

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

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Supp.

To clarify the affordable housing requirements applicable to the Southwest Waterfront redevelopment project.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Southwest Waterfront Redevelopment Clarification Act of 2010”.

Sec. 2. Affordable housing.

(a) Notwithstanding any other provision of law, section 402(b) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1226.02(b)) and any related provisions imposing any Affordable requirements shall not apply to any Residential Units in excess of 500 Residential Units that are to be constructed in the Mixed-Use Development on the Southwest Waterfront Property; provided, that the GFA of the Affordable Dwelling Units to be constructed is no less than 160,000 GFA.

(b) With respect to any Residential Units in excess of 500 Residential Units that are to be constructed in the Mixed-Use Development on the Southwest Waterfront Property, no less than 20% of the GFA of such additional units shall be Workforce Housing. Eighty thousand GFA of such Workforce Housing required under this provision shall be allocated to the construction of 100% AMI Units. The GFA of any Workforce Housing required under this provision in excess of 80,000 GFA may be allocated at the developer’s discretion either to 100% AMI Units or to 120% AMI Units.

(c) All future amendments to the Land Disposition Agreement shall be submitted to the Council for approval in accordance with the procedures set forth in subsection (b-1)(6) of An Act authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-1)(6)).

(d) For the purposes of this section, the term:

(1) “Affordable” shall have the same meaning as provided in section 402(b)(2) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1226.02(b)(2)).

(2) “Affordable Dwelling Unit” shall have the same meaning as the term “ADU” as set forth in the Land Disposition Agreement.

(3) “Area median income” shall have the same meaning as provided in the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1226.02).

(4) “Gross Floor Area” or “GFA” shall have the same meaning as provided in the Land Disposition Agreement.

(5) “Land Disposition Agreement” means the amended and restated land disposition agreement by and between the District of Columbia and Hoffman-Struever Waterfront L.L.C. for the Southwest Waterfront Project dated May 13, 2009, and as amended by the First Amendment dated June 10, 2010 and the Second Amendment dated December 3, 2010.

(6) “Mixed-Use Development” shall have the same meaning as provided in the Land Disposition Agreement.

(7) “Residential Unit” shall have the same meaning as provided in the Land Disposition Agreement.

(8) “Southwest Waterfront Property” shall have the same meaning as provided in the Land Disposition Agreement.

(9) “Workforce Housing” shall mean 100% AMI Units and 120% AMI Units.

(10) “100% AMI Units” shall mean Residential Units that are affordable to households consisting of one or more persons with income equal to or less than 100% of the area median income.

(11) “120% AMI Units” shall mean Residential Units that are affordable to households consisting of one or more persons with income equal to or less than 120% of the area median income.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia