

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, ADOPTING THE AMENDED FEE SCHEDULE FOR PAYMENT OF A FEE IN-LIEU OF DEVELOPING INCLUSIONARY UNITS

WHEREAS, the City Council of the City of Pasadena has adopted Ordinance No. 6868 adding Chapter 17.71 (Inclusionary Housing) to Title 17 (Zoning Ordinance) of the Pasadena Municipal Code to require Inclusionary Units in accordance with procedures and standards set forth in the City of Pasadena Inclusionary Housing Regulations, adopted pursuant to Resolution 8042; and

WHEREAS, Section 17.71.050.A.1 provides that the City Council shall establish by resolution an In-Lieu Fee schedule specifying the fee amount which may be paid to the City in-lieu of developing the Inclusionary Units otherwise required by Chapter 17.71; and

WHEREAS, City Council adopted by resolution the original In-Lieu Fee Schedule on September 10, 2001; and

WHEREAS, City Council desires to amend the current In-Lieu Fee Schedule to reflect the approval process and establish criteria for grandfathering residential development projects under the In-Lieu Fee schedule adopted by the City Council on September 10, 2001 ("Old Fee Schedule"); and

WHEREAS, City Council has considered the amount of the amended In-Lieu Fee at public meetings held on September 8, 2003 and July 26, 2004; and

WHEREAS, in determining the amount of the in-lieu fee the City Council has considered all evidence, written and oral, presented to it, including but not limited to the nexus study prepared by Keyser Marston Associates, Inc.'s titled "Affordability Gap Analysis," dated July 3, 2003 attached hereto as Attachment "C".

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NOW, THEREFORE, the City Council of the City of Pasadena does hereby find, determine and resolve as follows:

Section 1. The above recitals are all true and correct.

Section 2. All defined terms herein, as indicated by initial capitalization, shall have the same meanings as in Chapter 17.71, unless otherwise indicated.

Section 3. Pursuant to Section 17.71.050 of Chapter 17.71, the City Council hereby adopts the In-Lieu Fee Schedule attached hereto as Attachment "A" and incorporated herein by this reference.

Section 4. The In-lieu Fee Schedule refers to subareas of the City that are depicted in the maps attached hereto as Attachment "B" and incorporated herein by this reference.

Section 5. Residential development projects which meet all of the following criteria will be grandfathered under the Old Fee Schedule:

- (a) Residential development projects that have submitted a Predevelopment Plan Review application (if applicable) that was deemed complete by City staff and obtained a discretionary approval as outlined in Title 17 of the Municipal Code, and such approval is effective prior to July 26, 2004; and
- (b) An Inclusionary Housing Plan has been signed and approved by the Director of Planning and Development by the effective date of the amended In-Lieu Fee schedule; and
- (c) A complete set of working drawings for the project has been submitted for plan check and the plan check fee has been paid by the effective date of the amended In-Lieu Fee schedule; and
- (d) Payment of 100% of the fee under the Old Fee Schedule has been made by the date on which the amended In-lieu Fee Schedule becomes effective.

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Adopted at the regular meeting of the City Council on the
_____ day of _____, 2004, by the
following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

JANE L. RODRIGUEZ
City Clerk

Approved as to form:


MARIBEL S. MEDINA
Assistant City Attorney

ATTACHMENT "A"

IN-LIEU FEE SCHEDULE JULY 26, 2004

(In-Lieu Fee Per Square Foot)

Rental Units In-Lieu Fee		
	10 - 49 Units	50 + Units
	Fee	Fee
Sub-area A	*	*
Sub-area B	\$1	\$1
Sub-area C	\$16	\$22
Sub-area D	\$12	\$17

For Sale Units In-Lieu Fee		
	10 - 49 Units	50 + Units
	Fee	Fee
Sub-area A	\$30	\$41
Sub-area B	\$5	\$7
Sub-area C	\$7	\$10
Sub-area D	\$12	\$17

* Sub-area A had no market data at the time of the Keyser Marston Associates (KMA) study to determine a fee. The attached nexus report identified as Attachment C, and incorporated hereto, sets out the methodology that will be used to determine the fee for this sub-area.