

Coronado Municipal Code
Title 82 SUBDIVISIONS
Chapter 82.21 DEDICATION – AFFORDABLE HOUSING ASSISTANCE

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82.21.010 Intent.

The intent of this chapter is to ensure that the private sector, as well as the public sector, contributes to and shares our government's responsibility of providing adequate housing opportunities for all segments of the population.

82.21.020 Requirement.

As a condition of approval of any tentative parcel map or tentative subdivision map for residential dwellings, condominiums, community apartments, stock cooperatives or conversions comprising two or more lots or two or more dwelling units, the subdivider shall reserve 20 percent of the units within the development “for rental” to persons qualified by the County Housing Authority as meeting Section 8 Rental Assistance requirements or to persons qualifying within very low and low income categories as established annually by the U.S. Department of Housing and Urban Development (HUD), or “for sale” to persons qualifying within moderate income categories as established annually by the U.S. Department of Housing and Urban Development (HUD), or shall pay a fee in lieu thereof for every unit within the project, at the option of the subdivider, for the purpose of providing affordable housing assistance. (Ord. 1813)

82.21.030 Filing.

At the time of filing of a tentative parcel map or tentative subdivision map, the subdivider shall, as part of the filing, elect whether to reserve a unit or units or to pay the in lieu fee. (Ord. 1813)

82.21.040 Amount of reservation/in-lieu fee required.

A. Unit Reservation. If the subdivider elects to reserve units, the number of units required shall be equal to 20 percent of the total number of units within the proposed development. If the calculation of the number of housing units to be reserved results in a fraction of a whole number, the developer shall reserve one housing unit. A unit or units reserved for rental shall be rented at or below the “Fair Market Rent” established by HUD to persons qualified for Section 8 Rent Subsidies by the County Housing Authority or to persons within very low and low income categories as established annually by HUD. A unit or units reserved for sale shall be sold at affordable prices to persons within moderate income categories as established annually by HUD.

Said unit or units reserved “for rental” or “for sale” may be at a location other than the subject development site provided it is within the boundaries of the City of Coronado and maintained as affordable for a minimum period of time as determined by the Community Development Director and approved by the City Council. The condition of said unit or units both interior and exterior shall be maintained in a decent, safe and sanitary manner and in accordance with the standard of maintenance of similar housing units within the City of Coronado.

B. In Lieu Fee. If the subdivider elects to make payment in lieu of unit reservation, the amount of the fee shall be fixed by a schedule adopted, from time to time, by resolution of the City Council. Said amount shall be reasonably calculated to provide the subdivider’s fair share contribution towards meeting the City’s affordable housing objective without placing an unreasonable financial burden on any applicant. (Ord. 1813)

82.21.050 Affordable housing fund.

All fees collected hereunder shall be deposited in an affordable housing fund. Said fund shall be administered by the City and shall be used only for the purpose of providing funding assistance for the provision of new affordable housing units within the City consistent with the goals and policies contained in the Housing Element of the General Plan.

82.21.060 Procedure.

A. Where the subdivider has elected to reserve a unit or units, the election shall be memorialized by covenants, conditions and restrictions noted on the map and any subsequent conveyances of interest to include a deed to a Public Housing Authority.

B. Where the subdivider has elected to pay fees in lieu of unit reservations, the subdivider shall pay said fees prior to recordation of the final map, or shall post a faithful performance bond, or shall otherwise provide adequate security to the City to ensure payment of the required fee.

82.21.070 Refund.

A. Any fee paid pursuant to the provisions of this chapter shall be refunded upon written request by the subdivider following withdrawal of the application or abandonment of the approval of the subdivision, provided such withdrawal or abandonment occurs prior to the recordation of the final map.

B. The in lieu funds shall be segregated from City funds. The in lieu funds may be invested in the same manner and at the same rate as allowed for City funds. If land use rights for real property to carry out the purposes of this title are not obtained within a three-year period from the receipt of any in lieu funds, or the City has not, within a 10-year period from the receipt of in lieu funds committed the funds to a low or moderate income housing project, then the in lieu funds, together with any earnings thereon, shall be retained for the benefit of the City. The three-year and 10-year periods shall be suspended during the pendency of any litigation involving the above.

82.21.080 New housing rental agreement.

Notwithstanding any other provisions in this title, the City may enter into an agreement with the subdivider proposing to construct a condominium development to provide apartment rental units in accordance with Section

66452.50 of the Act.
