

Inclusionary Zoning Pre-Compliance Acknowledgement

By initialing below, the Project Developer acknowledges the following items pertaining to City of Minneapolis policies and practices on Inclusionary Zoning and the compliance process.

Project Name: _____

Project Developer: _____

Name of Project Representative (initials below): _____

The Developer has read and understands the City's current Unified Housing Policy and the Inclusionary Zoning Ordinance .	Initial:
The Developer has read and understands the City's Inclusionary Zoning Compliance Manual .	Initial:
The Project fits one of the criteria below and therefore the Developer must submit the Inclusionary Zoning Pre-Compliance Acknowledgement, the Inclusionary Zoning Compliance Form with required attachments, and any applicable fees before the City will issue a building permit: <ul style="list-style-type: none"> The Project has 50 or more units The Project has less than 50 units but received a zoning premium for providing affordable units on-site The Project is Regulated Affordable Housing (Inclusionary Zoning Compliance Form must be completed to receive the Park Dedication Fee Exemption) 	Initial:
Fees required by the Inclusionary Zoning Requirements shall be adjusted for any increases in net residential area for the Project.	Initial:
If the Developer chooses an on-site compliance option, the Developer must provide the City with a signed and recorded copy of the Declaration of Affordable Housing Covenants meeting the applicable provisions of the City's Unified Housing Policy before the City will issue a Certificate of Occupancy for the Project.	Initial:
If the Developer chooses to comply with Inclusionary Zoning through Off-Site Units, the Developer acknowledges that their Security Deposit will forfeit to the City unless closing has occurred on the construction financing for the Off-Site Units prior to the Deposit Forfeit Date.	Initial:
If the Developer chooses to comply with Inclusionary Zoning through a Land Donation, the Developer acknowledges that their Security Deposit will forfeit to the City if the City has not accepted donation of the land by the date a Certificate of Occupancy is issued for the Project.	Initial:
The Developer must complete the following exhibits for compliance to be deemed complete: <ul style="list-style-type: none"> Inclusionary Zoning Compliance Certification Legal Description of the Project Property as evidenced by title insurance commitment Architect's Certification of Net Residential Area (if paying in-lieu fee) Park Dedication Fee Exemption (if on-site compliance or Regulated Affordable Housing) 	Initial:
If the Developer chooses an on-site compliance option, the following must be completed <i>in addition to</i> the exhibits listed above: <ul style="list-style-type: none"> Project Unit Grid Project Unit Map 	Initial:

INCLUSIONARY ZONING COMPLIANCE FORM (Rental Housing)

Name of Project		
Developer	Name of Company	
	Contact Name	
	Mailing Address Including City, State and Zip Code	
	Phone Number	
	Email	
Project Information	Address	
	Number of Rental Units	
	Is this Student Housing?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Anticipated Lease-Up Date	
	Building Permit #	
Property Management <i>Leave blank if unknown</i>	Name of Company	
	Contact Name	
	Email	
	Phone Number	
REGULATED AFFORDABLE HOUSING IS EXEMPT FROM INCLUSIONARY ZONING REQUIREMENTS. IF THE PROJECT MEETS REGULATED AFFORDABLE HOUSING REQUIREMENTS, CHECK THE BOX BELOW AND ATTACH EVIDENCE.		
<input type="checkbox"/> At least 20% of the units will be affordable to and occupied by households with an income at or below 60% AMI through (i) a government regulated affordable housing program such as Section 42 housing tax credits as evidenced by a document that will be recorded against the Project or (ii) subject to a housing assistance payment contract under Section 8 of the U.S. Housing Act of 1937, as amended.		
IF THE PROJECT IS <u>NOT</u> EXEMPT, THE DEVELOPER ELECTS THE FOLLOWING OPTION TO COMPLY WITH INCLUSIONARY ZONING REQUIREMENTS:		

Rental Housing On-Site Compliance: <i>For developments with less than 100 units, please consult the Project Phase-In Table in the Unified Housing Policy to obtain the required number of restricted units.</i>	<input type="checkbox"/> At least 8% of the units in the project will be affordable to and occupied by households with an income at or below 60% AMI <input type="checkbox"/> At least 7% of the units in the project will be affordable to and occupied by households with an income at or below 50% AMI <input type="checkbox"/> At least 4% of the units in the project will be affordable to and occupied by households with an income at or below 30% AMI <input type="checkbox"/> At least 20% of the units in the project will be affordable to and occupied by households with an income at or below 50% AMI, and the Developer will seek Revenue Loss Offset Assistance from the City (please note this process takes 4-6 months)	
	Number of Restricted Units:	
	Number of Restricted Student Bedrooms:	
If the Inclusionary Zoning Requirements results in a number that includes a fraction of a unit, the Developer elects to:	<input type="checkbox"/> Round up to the next whole unit as calculated above <input type="checkbox"/> Pay an in-lieu fee for the fraction of the unit: \$_____	
If the Project has 100 or more units, does the Project require the demolition of any units that are 50 or more years old ("NOAH units")?	<input type="checkbox"/> No	
	<input type="checkbox"/> Yes, and the Project will provide Inclusionary Zoning units <i>at least equal</i> to the number of NOAH units demolished	
	Number of NOAH units demolished:	
ALTERNATIVE COMPLIANCE OPTIONS:		
<input type="checkbox"/> Cash in-lieu Payment	Net residential area: _____ Number of stories in development: _____ Applicable fee: \$_____ \$15 per net residential area sq. ft. (up to 7 stories) \$22 per net residential area sq. ft. (8 stories or more)	
<input type="checkbox"/> Off-site Units	Number of restricted units: _____ Security deposit equal to cash in-lieu payment: \$_____ Deposit forfeit date: _____ (no later than 48 months from the date of this form)	
<input type="checkbox"/> Land Donation	Initials to indicate that a fully executed Land Donation Agreement is attached: _____ OR Security deposit equal to cash in-lieu payment: \$_____ that will forfeit if a fully executed Land Donation Agreement is not executed with the City by the time a certificate of occupancy is requested	

Inclusionary Zoning Acknowledgement and Affordable Housing Compliance Plan

Certification

The undersigned hereby certifies that he or she understands the information being requested by this form and the importance of such to the validity of any Development building permit and that post-permit issuance revisions to the construction plans that change the number of dwelling units to be constructed on the Project property, the net residential area, or that materially affects the design/unit comparability standards in the City's Unified Housing Policy will require the submission of an updated form. The information provided to the City of Minneapolis in this form is true and accurate and the undersigned has the authority to bind any corporate entity identified as Developer herein and understands that this form will be considered binding on all successors and assigns of Developer with respect to the Project property. The undersigned further understands and agrees that the provision of any false or inaccurate information shall render the building permit and all other City approvals null and void.

Developer's Signature

Date

Print Name

This form may not be submitted to Minneapolis Development Review without a signature from the Minneapolis Department of Community Planning and Economic Development's Manager of Residential Finance.

Approved by:

Amy Geisler
Manager, Residential Finance

Date

EXHIBIT A
LEGAL DESCRIPTION OF PROJECT PROPERTY

EXHIBIT B – Required for Projects Paying the In-Lieu Fee
ARCHITECT’S CERTIFICATION OF NET RESIDENTIAL AREA

Date: _____
Project Name: _____
Project Address: _____
Developer: _____

To the City of Minneapolis Department of Community Planning and Economic Development:
I hereby certify that:

1. I have been retained by the Developer identified above to provide services related to the design and preparation of construction documents and specifications for the construction project identified above and to make periodic visits to the site during construction and perform such other required services to familiarize myself with the general progress, quality and conformance of the work.

2. I understand that the City of Minneapolis has defined “Net Residential Area” as the sum of the gross horizontal area in the Development measured from the interior faces of the interior walls of the space occupied by dwellings. Net residential area shall not include space devoted to accessory off-street parking or loading facilities, including aisles, ramps and maneuvering space, common hallways or stairwells, elevators, mechanical rooms, storage space outside of the dwelling units or common areas including but not limited to lobbies, amenity spaces or recreation rooms.

3. The Development has _____ square feet of Net Residential Area, which number may be verified by City staff at any time a building permit for the Project is required.

4. I understand that fees required by the City’s Inclusionary Zoning Requirements are calculated based on Net Residential Area.

5. I will resubmit this Certification at any time the Net Residential Area increases more than _____ %.

Signature of Minnesota licensed
Architect/Engineer

Name of Architect/Engineer (Print)

Professional Minnesota License Number

Business Street Address, City, State, Zip Code

EXHIBIT C – Required for On-Site Compliance Option
PARK DEDICATION FEE EXEMPTION

“Affordable Housing Units” as defined in Section 598.360 of the Minneapolis Code of Ordinances are exempt from the City’s parkland dedication requests. “Affordable Housing Units” is defined as:

- (1) Residential dwelling units financed in whole or in part by a local, state, or federal government entity for the purpose of creating housing affordable to and occupied by households earning sixty (60) percent or less of the median family income for the Minneapolis/St. Paul metropolitan statistical area, as adjusted for family size; or
- (2) Residential dwelling units in a project financed in whole or in part by a local, state, or federal government entity for the purpose of creating affordable housing where one hundred (100) percent of the housing project meets the requirements for income averaging under Section 42(g)(1)(c) of the Internal Revenue Code resulting in an average rent for all units in the project that does not exceed sixty (60) percent of Metropolitan Median Income (MMI); or
- (3) Residential dwelling units in a project that are affordable to and occupied by households earning sixty (60) percent or less of the MMI as a result of compliance with Minneapolis Code of Ordinances, Chapter 550, Article VI, Inclusionary Housing.

Developer hereby certifies that the Development has _____ units meeting the foregoing definition of “Affordable Housing Units.”

EXHIBIT D – Required for On-Site Compliance Option
PROJECT UNIT GRID AND BUILDING MAP

Fill out for all market rate and fixed affordable units.

Unit Type	# of Units	Unit Sq. Ft.	Fixed Affordable Unit (Y/N)
Studio			
Studio			
Studio			
Studio			
Studio			
Total			
1BR			
1BR			
1BR			
1BR			
1BR			
Total			
2BR			
2BR			
2BR			
2BR			
2BR			
Total			
3BR			
3BR			
3BR			
3BR			
3BR			
Total			
4BR			
4BR			
4BR			
4BR			
4BR			
Total			
Building Total			

If more lines are needed, please attach an additional project unit grid.

Please attach building map clearly identifying designated IZ units.