

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: January 9, 2006

FROM: CITY ATTORNEY

TITLE OF PROPOSED ORDINANCE: AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, CHAPTERS 17.42 AND 17.80, OF THE PASADENA MUNICIPAL CODE BROADENING THE DEFINITION OF "RESIDENTIAL PROJECTS" TO INCLUDE SUBDIVISION MAPS AND SINGLE ROOM OCCUPANCY PROJECTS, REQUIRING ON-SITE INCLUSIONARY UNITS FOR PROJECTS DISPLACING VERY LOW, LOW, AND/OR MODERATE INCOME HOUSEHOLDS, AUTHORIZING THE USE OF A PREFERENCE AND PRIORITY SYSTEM, AND EXTENDING THE PERIOD FOR-SALE, INCLUSIONARY, UNITS ARE REQUIRED TO REMAIN AFFORDABLE FROM 30 YEARS TO 45 YEARS.

PURPOSE OF ORDINANCE: This proposed ordinance is necessary to carry out the recommendations of the Special Committee on Inclusionary Housing and the decisions of the City Council that specified the changes to be made to the Affordable Housing Incentives and Requirements Ordinance.

REASONS WHY LEGISLATION IS NEEDED: Authority for the various matters arising under the Affordable Housing Incentives and Requirements Ordinance is established by ordinance in the Zoning Code (Title 17) and can only be amended by ordinance.

This Ordinance implements and codifies the Inclusionary Housing Code Amendments approved by the City Council on July 11, 2005. On that date, the Council also requested that a market study to capture 100% of the current market value in the In-Lieu Fee adjustments be conducted and that further discussion take place on the concept of local preferences. Now that this work and discussions regarding the implementing regulations have been completed, the Ordinance is now being presented to the Council. The regulations and revised fee schedule will be considered by the Council when this Ordinance is presented to the Council for the second reading at the end of January.

MEETING OF 01/09/2006

AGENDA ITEM NO. 9.A.4.

ENVIRONMENTAL IMPACT: The Environmental Administrator has determined that this project is Statutorily Exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA Guidelines Section 15262, Feasibility and Planning Studies.

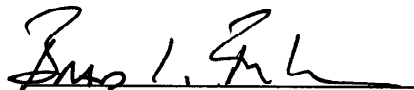
FISCAL IMPLICATIONS: There are no fiscal impacts on the general fund from this ordinance.

POLICY CHANGES: The policy changes broadening the definition of residential project, requiring on-site inclusionary units when affordable housing units are displaced and extending the period for-sale units must remain affordable are consistent with the City Council's prior action.


Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Brad L. Fuller
Assistant City Attorney

Concurrence:


For Cynthia J. Kurtz
City Manager

Introduced by Councilmember _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, CHAPTERS 17.42 AND 17.80, OF THE PASADENA MUNICIPAL CODE BROADENING THE DEFINITION OF “RESIDENTIAL PROJECTS” TO INCLUDE SUBDIVISION MAPS AND SINGLE ROOM OCCUPANCY PROJECTS, REQUIRING ON-SITE INCLUSIONARY UNITS FOR PROJECTS DISPLACING VERY LOW, LOW, AND/OR MODERATE INCOME HOUSEHOLDS, AUTHORIZING THE USE OF A PREFERENCE AND PRIORITY SYSTEM, AND EXTENDING THE PERIOD FOR-SALE, INCLUSIONARY, UNITS ARE REQUIRED TO REMAIN AFFORDABLE FROM 30 YEARS TO 45 YEARS.

The People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code, Title 17, Chapter 17.42, Section 17.42.020, first paragraph is hereby amended to read:

“The requirements of this Chapter shall apply to all new residential projects, all subdivision maps approved after the date of this Ordinance, and all single room occupancy projects, except as noted in Subsection B. The requirements of this Chapter shall apply to all developers and their agents, successors-in-interest, and assigns proposing a residential project. All inclusionary units required by this Chapter shall be sold or rented in compliance with this Chapter and the City's regulations for the implementation of this Chapter (see Subsection A).”

SECTION 2. Pasadena Municipal Code, Title 17, Chapter 17.42, Section 17.42.050, is hereby amended by adding a new Subsection D to read:

"D. On-site inclusionary units required when very low, low, and/or moderate income households are displaced. Any other provisions of this Chapter notwithstanding, any project subject to this Chapter which results in the displacement of very low, low, and/or moderate income household(s) shall be required to provide on-site inclusionary units as required by this Chapter."

SECTION 3. Pasadena Municipal Code, Title 17, Chapter 17.42, Section 17.42.070, Subsection C, Subparagraph 1 is hereby amended to read:

"1. **Units for sale - ~~30~~ 45 years.** A unit for sale shall be reserved for the target income level group at the applicable affordable housing cost for a minimum of ~~30~~ 45 years."

SECTION 4. Pasadena Municipal Code, Title 17, Chapter 17.42, Section 17.42.070, is hereby amended by adding a new Subsection E to read:

"E. Preference and Priority System. The preference and priority system set forth in the City's Inclusionary Housing Regulations shall be used for determining eligibility among prospective beneficiaries for inclusionary units created through this Chapter."

SECTION 5. Pasadena Municipal Code, Title 17, Chapter 17.80, Section 17.80.020,

Subsection A, Affordable Housing Definitions, paragraph number 14, "Residential Project" is hereby amended to read:

"14. Residential project. A subdivision resulting in the creation of 10 or more residential lots, the new construction of a project consisting of 10 or more multifamily units, 10 or more single room occupancy units, 10 or more single-family units for which a PD approval is obtained."

SECTION 6. This ordinance shall take effect 30 days after publication.

Signed and approved this _____ day of _____ 2006.

Bill Bogaard
Mayor of the City of
Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held _____, 2006, by the following vote:

AYES:

NOES:

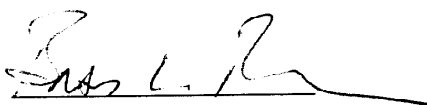
ABSTAIN:

ABSENT:

Published:

Jane Rodriguez, City Clerk,
CMC

APPROVED AS TO FORM:



Brad L. Fuller
Assistant City Attorney