively recently out of exclusionary housing practices. City blocks were once much more inclusive — big houses around the corner from rowhouses, down the street from corner stores with apartments above.



Honor-Bilt MODERN HOME No. C247

For \$2,297.00 we will furnish all the material to build this Twenty-room Apartment Building, consisting of Mill Work, Flooring, Ceiling, Siding, Finishing Lumber, Building Paper, Roofing, Pipe, Gutter, Sash Weights, Hardware, Mantels, Fixtures, Material, Lumber and Lath. NO EXTRAS, as we guarantee enough material at the above price to build this house according to our plans.

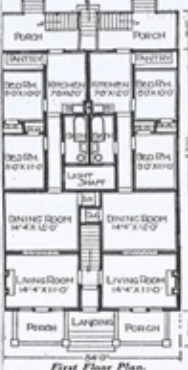
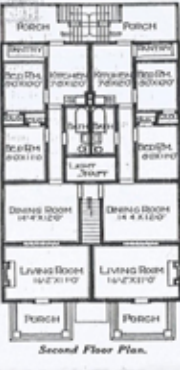
Inside floors, trim, doors, etc., furnished in clear red oak for \$352.00 extra.


Price does not include cement, brick or plaster.

For Our Offer of Free Plans See Page 6.

A FOUR-FAMILY apartment house with five rooms and bathroom for each family, that can be built at a very low cost and will make an exceptionally good paying investment. A light shaft in the center gives light and ventilation for the halls and bathrooms. A private porch provided for each family.

Double doors up and down stairs.

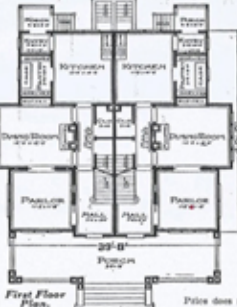
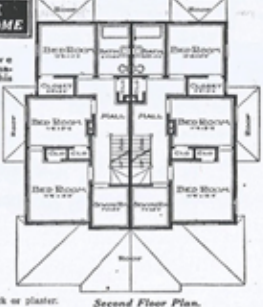


Honor-Bilt MODERN HOME No. C154

For \$2,632.00 we will furnish all the material to build this Fourteen-Room Double House, consisting of Mill Work, Ceiling, Siding, Flooring, Finishing Lumber, Building Paper, Gutter, Pipe, Sash Weights, Medicine Cases, Buffets, Mantels, Hardware, Painting Material, Lath and Shingles. NO EXTRAS, as we guarantee enough material at the above price to build this house according to our plans.

Price does not include cement, brick or plaster.

For Our Offer of Free Plans See Page 6.

First Floor.
Front door, pine, glazed with lead plate glass; heated colored and glass transoms overhead, open into the hall, with open stairways. Halls lead direct to the kitchen, sliding doors lead from the front hall to the porch. Sliding door connect parlor with dining room. Mantel and buffet, with lead plate mirror in each dining room. Large kitchen.

Second Floor.
There are three good size bedrooms, sitting room and bathroom for each family on the second floor. Each bedroom has a closet and extra closet in the hall. Doors, casings, trimmings, and flooring are of clear yellow pine. Halls are 6 feet from door to ceiling. A very large attic separated in two parts.

In the early to mid-1900s, Sears, Roebuck and Co. sold house plans and, later, home-building kits that contained almost all building types. Some of the houses — like the two below — were Missing Middle Housing. Home No. C247 was a four-family "apartment house" featuring five rooms plus a bathroom and privacy porch for each family. The house could be built on a 40-foot wide lot. The slightly larger house, No. C154, was a 14-room "double house" (or side-by-side duplex) and needed a 50-foot wide lot.

Photos below illustrate the "look" of Missing Middle Housing in neighborhoods today:



Duplex, Cathedral Heights, DC



Duplex to Quad designed to blend in with single detached housing



Duplex to Quad designed to blend in with single detached housing



Stacked Duplexes



Stacked Duplex



Quadplex



A single-detached home and small apartment building are neighbors in Providence, Rhode Island



Transition locations — 4-8 unit small apartment building, compatible with single detached and larger scale apartment buildings



8-unit apartment building designed to look like a Large single detached house

Gentle Density and Affordable by Design

It is important to point out that Gentle Density may introduce greater housing options to a neighborhood that may not necessarily be attainable or make a positive impact on inclusivity or racial diversity. The Task Force recommends that the District study how Gentle Density could do both — introduce more attainable housing and increase racial diversity in our neighborhood. Existing programs like Inclusionary Zoning — which works for larger projects — are unlikely to work at the modest scale of Gentle Density, but perhaps other approaches in the fiscal toolkit such as tax credits, loans with favorable terms, and out-right subsidies could help to ensure that Missing Middle Housing actually creates more attainable housing.

It is also essential that the community have a significant role in developing permissible Missing Middle Housing options to ensure that they will be fully integrated into single-family neighborhoods. Just as there are legitimate concerns about “McMansions” that do not respect the scale of the neighborhood, Gentle Density should maintain the look and feel of the existing neighborhood. Whether the District elects to employ “Form-based Codes” or some other mechanism, resident participation in the creation of the design standards for Missing Middle Housing is essential.

Action: For Recommendation 5, the Task Force recommends that the ANC take the following specific actions to study the potential for Gentle Density/Missing Middle Housing:

Urge the Office of Planning to study how the recommendations in the April 2020 publication, *Single Family Zoning in the District of Columbia*, might be implemented, and in particular the impact on existing neighborhoods (including parking), the creation of form-based codes, and strategies for achieving affordability goals.

Specifically:

- Take a tailored approach to incorporating gentle density into single-family neighborhoods, by prioritizing high-opportunity, high-cost areas and areas near high-capacity transit corridors;
- Determine the feasibility and appropriateness of gentle density within community planning and engagement processes;
- Study how to use gentle density, or context-sensitive design that respects neighborhood character, to produce new housing types and more housing in single-family neighborhoods;
- As a part of the Housing Design and Experience analysis, develop recommendations to inform how Missing Middle Housing options can be integrated into single-family neighborhoods; and
- As a part of the review of regulatory barriers to affordable housing in the construction and zoning regulations, specifically consider barriers to affordable housing in single-family zones.

Recommendation 6: Stimulate Use of Accessory Dwelling Units

Accessory dwelling units (ADUs) were included in the D.C. zoning code in 2016 and are also known as “granny flats,” carriage houses, and garage conversions.

Notwithstanding their new-found legality, they have been slow to catch on, in part due to challenges and issues with the complexity of the process (including the paperwork) of developing ADUs,⁵³ including the following (all of which the District can address):

- Managing unit development;
- Construction costs;
- Access to financing;
- Licensing and zoning processes and costs; and
- Designating a District liaison to guide homeowners through the process.

⁵³ The Urban Institute studied the District’s experience with ADU in contract with Portland, Oregon. It found that “the city voted to allow ADUs, but with significantly more restrictions on their production than advocates wanted. In the wake of these restrictions, along with compounding barriers outside the zoning code, ADU permitting activity in Washington, DC, has remained limited.” “Land Use Reforms for Housing Supply — Case Studies on the Process for Passing and Implementing Regulation Changes,” Urban Institute, October 2020, page 5, available at <https://urban.is/3oMNAvQ>.

Some non-governmental groups such as The Coalition for Smarter Growth have attempted to provide assistance,⁵⁴ but the technical and bureaucratic hurdles are daunting to the average homeowner.

ADUs can provide many potential benefits, including:

- Allowing homeowners to reduce the cost of ownership by providing a source of income;
- Allowing empty nesters to stay in the neighborhood, while renting their larger home to a young family;
- Providing an affordable housing option in an otherwise unaffordable neighborhood that can foster a more racially diverse community; and
- Allowing residents who are aging in place to bring a caregiver to live in their home or allow them to downsize while still living in their same neighborhood.

The impact of ADUs is potentially significant. Rock Creek West currently has 17,700 single-family homes. If 14% of those homes created an ADU, Rock Creek West would be able to provide 2,500 new homes. ADUs would be unlikely to alter the character or feel of the neighborhood.

Other cities have used effective models for promoting the development of ADUs by providing new financing options:

In Boston, the Additional Dwelling Unit Loan Pilot Project provides interest-free loans of up to \$30,000 for accessory apartments remodeling projects with no monthly payments. The loans do not become due until the owner transfers ownership or undertakes a cash-out refinance.

In Portland, Oregon, a nonprofit administered the *Place for You* program, offering homeowners a 380-square-foot one-bedroom accessory apartment at no cost in exchange for providing rent-free housing for a person or family formerly facing homelessness for five years.

In Los Angeles, the Second Dwelling Unit Pilot Program encourages the development of accessory apartment units by streamlining permitting processes, providing technical assistance to homeowners, providing financing options, and promoting accessory dwelling units through an architectural design competition. The county provides a maximum subsidy of \$75,000 per new unit or \$50,000 per rehabbed unit to build accessory apartments in the form of a forgivable loan

⁵⁴ See DC Accessory Apartments Forum, Coalition for Smarter Growth, available at <https://bit.ly/3o8kK9a>.

tied to a commitment to rent the accessory apartments to a family or individual that was formerly facing homelessness or to participate in the housing choice voucher program.

Photos below show examples of ADUs:



Accessory Dwelling Unit (ADU) in basement



Accessory Dwelling Unit (ADU) in alley

To achieve the goal of creating more housing choices, including providing opportunities for residents to age in place, in our predominantly single-family-zoned neighborhood, more aggressive promotion of the development of ADUs is necessary.

Action: For Recommendation 6, the Task Force recommends that the ANC take the following specific actions to support the construction of ADUs:

- Advise the District (the Office of Planning, the Deputy Mayor for Planning and Economic Development, the Department of Consumer and Regulatory Affairs, and other agencies as the ANC determines) to develop and implement incentives and mechanisms to streamline the permitting, licensing, and zoning process for development; and
- Advise the District to explore granting subsidies or incentives to promote ADU development. Boston, Portland, and Los Angeles have been successful in stimulating ADUs with these fiscal tools.

Recommendation 7: Support Vouchers to Increase Housing Diversity.

The Housing Choice Voucher Program (formerly known as Section 8), the federal government's major rental assistance program, gives participants the option to live in the community of their choice (e.g., a high-opportunity neighborhood). Once qualified participants obtain a voucher, they may find a rental unit in any privately-owned property

in the District, as long as it meets Fair Market Rent standards established by the U.S. Department of Housing and Urban Development (HUD). Participants pay a maximum of 30% of their income as rent, with the remainder paid by the federal government. Vouchers can be applied to housing purchases in some cases as well.

Housing vouchers have the potential to bring more families into affordable housing in Chevy Chase, DC and other parts of Ward 3. The Task Force recommends an outreach effort to ensure that anti-discrimination laws are enforced. DC's housing discrimination statute forbids discriminating against would-be tenants based on source of income. One advantage for landlords is that rent is guaranteed to arrive on time every month.

A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice where the owner agrees to rent under the program. Once a family qualifies and finds a landlord willing to accept a voucher tenant, the landlord, and the District of Columbia Housing Authority (DCHA) sign a Housing Assistance Program contract, and the landlord and the tenant sign a lease establishing the rights and obligations for each party.⁵⁵

Action: The Task Force recommends that the ANC encourage landlords in Chevy Chase to accept more voucher tenants and to ensure their compliance with anti-discrimination laws.

PART IV: The Benefits of Expanding Housing Opportunity — Creating the Kind of Community We Wish to See

An Opportunity to Reimagine Our Neighborhood

Our neighborhood's history of exclusion — both implicit and structural — calls for action to prevent its perpetuation. This Task Force is focused on racism, but it also presents an opportunity to embrace change and harness it to reinforce other qualities that make our neighborhood so attractive in the first place.

Crisis offers an opportunity to reflect, imagine a new future, and take steps toward its realization. At this moment we have an unusual opportunity to take the initiative in creating the kind of neighborhood that reflects our values. We can take the lead, plan, and work to expand affordable housing units for individuals, couples, and families who are starting out just like we once did, but whose ethnicity or skin color may not reflect ours.

⁵⁵ The Housing Choice Voucher Program should be distinguished from other voucher programs that may serve tenants with higher needs. The Housing Task Force makes no recommendation regarding other voucher programs. See HUD's Housing Choice Vouchers Fact Sheet, available at <https://bit.ly/2T8vo1h> and 24 CFR Part 982, Section 8 Tenant-Based Assistance: Housing Choice Voucher Program, available at <https://bit.ly/2TkLm8y>.

The Mayor has challenged us to do our part by adding close to 2,000 new affordable housing by 2025 in Rock Creek West. We can take the reins and begin imagining how we can shape our neighborhood together, to set forth our own grand plans, and bring our skills and good will to make it happen. Unlike those who lived a hundred years before us, diversity, equity, and racial justice can serve as our guiding values. We believe this can be accomplished while preserving all the best of our existing neighborhood, and without adversely affecting home values, safety, and environmental standards.

What can this reimagined neighborhood look like?

The quick answer: our re-imagined neighborhood will most likely look like the existing one. A leafy neighborhood of single-detached homes surrounding a vibrant mixed-use corridor — our Main Street — on Connecticut Avenue. The leafy streets may have a sprinkling of small duplexes or quadplexes mixed in, but they would be similar in scale and design to the single-detached houses. The overall feel of the streets will not change.

The Avenue will likely be a mix of newer modest apartment buildings on the east side, including the new Library/Community Center/Residential complex framing a handsome new public space. On the west side of the Avenue, historic structures like the Avalon Theater and the Arcade will have been preserved and other existing structures will likely be renovated or incorporated into new small-scale development. Parking lots will be moved underground and new buildings will line the Avenue with new retail and other activity-generating uses. It will be even more pleasant, interesting, and safe to walk along our Main Street.

This re-imagined neighborhood will include greater racial and ethnic diversity and offer

- more homes — increasing housing supply in the District;
- greater choices of housing types — encouraging a mixed-income neighborhood;
- more affordable housing — helping Rock Creek West meet its equitable share of the District's Comprehensive Plan goals;
- greater support for local businesses — helping our “mom & pops” to thrive; and
- improved opportunity — inviting minority entrepreneurs to open businesses.

Adding more density at transit-oriented and transit-rich neighborhoods like ours, is almost universally seen as the most environmentally sound way to build. It means less sprawl, less auto traffic, more transit use, and — critically for the climate — less

carbon. It should be seen as part of a larger change in priorities, from what is now a more “auto-centric” to a more progressive approach based on social equity, environmental responsibility, and placemaking.

With such a change in approach to growth comes the responsibility of assessing the impact of proposed changes on the environment, on public facilities such as schools, parks, and recreation facilities. These changes argue for robust planning efforts with the active participation of residents to ensure results that will be consistent with our goals for an inclusive and racially just community for the future.

Conclusion

We, the current residents of Chevy Chase, enjoy a remarkable neighborhood of tree-lined streets that are walkable, with access to transit, parks, and sidewalks lined with small businesses and restaurants. Our children attend high-quality schools that prepare them for successful futures. Simply by owning a steadily appreciating asset, many of us have benefited from rising housing prices that have helped us build wealth that we can pass along to our children and grandchildren. All this — the small town feel, the things we love about it, and the financial security that we have been fortunate to experience — comes with a dark history of racial exclusion and unearned white privilege that were promoted by federal and District laws, social practices, and the individual choices of the people who once lived here. Given this past, we have an opportunity and responsibility to share this neighborhood and its amenities and advantages with those who were excluded during its creation. Our recommendations have been designed as direct responses to those earlier racist decisions.

Appendix A

Glossary of Housing Affordability Terms

The following glossary includes terms related to affordable housing,⁵⁶ though not all of these terms are used in this report:

Affordable housing: Housing that is subsidized or price-regulated and that is occupied by a household that earns less than 120% of the AMI.

Area median income (AMI): The median household income of each metropolitan statistical area adjusted for family size. HUD publishes—and the District uses—AMIs annually. AMI is used to determine the eligibility of applicants for most housing assistance programs.

Attainable housing: This is not a formal term, but refers to housing priced so that a renter of modest means can rent or purchase it without spending more than 30% of the family's income on housing and utilities.

Chevy Chase Gateway: The corridor along Connecticut Avenue, NW from Chevy Chase Circle to Livingston Street, NW.

Housing affordability: Refers to the ability or inability of a household to meet its housing expenses with a reasonable and sustainable share of its income — generally no more than 30% of gross income — on housing costs, without regard to the household's income or whether the household lives in subsidized, rent-regulated, or market-rate housing.

Income Levels for Affordable Housing:

District housing programs target a variety of household income levels. In general, the more public funds are in a project, the deeper levels of affordability are required. Inclusionary Zoning requirements for private projects focus on the Low-Income level.

Extremely low-income housing: According to federal regulations, a household income does not exceed the higher of the federal poverty level or 30% of AMI, e.g., for a family of four, \$36,400/year

⁵⁶ These definitions are derived from the ULI Advisory Services Panel Report, July 7-13, 2019, Affordable Housing, Washington, DC, page 6, available at <https://bit.ly/37sEL4l>.

Very low-income housing: According to federal regulations, a household whose income does not exceed 50% of AMI, adjusted for family size, e.g., for a family of four, \$60,650/year

Low-income housing: According to federal regulations, a household whose income is between 30% and 80% of the AMI, adjusted for family size, e.g., for a family of four, up to \$97,050/year

Moderate-income housing: According to federal regulations, households whose incomes are between 81% and 95% of AMI, adjusted for family size, e.g., for a family of four, up to \$121,300/year.

Workforce housing: Generally, housing that is affordable to households earning between 80% and 120% of AMI, e.g., for a family of four, \$145,550/year.

Inclusionary Zoning (IZ): A DC program requiring developers of market rate residential projects to include Affordable Housing in the building (approximately 10% of the project, by floor area.) Projects benefiting from up-zoning or Planned Unit Development or building on public land are generally required to provide a greater percentage.

Mixed-income housing: HUD defines a mixed-income building as “comprised of housing units that [are] affordable to different levels of AMI, typically with some market-rate housing and some housing that is available to low-income occupants below market-rate.”

Missing Middle housing: Missing Middle Housing refers to “a range of multi-unit or clustered housing types that are compatible in scale with detached single-family homes that fall somewhere between a single-family home and a larger apartment building in their density.”

Naturally occurring affordable housing: Generally, housing that is affordable to low-income and moderate-income households that is not currently federally subsidized or rent regulated. These are buildings that over time are lower in rent due to their age, which makes them less competitive with newer buildings.

Neighborhood Character: Understanding that this phrase is often considered a ‘dog whistle’ for racist concerns, we have used it here anyway because it also refers to the physical characteristics of our streets that are important to all residents. Used here it refers to the all-important ground level experience of a pedestrian in our neighborhood – well maintained tree covered residential streets, pleasant but wildly diverse

architecture, plenty of green space to allow for individual expression and places for the kids to play; and a Main Street of small shops and restaurants, neighborhood service providers, quirky individual sidewalk cafes, a good place to stroll, to run an errand, to run into your neighbors doing the same.

Permanent supportive housing: Generally, extremely low-income housing combined with social services to assist vulnerable populations such as those that are chronically homeless and disabled (e.g., addiction, psychological or physical).

Preservation: Generally, providing the necessary physical improvements and financial capital to enable a currently occupied rental property to remain affordable and in decent condition for a sustained period of time.

Public housing: Rental housing owned and operated by local housing authorities that primarily serves extremely low-income households.

Rent Control: The District's 35-year-old rent stabilization law⁵⁷ caps annual rent increases at the rate of inflation plus 2%, but it doesn't apply to apartment buildings with four or fewer units or residences constructed after 1975. The law also provides a few ways for landlords to raise rents, such as if their overall profit margin on a property falls below 12%. An estimated 45% of the District's multifamily rental units fall under rent control. The policy does not require "means testing" for income of residents.

Voucher: The Housing Choice Voucher Program (formerly known as Section 8), is the federal government's major rental assistance program. Once qualified participants obtain a voucher, they may find a rental unit in any privately-owned property in the District, as long as it meets Fair Market Rent standards established by the U.S. Department of Housing and Urban Development (HUD). Participants pay a maximum of 30% of their income as rent, with the remainder paid by the federal government. Voucher tenants have the same rights and obligations as other tenants, as defined by the lease agreement they sign with the landlord.

⁵⁷ "Rental Housing Act of 1985," available at <https://bit.ly/3o8wc4E>.

Appendix B

Description of the Housing Work Group's Process

The Housing Work Group includes the following active members: Connie Chang, Ron Eichner, Libby Martin, Judy Mays, Sarah Remes, Cal Simone, and Randy Speck. Each of the members of the Group volunteered because of an interest in providing equitable, affordable housing in Chevy Chase. Their individual backgrounds are described at the end of this Appendix.

The Group met for at least an hour and a half each week from August 4, 2020, through October 30, 2020. The Group kept notes of meetings (available at <https://bit.ly/3oCmMi3>) or recorded them. The Group began by preparing a possible outline for its report to the ANC (available at <https://bit.ly/326oNdf>), and that outline generally guided the discussions.

The Group drew on two other available resources. First, Susanne Slater — CEO of Habitat for Humanity, a recognized expert in affordable housing, and a resident of ANC 3/4G — attended the September 1, 2020 meeting to answer questions about how best to build affordable housing in our community, particularly to include residents' ownership. Second, Janeese Lewis-George, Democratic nominee for Ward 4 Councilmember, participated in our September 15, 2020 meeting and provided her insights about affordable housing needs and approaches. We drew as well on the expertise of Task Force members who were not active in our group (e.g., Lisa Gore on issues related to housing vouchers).

The Group also conducted extensive research on a variety of housing issues. For instance, we looked at the experience in other cities with co-locating affordable housing and libraries or community centers. We also attended webinars and other online programs about affordable housing issues (e.g., “Missing Middle Housing: Thinking Big and Building Small to Respond to Today's Housing Crisis,” August 11, 2020, by Daniel Parolek; “Help Take Down the Walls Around Ward 3,” September 29, 2020, available at <https://youtu.be/w2vAZkH0cjA>.) We did extensive research on the history of housing discrimination in our neighborhood, relying on the work of the Historic Chevy Chase DC and the Chevy Chase (MD) Historical Society. We looked as well at the history of discriminatory housing practices (e.g., redlining and exclusionary zoning) more broadly in the country. We also familiarized ourselves with the ANC's prior work on the Comprehensive Plan as it relates to affordable housing.

After this research and discussions, we divided the topics in our rough outline among the Group members to draft individual sections. We circulated each draft section to all of the

Group members and incorporated extensive comments. We then combined all the drafts, modifying the outline to eliminate overlap and repetition. Finally, each Group member reviewed the entire draft, and suggested changes that were incorporated. The Group unanimously supports all aspects of the draft report presented to the ANC on October 26, 2020.

Backgrounds of Task Force Members

Connie Chang

Connie Chang is Commissioner-elect for ANC 3G-05ta. She has lived in Chevy Chase, DC for the past 22 years after purchasing her first home with her husband. Both of their daughters attended local DCPS schools—their youngest is a current student at Deal MS. Connie has a long history of volunteerism at her workplace and in the community, including most recently her service on the ANC 3/4G Chevy Chase Community Center Renovation Task Force (2019-2020) as an invited private citizen, and her current role as Board Chair & Treasurer of a poverty-fighting nonprofit organization, The Lever Fund. She likes to collaborate with others on longer term, more challenging problems.

Her professional career has focused on the intersection of business, government, and technological innovation. She has worked as a financial analyst for an investment bank; as a supervisory economist for a staff of economists and policy analysts; as a business manager for over twenty multi-million dollar technology development projects for the Federal government; as an evaluator-consultant to oversee the operation and impact of university-industry research centers, and as a research director supervising large study contracts on innovation. She has had her own private consulting practice for over a decade. Connie received a bachelor's degree in Economics from Wellesley College and a master's degree in International Management and Comparative Technology Policy from UCSD's School of Global Policy and Strategy. She is a dissertation short of a doctorate in Political Economy and Science, Technology & Public Policy from MIT.

Ron Eichner

Ron Eichner is a DC native and a 45 year resident of ANC 3/4G. His professional career has focused on urban revitalization, the environment, and social equity. As an urban planner his work was recognized by a Loeb Fellowship at Harvard Graduate School of Design. He has served on the boards of *Cultural Tourism DC*, bringing the Heritage Trail program to 17 communities throughout the District; the *Liz Lerman Dance Exchange*, a pioneering modern dance company devoted to inclusion of unrepresented and often marginalized groups and ideas, and recognized by a MacArthur Grant for Ms. Lerman; and, the *Washington Regional*

Network for Livable Communities, assisting underserved and forgotten communities with transit-oriented development potential to avoid being ignored by the District or exploited by developers. He is currently serving as a Board Member for the *Coalition for Smarter Growth*, the leading organization advocating for environmentally responsible growth and social equity in housing in the DMV region; and, *Ward3Vision*, a grassroots organization advocating for Smart Growth and affordable housing in Ward 3. He has served on four *ANC 3/4G Task Forces*. He is a Real Estate Developer focused on sustainable urban infill projects in walkable locations, with no financial interest in Ward 3.

Libby Martin

Libby Martin has lived in Chevy Chase for 12 years. She worked in contemporary art and publishing in France for eight years. After moving to DC, she oversaw international programs and educational conferences in the association world. For ten years, Libby was a director at a food industry association where she managed grant programs with emerging market countries. She now volunteers with grassroots organizations and nonprofits that focus on food insecurity, support to families, and dismantling racism.

Judy Mays

Judith Mays is a long-time resident of Chevy Chase DC. Her children attended Murch, Deal, and Wilson High School, where she and her husband were active in HSA's. She was a program manager at the University of Maryland, helping tech companies partner with university researchers in engineering and the sciences to develop products. She has done marketing for non-profit organizations.

Sarah Remes

Sarah Remes has lived in Chevy Chase for almost her entire life. She first moved to DC in 1977, when her parents had to go to court to get an order that a restrictive covenant was unenforceable in order to buy their preferred home. As a lawyer and social worker, she has worked with immigrants and families transitioning out of homelessness, and advocated for low income youth in DC. She currently sits on the boards of School Justice Project and D.C. Action for Children.

Cal Simone

Cal Simone first became a Chevy Chase resident in mid-childhood, attending attended Lafayette (from fifth grade), Deal, Wilson, and American University. His three vocations have included being a record producer, a Macintosh software developer, and a Jungian

coach, teacher, and writer. After living 15 years in Adams Morgan, he spent 12 years in the SF Bay area, where he served a year on a disaster preparation task force for City of San Francisco, and became immersed in issues of race and class. He has taught meditation, a range of personal growth work, and anti-racism, and has mediated multicultural conflict. In 2016, he returned to Washington (to the same house in Chevy Chase), where he spends his days writing a book, teaching consciousness work, facilitating Zoom meetings, and assisting his parents age at home. He currently co-facilitates a mixed-race regional men's group with a focus on racial and cultural personal growth work.

Randy Speck

Randy Speck has been a District resident since 1977 and an ANC 3/4G03 resident since 1986. He's been an ANC commissioner since January 2013 and chair of ANC 3/4G since January 2015. He chaired the ANC's task forces on the Comprehensive Plan, Ingleside Expansion, and the Chevy Chase Community Center. After a JD from Harvard Law School, he was an attorney in private practice from 1977 through 2015, including extensive pro bono work for clients in discrimination and solar energy cases. He began his work career with the Equal Employment Opportunity Commission from 1969 through 1974. He serves on the board of the non-profit Solar United Neighbors.