

## LEGISLATIVE DIGEST

[Planning, Administrative Codes - North of Market Affordable Housing Fees and Citywide Affordable Housing Fund]

**Ordinance amending the Planning Code and the Administrative Code to abolish the North of Market Affordable Housing Fund and have certain fees collected in conjunction with North of Market affordable housing deposited in the Citywide Affordable Housing Fund; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

### Existing Law

The North of Market Affordable Housing Fund (“NOM Fund”) is currently established in the Planning Code as a special fund established by the Controller to receive fees related to certain height exceptions made in the North of Market Residential Special Use District (“NOM Fees”). The NOM Fund is administered by the Mayor’s Office of Housing and Community Development (“MOHCD”) and must be used solely to stabilize, rehabilitate, and retain affordable housing in the North of Market Residential Special Use District. The Citywide Affordable Housing Fund (the “Citywide Fund”) is established under the Administrative Code to receive fee revenue dedicated to affordable housing from several different programs related to affordable housing, including programs in the Planning Code. MOHCD administers the Citywide Fund for the exclusive purpose of supporting affordable housing or other eligible uses prescribed by the code where a fee was established. The Eastern Neighborhoods Area Plan Alternate Affordable Housing Fee is currently established in the Planning Code and must be deposited into the Citywide Fund.

### Amendments to Current Law

The Proposed Legislation amends the Planning Code to abolish the NOM Fund, require NOM Fees to be deposited into the Citywide Fund, and clarify MOHCD as the administrator of the NOM Fees. The NOM Fees within the Citywide Fund must be separately accounted for and expended by MOHCD. The Proposed Legislation also amends the Administrative Code to add the NOM Fees and the Eastern Neighborhoods Area Plan Alternate Affordable Housing Fee as fee revenue to be received by the Citywide Fund.

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