

RESOLUTION NO. 05-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT CREEK ESTABLISHING AN AFFORDABLE HOUSING FEE ON COMMERCIAL DEVELOPMENT

WHEREAS, there is a reasonable relationship between the need for affordable housing and the impacts of commercial development within the City. There is also a reasonable relationship between the fee's use and the impacts of commercial development. Development of new commercial projects encourages new residents to move to the City. Some of the employees needed to meet the needs of new commercial development earn incomes only adequate to pay for affordable housing. Because affordable housing is in short supply within the City, these employees might otherwise be forced to live in less-than-adequate housing within the City, pay a disproportionate share of their incomes to live in adequate housing within the City, or commute ever-increasing distances to their jobs from housing located outside the City. These circumstances harm the City's ability to attain goals articulated in the City's General Plan.

WHEREAS, the Municipal Code has been amended by adding Chapter 13 to Title 10 (commencing with section 10-13.101) to require developers of commercial projects to pay a fee to mitigate the impact on the need created for affordable housing by the commercial development; and

WHEREAS, the Municipal Code as amended allows the City Council by resolution to set this housing impact fee; and

WHEREAS, the City has had prepared a Jobs Housing Nexus Analysis ("Nexus Study") done by Keyser Marston Associates dated April 2004, and as amended to include the addendum of December 2004, to satisfy to the Mitigation Fee Act (Government Code Section 66000, et seq.); and

WHEREAS, the Nexus Study has found that there is a nexus between new commercial floor area, the creation of jobs, and the demand for low and moderate income housing for new employees; and

WHEREAS, the fee will be used solely to increase the supply of housing affordable to very low-, low-, and moderate-income employees; and

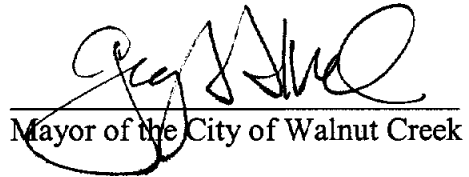
WHEREAS, the fees will be placed in a separate fund and used exclusively for the development of affordable housing within the City.

NOW, THEREFORE, the City Council of the City of Walnut Creek resolves as follows:

1. The housing impact fee authorized by Municipal Codes section 10-13.103 is hereby set at \$5.00 per square foot.
2. The housing impact fee shall be reviewed at least every five years.
3. Effective Date. The fee established in this Resolution shall take effect on the 60th day following the adoption of this Resolution.

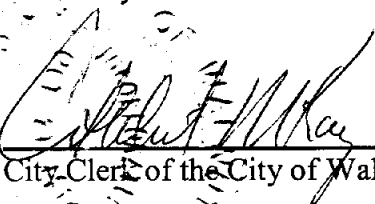
PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 1st day of March 2005, by the following called vote:

AYES:	Councilmembers:	Rainey, Regalia, Hicks, Mayor Skrel
NOES:	Councilmembers:	Abrams
ABSENT:	Councilmembers:	None



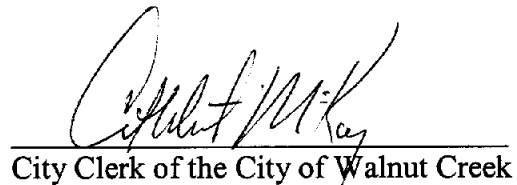
Mayor of the City of Walnut Creek

Attest:



City Clerk of the City of Walnut Creek

I HEREBY CERTIFY that the foregoing resolution was duly and regularly passed and adopted by the City Council of Walnut Creek, County of Contra Costa, State of California, at a regular meeting of said Council held on the 1st day of March 2005.



City Clerk of the City of Walnut Creek