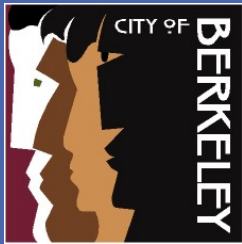


# Citywide Affordable Housing Requirements Update



City Council

February 14, 2023

## Council Action 1/17/23

- Adopted first reading of a proposed ordinance
- Adopted a resolution establishing an in-lieu fee for the City's inclusionary requirements and regulations for related voucher programs
- Made additional amendments which were included in Supplemental Communications Packet #2

Council Action  
1/17/23  
(cont'd)

- Additional amendments:
  - An exemption for projects of fewer than five units
  - Anti-piecemealing provisions
  - Calculation of the in-lieu fee based on “net residential floor area” using the 2020 Affordable Housing Mitigation Fee level

## Staff Recommendation

Conduct a public hearing and upon conclusion:

1. Adopt first reading of an Ordinance amending the Berkeley Municipal Code Chapter 23.328, updating the citywide Affordable Housing Requirements in the Zoning Ordinance, repealing existing administration and zoning code sections that refer to affordable housing requirements, BMC Section 22.20.065, and Section 23.312.040(A)(6), and updating references to BMC Chapter 23.328 throughout the Berkeley Municipal Code, to become effective on April 1, 2023.
2. Adopt a Resolution establishing regulations for a voucher program and establishing an in-lieu fee pursuant to BMC Chapter 23.328 upon the effective date of contemporaneously adopted amendments to BMC Section 23.328, and rescind Resolution No. 70,668-N.S. related to fees, exemptions, and administration of inclusionary affordable housing and in-lieu programs upon the effective date of contemporaneously adopted amendments to BMC Chapter 23.328.