

## 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 <a href="#">Unified Housing Policy</a> and the <a href="#">Inclusionary Zoning Ordinance</a> .	Initial:
The Developer has read and understands the City's <a href="#">Inclusionary Zoning Compliance Manual</a> .	Initial:
The Developer has received approval for Site Plan Review.	Initial:
The Developer must submit the Inclusionary Zoning Pre-Compliance Acknowledgement, the <a href="#">Inclusionary Zoning Compliance Form</a> with required attachments, and any applicable fees before the City will issue a building permit.	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 <a href="#">Declaration of Affordable Housing Covenants</a> meeting the applicable provisions of the City's Unified Housing Policy in effect as of the date of Developer's submission of a completed application for Site Plan approvals for the Project 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 for compliance to be deemed complete: <ul style="list-style-type: none"> <li>• Inclusionary Zoning Compliance Certification</li> <li>• Legal Description of the Project Property as evidenced by title insurance commitment</li> <li>• Architect's Certification of Net Residential Area</li> </ul>	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"> <li>• Park Dedication Fee Exemption</li> <li>• Project Unit Grid</li> <li>• Project Unit Map</li> </ul>	Initial:

**INCLUSIONARY ZONING COMPLIANCE FORM (For-Sale Housing)**

<b>Name of Project</b>		
<b>Developer</b>	Name of Company	
	Contact Name	
	Mailing Address Including City, State and Zip Code	
	Phone Number	
	Email	
<b>Land Use Application</b>	Site Plan Submittal Date	
	CPC Approval Date	
<b>Project Information</b>	Address	
	Number of For-Sale Units	
	Anticipated Sale Date	
<b>Property Management</b> <i>Leave blank if unknown</i>	Name of Company	
	Contact Name	
	Email	
	Phone Number	
<p align="center"><b>IF THE PROJECT IS <u>EXEMPT</u> FROM INCLUSIONARY ZONING REQUIREMENTS, CHECK ONE OF THE BOXES BELOW AND ATTACH EVIDENCE OF ELIGIBILITY AND A LETTER OF CONCURRENCE FROM THE CITY’S MANAGER OF RESIDENTIAL FINANCE:</b></p>		
<p><input type="checkbox"/> The housing project will be owned and operated by or on behalf of a college or university.</p> <p><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. Please attached evidence.</p> <p><input type="checkbox"/> The project is subject to the phase-in rules and has 20-49 units.</p>		
<p align="center"><b>IF THE PROJECT IS <u>NOT EXEMPT</u>, THE DEVELOPER ELECTS THE FOLLOWING OPTION TO COMPLY WITH INCLUSIONARY ZONING REQUIREMENTS:</b></p>		

<b>For-Sale Housing On-Site Compliance:</b>  <i>For developments with less than 100 units, please consult the <a href="#">Project Phase-In Table</a> to obtain the required number of restricted units.</i>	<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 80% AMI and priced to be affordable to households earning 70% AMI	
	Number of Restricted Units:	
	Describe 20-year affordability strategy	
<b>If the Inclusionary Zoning Requirements results in a number that includes a fraction of a unit, the Developer elects to:</b>	<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: \$ _____	
<b>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")?</b>	<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:	
<b>ALTERNATIVE COMPLIANCE OPTIONS:</b>		
<input type="checkbox"/> Cash in-lieu Payment	Net residential area: _____ Applicable fee: \$ _____ (\$15 per net residential area sq. ft.)	
<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

*For internal use only:*

Building Permit: \_\_\_\_\_

**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, Article XIV, Inclusionary Housing.

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

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