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## Council adopts resolution approving an Affordable Housing In-Lieu Fee

By Vera Kochan

Moraga's Regional Housing Needs Allocation (RHNA) for the next eight years is 1,118 new units. Sixty percent of those units will be affordable to lower- and moderate-income households. In December, the Town Council adopted an Affordable Housing Ordinance which requires developers to set aside these inclusionary units with deed restrictions that limit the rent or sales price that may be charged.

The Ordinance also gave the council the ability to adopt an in-lieu fee. According to an April 12 staff report by Moraga Planning Director Afshan Hamid, Planning Consultant Barry Miller, and Keyser Marston Associates, Inc. Senior Principal David Doezema, "The primary purpose is to address situations where the inclusionary requirement does not result in a whole number of affordable units that are required. Projects with a fractional inclusionary requirement are eligible to either pay an in-lieu fee for the fractional unit or provide a whole inclusionary unit."

The report goes on to explain, "For example, if an applicant proposed a 24-unit rental project, the 10% inclusionary requirement represents 2.4 lower-income units. Since dwelling units are counted in whole numbers, the 'fractional' remainder of 0.4 units could either be satisfied through payment of the proposed fractional in-lieu fee or the applicant could choose to round up and provide three affordable units within the project. In this instance, the requirement for 2.4 units would mean two affordable units would be provided and the applicant would pay a fee equal to four-tenths of a dwelling unit."

Additionally, residential developments with six, seven, eight, or nine units are allowed one full inclusionary unit or the option of paying a predetermined in-lieu fee. Also, any projects being developed in a Very High Fire Severity Zone will be entitled to options.

Any in-lieu fees collected would go into the town's Affordable Housing Fund (Fund 791). These fees would accrue and be used to support Housing Element programs geared toward providing a supplemental funding source for nonprofit affordable housing developers.

With a vote of 4-0 (Vice Mayor Teresa Onoda was absent), the Town Council adopted the resolution both approving and adopting an Affordable Housing In-Lieu Fee in accordance with the Town's Affordable Housing Ordinance.

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