

REVISED LEGISLATIVE DIGEST

(Revised on 11/22/2010)

[Planning Code – Affordable Housing Program Exemption For Qualified Student Housing.]

Ordinance amending the Residential Inclusionary Affordable Housing Program, Planning Code Sections 415 et seq. to exempt certain Qualified Student Housing Projects, as defined, if the project meets certain requirements; adding corresponding definitions to Section 401; and making findings including environmental findings.

Existing Law

The Residential Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. currently contains no exemption from its requirements for student housing of any type.

Amendments to Current Law

The proposed legislation would provide an exemption from the requirements of the Residential Inclusionary Affordable Housing Program for "Qualified Student Housing Projects" as defined in the proposed legislation that meet certain requirements. Qualified Student Housing is defined as housing or group housing that is owned or controlled by an accredited post secondary educational institution in which at least thirty percent of the ~~units or~~ beds are occupied by "Qualified Students." Qualified Students are defined as students who receive or are eligible to receive certain types of needs-based financial aid. A Qualified Student Housing Project is a housing project that contains housing for Qualified Students. Such a project may be exempted from the ordinance if it meets certain criteria including: (1) that the project does not result in the loss or conversion of rental housing including rental housing or dwelling units; (2) an Institutional Master Plan (IMP) is on file for the educational institution and contains certain specific information related to housing and housing for Qualified Students; (3) the educational institution agrees to provide certain data annually related to the Qualified Student Housing; and (4) the educational institution records a Notice of Special Restrictions on the Property that meets certain requirements. The Qualified Educational Institution must file a notice of termination with the Planning Department if it intends to terminate the Qualified Student Housing use and the project would then become subject to the requirements of the Inclusionary Affordable Housing Program. The Mayor's Office of Housing is authorized to monitor the Program and shall submit an annual report to the Board on the exemption.