

**LEGISLATIVE DIGEST**

[Planning Code - Student Housing Exemption from Inclusionary Housing Requirements]

**Ordinance amending the Planning Code to change the requirement from five to two years that Student Housing be owned or leased by an educational institution to be exempt from the Inclusionary Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302, and of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

Existing Law

The Planning Code exempts Student Housing, as defined in the Code, from the requirements of the Inclusionary Housing Ordinance, if some conditions are met. One of those conditions currently requires the Post-Secondary Educational Institution that owns or controls the Student Housing to submit annual documentation to the Mayor's Office of Housing (MOHCD) and the Planning Department demonstrating, among other things, that the Post-Secondary Educational Institution owns or otherwise controls the Student Housing project under a master lease or other contractual agreement with at least a five-year term.

Amendments to Current Law

This Ordinance changes the requirement that the Post-Secondary Educational Institution control the Student Housing project for at least a five-year term, to at least a two year term.

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