

**RESOLUTION NO. 18-1882**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING A FEE SCHEDULE PURSUANT TO SECTION 9133 (INCLUSIONARY HOUSING) OF THE CITY OF AGOURA HILLS MUNICIPAL CODE**

WHEREAS, Agoura Hills Municipal Code Section 9133 *et seq.* requires developers of residential projects of 10 or more units to provide housing units affordable to very low, low, or moderate income households within the residential development;

WHEREAS, Agoura Hills Municipal Code Section 9133 *et seq.* provides that the City's inclusionary housing requirements may be satisfied by payment of an in-lieu fee (instead of building the inclusionary units on-site);

WHEREAS, Agoura Hills Municipal Code Section 9133 *et seq.* provides that the City Council shall adopt a resolution setting forth the amount of the in-lieu fee;

WHEREAS, RSG, Inc., a consulting firm commissioned by the City, prepared a study dated August 29, 2018 entitled "Inclusionary Housing In-Lieu Fee Analysis" addressing the gap between market rate sales prices and rents for housing units in the City and sales prices and rents affordable to very low, low, and moderate income households. The study also contained detailed analysis for the estimated development funding gap related to constructing the affordable units on site. The study included a proposed in-lieu fee amount for apartment, condominium, and single family residential projects necessary to fund 100% of the estimated cost or assistance needed to develop the affordable units at an off-site location. The study also included a reduced fee option at 40% of the estimated cost or assistance needed to develop an affordable single family residential project at an off-site location;

WHEREAS, Section 9133 *et seq.* provides that all monies collected by the City in-lieu of constructing affordable units on-site shall be deposited in the inclusionary housing trust fund;

WHEREAS, a public hearing was duly held on September 26, 2018 at 6:00 p.m. in the Agoura Hills City Hall Council Chambers, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, and place and purpose of the aforesaid was duly given;

WHEREAS, evidence, both written and oral, was duly presented to and considered by the City Council of the City of Agoura Hills at the aforesaid public hearing;

WHEREAS, after close of the public hearing, the City Council considered all public comments received both before and during the public hearing, the presentation by City staff, the staff report, the recommendations, and all other pertinent documents and associated actions regarding the proposed ordinance amendment and fee update; and

WHEREAS, the in-lieu fee schedule resolution was reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act (CEQA), as amended, and the CEQA Guidelines promulgated thereunder. The inclusionary housing in-lieu fee schedule resolution has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines, since it includes the amendment to government funding mechanisms and fiscal activities that do not involve any commitment to a specific project that may result in a potentially significant physical impact on the environment. Moreover, additional CEQA review would be required on a case-by-case basis prior to issuance of any approvals to construct units with the funds generated by the in-lieu fees.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Agoura Hills as follows:

**Section 1.** The City Council has reviewed and approved the study prepared by RSG, Inc., and finds that the analysis therein supports the in-lieu fees established by this resolution.

**Section 2.** The City Council hereby adopts the inclusionary housing in-lieu fee amounts stated in this resolution. To satisfy the inclusionary housing requirements of Agoura Hills Municipal Code Section 9133 *et seq.*, the total amount of the in-lieu fee for a residential development shall be calculated by multiplying the number of units that are required to be reserved for very low, low, and moderate income households (but that are not built onsite) by the in-lieu fee amounts applicable to each apartment, condominium, and single family units at the income levels stated in Table A below:

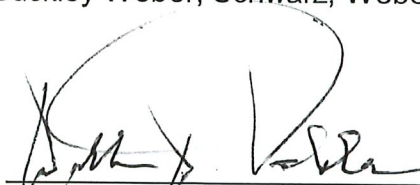
TABLE A

In-Lieu Fees for Apartment, Condominium and Single Family Residential Developments
<u>In-Lieu Fee for Apartment Developments:</u> <ul style="list-style-type: none"><li>• \$285,336 for every very low income unit not built</li><li>• \$260,196 for every low income unit not built</li><li>• \$134,498 for every moderate income unit not built</li></ul>
<u>In-Lieu Fee Condominium Developments</u> <ul style="list-style-type: none"><li>• \$307,872 for every very low income unit not built</li><li>• \$262,541 for every low income unit not built</li><li>• \$130,159 for every moderate income unit not built</li></ul>
<u>In-Lieu Fee Single Family Residential Developments</u> <ul style="list-style-type: none"><li>• \$508,849 for every very low income unit not built</li><li>• \$487,943 for every low income unit not built</li><li>• \$427,002 for every moderate income unit not built</li></ul>

**Section 3.** Effective Date. The fees specified in this resolution shall take effect on January 1, 2019. Any and all prior resolutions of the City Council establishing or modifying the inclusionary housing in-lieu fees are hereby repealed and replaced as of January 1, 2019. Notwithstanding the preceding language, only those development applications that are deemed complete by the City no later than December 31, 2018 shall be subject to the fees set forth in Resolution No. 08-1488, previously adopted on July 9, 2008. Any development applications deemed complete by the City on or after January 1, 2019 shall be subject to the new fees set forth in this Resolution 18-1882.

PASSED, APPROVED AND ADOPTED this 26<sup>th</sup> day of September, 2018, by the following vote to wit:

AYES: (5) Koehler, Northrup, Buckley Weber, Schwarz, Weber  
NOES: (0)  
ABSENT: (0)  
ABSTAIN: (0)



William D. Koehler, Mayor

ATTEST:



Kimberly M. Rodrigues, MMC  
City Clerk

