



CITY COUNCIL ORDINANCE INTRODUCTIONS:

Park Fee Credit Threshold and
AB 1763 Covered Affordable Housing Projects Near Transit

JUNE 15, 2020

Ordinance Introduction:
Affordable Housing Projects Near Transit

AB 1763

AB 1763 Covered Projects: 100% affordable (lower/moderate income levels)

Projects Within a 1/2 mile of a Major Transit Stop (Special Provision):

- Four (4) concessions or incentives; and
- Height increase up to 3 additional stories (or up to 33 feet); and
- Waiver from local maximum controls on density
- No additional waivers or reductions of development standards

CHALLENGES

- City's existing zoning requirements create challenges
- Waivers or reductions provide relief from dev. standards that preclude building to permitted density
- Waivers or reductions can be requested w/out limitation on typical Density Bonus projects

PROPOSED CODE AMENDMENT

27.15.080 – Affordable Housing Projects Near Transit:

- Amends City's existing Density Bonus ordinance
- Qualifying projects may request up to six (6) waivers or reductions
- Must meet required findings

REQUIRED FINDINGS

1. The requested deviations will not conflict with the General Plan;
2. The development is of an excellent design quality and is consistent with applicable Design Guidelines;
3. The development is in the best interests of the public health, safety, or welfare;
4. The development will not impair the desirability of investment or occupation in the vicinity; and
5. The project has demonstrated use of all allowable incentives consistent with Government Code Section 65915.

Ordinance Introduction:

Private Park and Recreational Facility Credit

Park and Rec. In-Lieu Fee Modification

- Fee to mitigate impact on Parks & Rec. facilities due to increase in demand
- New demand calculated in acres needed
- Credit is allowed for on-site amenities
 - Only allowed if on-site amenities equal 25% of the required acres
 - Caps on the amount of credits can be awarded

Park and Rec. In-Lieu Fee Example

Park Dedication Requirement 20,000 SF

Threshold to be able to receive offsets (examples): 5,000 SF

- Playground
- Community Recreation Room
- Fitness Room

If on-site amenities measure < 5,000 SF – No credits are provided

Park and Rec. In-Lieu Fee Modification

- Waive 25% threshold for receiving credit for on-site amenities for 100% Affordable Housing Projects
- This will provide for some fee relief for affordable housing projects that is related to the amenities provided by each project
- Parks and Recreation Commission reviewed item on March 4, 2020 and recommended City Council adoption

REQUESTED ACTION

- To adopt an ordinance adding Municipal Code Section 27.15.080, “Affordable Housing Projects Near Transit,” to provide waivers or reductions from development standards for 100% affordable housing projects covered by AB 1763 near major public transit.
- To adopt an ordinance amending Municipal Code Section 26.64.030, “Private Park and Recreational Facility Credit,” to waive the minimum threshold requirement for 100% affordable housing projects in order for them to receive credits against the Park Impact Fee for on-site recreational amenities.

QUESTIONS FOR
STAFF?