

6005 SITE AND NEIGHBORHOOD STANDARDS

6005.1 These standards are set forth to implement policies authorized under Section IIIA.d. of that certain Moving to Work Agreement dated August 25, 2003 by and between the DCHA and HUD. The standards set forth in this Section 6005 are used by DCHA in the review and selection of proposed developments involving:

- (a) New construction or rehabilitation funded under the Housing Choice Voucher project-based program governed by Chapter 93 hereof;
- (b) Existing housing without substantial rehabilitation in areas with more than 20% poverty, being funded under the Housing Voucher project-based program governed by Chapter 93 hereof; and
- (c) Public housing being developed with Replacement Housing Fund or other programs funded through HUD and otherwise subject to these standards.

6005.2 The following areas are deemed eligible for funding assistance:

- (a) Areas designated by the DC as revitalization areas including:
 - (1) Federally designated Empowerment Zones;
 - (2) Housing Opportunity Areas, as established by the District of Columbia Government pursuant to its Comprehensive Plan;
 - (3) Areas designated for improvement under the Community Development Block Grant program by the District of Columbia Government;
 - (4) Strategic Neighborhood Target Areas and Target Area Groups established by the District of Columbia as part of its Comprehensive Plan or federal Enterprise Community designation; and
 - (5) Stable, Transitional or Emerging Census Tracts as designated by the DC Office of Planning based on most recent available census data; and
 - (6) An area where public housing units were previously constructed and were demolished;
- (b) An area that is not racially or economically impacted as evidenced by the most current demographic data available to DCHA through the District Columbia Office of Planning showing that:
 - (1) The minority population is no more than 20% greater than the

representation of minorities in DC as a whole; and

- (2) Less than 20% of the population is living in poverty; and
- (c) In neighborhoods with a poverty rate or a concentration of minorities greater than the levels listed in (c), the proposed development will preserve or replace affordable housing in order to:
 - (1) Encourage reinvestment in minority neighborhoods,
 - (2) Improve or preserve the affordability of housing in the area;
 - (3) Provide real quality housing choices for assisted households; or
 - (4) Reduce displacement in areas undergoing substantial rehabilitation as part of a comprehensive neighborhood revitalization strategy.

6005.3 In addition to the eligibility criteria set forth in 6005.2 above, the development site must:

- (a) Pass environmental clearances by having either:
 - (1) A Phase I environmental site assessment that does not raise concerns; or
 - (2) A Phase ☐ environmental review that is conclusive that there are no environmental hazards on the site.
- (b) Not to be located in an area in which the sale of Flood Insurance has been made available under the National Flood Insurance Act of 1973; and
- (c) Be in an area where a housing needs analysis provided by the applicant and reviewed and approved by the DCHA indicates that there is a need for the housing in the area.

6005.4 DCHA also will consider any program factors set forth in any governing federal or local regulations of a particular funding program as well as the following factors:

- (a) The convenience and quality of available social, recreational, educational commercial and health facilities and services; and
- (b) The convenience and availability of employment opportunities; or
- (c) The convenience and availability of public transportation to such facilities, services and opportunities.

6005.5 If DCHA is developing or substantially rehabilitating six or more public housing units under a revitalization plan, DCHA will:

- (a) Provide documentation to HUD which evidences that DCHA has:
 - (1) Consulted with the appropriate public housing resident organization and representative community groups in the vicinity of the proposed revitalization;
 - (2) Advised current residents, if the property is currently occupied, by letter to the resident organizations and by public meeting of the proposed revitalization plan; and
- (b) Submit a signed certification to HUD that the comments of any current residents, public housing residents and representative community groups have been considered in the preparation of the revitalization plan.

SOURCE: Notice of Final Rulemaking published at 51 DCR 5013 (May 14, 2004).