

APR 28 2009

09-0964

PLANNING & LAND USE MANAGEMENT

### MOTION

On February 13, 2008 the City Council adopted a Density Bonus Program in order to comply with SB 1818, a State law passed back in 2004. As part of the Council's action, an amendment was passed to request that the Planning Department report back to Council in one year on the status of implementation of the ordinance (CF#05-1345).


Planning was asked to include in its report data on how many projects were approved, how many affordable units were created, where these projects were located, and what the overall effect throughout the year was of each of the amendments made by Council during deliberations and recommendations for changes to increase the ordinance's effectiveness.


With the recent action of a Los Angeles Superior Court judge to toss out a portion of the City's Density Bonus Program earlier this month, the need for feedback from the Planning Department on the effect of the new law is critical. An unknown number of projects, many already under construction, will be impacted by this ruling, if it is allowed to stand.

The City is also about to begin deliberations on a new Mixed Income Housing ordinance, the possible parameters for which have been laid out by the Mayor. The City Attorney and Planning should brief the Council on whether the City should seek to amend its density bonus law at the same time as it seeks to adopt a new mixed income ordinance.

I THEREFORE MOVE that the Planning Department be requested to report to Council on the impact of the City's Density Bonus Program one year after it took effect. This report should include information about how many projects were approved, how many affordable units were created, where these projects were located, what was the overall effect throughout the year of each of the amendments made by the City Council during deliberations, and recommendations for changes to increase the ordinance's effectiveness.

I FURTHER MOVE that the City Attorney and Planning Department be requested to report to Council with an analysis of how the City should proceed with its deliberation over the creation of a Mixed Income Housing ordinance in light of the recent Los Angeles Superior Court decision to strike out those portions of the City's Density Bonus Program that allow for levels of density greater than those authorized by the State through SB 1818.

PRESENTED BY:   
JOSE HUIZAR  
Councilmember  
14<sup>th</sup> District

SECONDED BY: 

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ORIGINAL