

CITY OF MOUNTAIN VIEW
CITY COUNCIL
RESOLUTION NO.
SERIES 2017

A RESOLUTION ADOPTING THE AFFORDABLE HOUSING
ADMINISTRATIVE GUIDELINES FOR THE NORTH BAYSHORE PRECISE PLAN

WHEREAS, the City Council authorized development of a new North Bayshore Precise Plan to implement the City's General Plan vision for the area; and

WHEREAS, the North Bayshore Precise Plan allows up to 9,850 residential units; and

WHEREAS, the City Council has a Council goal to improve the quantity, diversity, and affordability of housing for Mountain View residents; and

WHEREAS, the North Bayshore Precise Plan includes a goal of 20 percent of the total residential units as affordable; and

WHEREAS, the Affordable Housing Administrative Guidelines for the North Bayshore Precise Plan implement the City's affordable housing strategy for the North Bayshore Precise Plan Area; and

WHEREAS, the Environmental Planning Commission is required to make a recommendation to the City Council regarding adoption of the Affordable Housing Administrative Guidelines for the North Bayshore Precise Plan; and

WHEREAS, on November 15, 2017, the Environmental Planning Commission held a duly noticed public hearing and recommended the City Council adopt the Affordable Housing Administrative Guidelines; and

WHEREAS, on December 12, 2017, the City Council held a duly noticed public hearing to consider the Environmental Planning Commission's recommendation and the proposed Affordable Housing Administrative Guidelines, and has reviewed all associated staff reports, meeting minutes, testimony, and evidence constituting the record of proceedings;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that the City Council adopts the Affordable Housing Administrative

Guidelines for the North Bayshore Precise Plan attached hereto as Exhibit A, as amended.

TIME FOR JUDICIAL REVIEW

The time within which judicial review of this document must be sought is governed by California Code of Procedure Section 1094.6 as established by Resolution No. 13850 adopted by the City Council on August 9, 1983.

MA/3/RESO
891-12-12-17r-E

Exhibit: A. Affordable Housing Administrative Guidelines for the North Bayshore
Precise Plan

North Bayshore Precise Plan

Affordable Housing Administrative Guidelines

Final Draft, November 2017

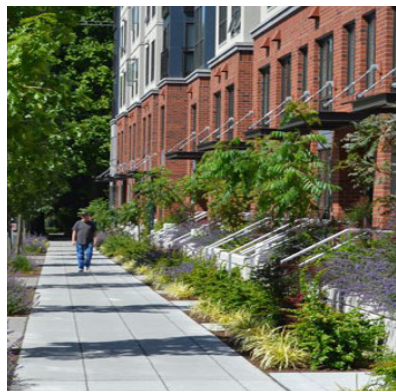
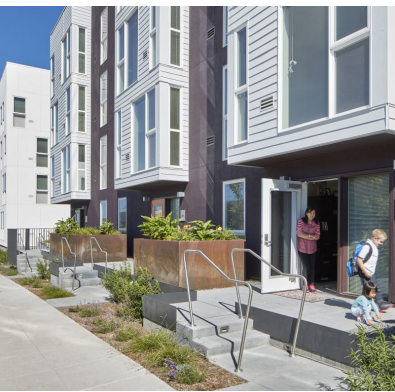
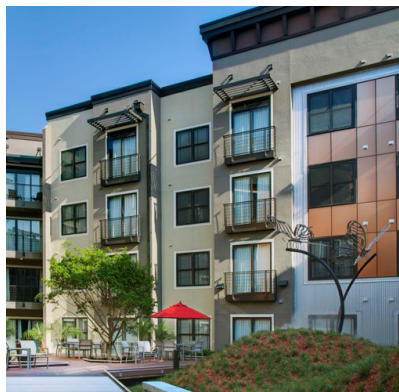


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Affordable Housing Administrative Guidelines (DRAFT)
Mountain View North Bayshore Precise Plan

As described in the North Bayshore Precise Plan (also referred to as Precise Plan), the development of housing that is affordable to a broad range of households is of great importance to the City and the Shoreline Regional Park Community, and it is a critical element to creating complete neighborhoods in North Bayshore. The Precise Plan includes a goal of a minimum of 20 percent (20%) affordable housing units within the North Bayshore district. Achieving this goal will require a coordinated effort among the City, developers of market rate and non-profit housing, community service providers, and employers in North Bayshore.

These Administrative Guidelines (also referred to as Guidelines) provide guidance regarding the implementation of the affordable housing program in North Bayshore. As residential development occurs in North Bayshore, these Guidelines may be reviewed and amended as needed to achieve the Precise Plan goals and policies for affordable housing. Additional procedures and technical information to these Guidelines will be included in an appendix.

A. Affordable Housing Requirement

Residential development in North Bayshore can satisfy the Precise Plan's affordable housing requirements by either complying with the City's standard affordable housing requirements, or by choosing one of two density bonus options:

1. **City Density Bonus Option.** The City administers a density bonus program citywide that is consistent with California State Density Bonus law, and which could be utilized by any proposed residential development in North Bayshore. This program option is governed by California Government Code Section 65915 et seq. and Mountain View City Code (MVCC) Section 36.14, and not these Guidelines.
2. **North Bayshore Bonus Floor Area Ratio (FAR) Option.** Residential development in North Bayshore can choose this option if a project is not utilizing the City Density Bonus Option and meets all of the following criteria:
 - ◆ **Location.** Located within the North Bayshore complete neighborhood area.
 - ◆ **Project Size.** Includes five or more dwelling units.
 - ◆ **Rental Housing Units – On-Site.** Must include at least 5% of all rental housing units affordable at or below 50% Areawide Median Income (AMI) for Santa Clara County, if affordable rental housing is provided on-site as part of a development.
 - ◆ **Ownership Housing Units – On-Site.** Must include at least 10% of all ownership housing units affordable at or below 110% AMI, if affordable ownership housing is provided on-site as part of a development,
 - ◆ **Green Building Standards.** Must meet green building standards outlined in Chapter 4 and Appendix B of the North Bayshore Precise Plan.

These Guidelines describe the requirements and procedures for the **North Bayshore Bonus FAR Option**. For information on the **City Density Bonus Option**, please see MVCC 36.14.

B. Submittal of North Bayshore Affordable Housing Plan (NBAHP)

Prior to any project approvals, the project applicant must submit a North Bayshore Affordable Housing Plan (NBAHP) that indicates how the project applicant intends to satisfy the Precise Plan Affordable Housing requirements and these Guidelines.

The NBAHP must be accompanied by a signed Cover Statement confirming the project applicant’s commitment to fulfilling the NBAHP. If the project applicant is submitting a master plan, the NBAHP may be included as part of this submittal. Section G of the Guidelines describes the submittal requirements for the NBAHP.

C. Bonus FAR Tiers (Tier 1 and Tier 2)

The North Bayshore Bonus FAR option consists of two Tiers:

- ◆ **Tier 1 Bonus FAR (15% Affordable Housing Units)** Projects are eligible for a Tier 1 Bonus FAR if they provide at least 15% of the total residential units—on-site or through the land dedication provisions of the Guidelines—at affordable rent or sales prices. Tier 1 Bonus FAR amounts vary depending on the location of the residential project, as shown below in Table 1.
- ◆ **Tier 2 Bonus FAR (20% Affordable Housing Units).** Projects are eligible for a Tier 2 Bonus FAR if they provide at least 20% of the total residential units—on-site or through the land dedication provisions of the Guidelines—at affordable rent or sales prices. Tier 2 Bonus FAR amounts vary depending on the location of the residential project, as shown below in Table 1.

Table 1: Maximum Residential Bonus FAR Tiers and Maximum Building Heights by Character Area

CHARACTER AREA	BASE FAR	TIER 1 BONUS FAR (MAXIMUM BUILDING HEIGHT)	TIER 2 BONUS FAR (MAXIMUM BUILDING HEIGHT)
Gateway/Core	1.0	3.20 (7 Stories)	4.50 (15 Stories)
General	1.0	2.50 (5 Stories)	3.50 (8 Stories)
Edge	1.0	1.85 (4 Stories)	n/a

D. On-site Affordable Housing

Providing affordable housing units on-site is one option to satisfy the North Bayshore affordable housing requirements. The City encourages participation and coordination among developers of market rate and non-profit housing, community service providers, and employers to stimulate development of new affordable housing units in North Bayshore.

The intent of these Guidelines is to provide some flexibility to accommodate a variety of housing types and income levels to meet the City’s broad spectrum of housing needs. To this end, on-site affordable

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housing may be provided within mixed-income buildings or can be provided in a separate structure that is 100% affordable, subject to approval by the City Council.

Affordable housing units in North Bayshore shall be rented or sold to qualified households by income category and level. The following definitions for target household income categories will be used in North Bayshore, and household incomes will be computed as an average over a 3-year period:

- ◆ **Very Low Income** household (also referred to as **VLI**) means a household whose income is 50% or below of the household AMI, adjusted for household size, for Santa Clara County as published periodically by the State Department of Housing and Community Development (also referred to as Santa Clara County AMI, or AMI).
- ◆ **Low Income** household (also referred to as **LI**) means a household whose income is above 50% up to 80% of the Santa Clara County AMI.
- ◆ **Moderate Income** household (also referred to as **MOD**) means a household whose income is above 80% up to 120% of the Santa Clara County AMI.
- ◆ **Above Moderate Income** (also referred to as **Above MOD**) means a household whose income is above 120% up to 145% of the Santa Clara County AMI.

To achieve a mix of income levels, these Guidelines set a target mix by household income categories and affordable housing cost for both on-site affordable rental units and affordable ownership units, as described below.

1. On-site Affordable Rental Housing Requirements

If the project applicant chooses the on-site affordable option for rental housing, at least 5% of all rental units within a proposed development must be affordable at a monthly rent based on an income level of 50% of the Santa Clara County AMI or lower.¹ The monthly rent for an on-site affordable rental unit shall be affordable to households at certain corresponding income levels. The actual affordable rent shall be determined annually by a formula based on the target income levels specified in the NBAHP for each development. Table 2 shows the target income levels and affordable cost levels by income category for on-site affordable rental units.

Monthly rents for affordable rental units are based on rent that does not exceed 30% of a qualifying renter household's gross monthly income. Affordable rental housing costs are calculated based on an affordable rental cost, adjusted for tenant payment of utilities as appropriate. The City shall define affordable housing costs for each proposed development as part of the NBAHP process, and the affordable housing cost may be adjusted annually to reflect the current Santa Clara County AMI.

The actual affordable rental units within a building do not need to be permanently assigned to units in specific locations but may be reassigned to another location if the following requirements are met: compliance with Section D6 of these Guidelines; the required number of units are always available; the appropriate affordability levels are maintained; and the number of bedrooms is consistently maintained (e.g., a one-bedroom unit cannot be substituted for a two-bedroom unit). The City must review and approve any proposed changes to the assigned location of affordable housing units prior to such change.

¹ Based on household income levels for Santa Clara County, adjusted for household size, as published periodically by the State Department of Housing and Community Development.

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Table 2: North Bayshore On-site Affordable Housing by Income Category

INCOME CATEGORIES	TIER 1 BONUS FAR (15% AFFORDABLE HOUSING REQUIREMENT)		TIER 2 BONUS FAR (20% AFFORDABLE HOUSING REQUIREMENT)	
	RENTAL	OWNERSHIP	RENTAL	OWNERSHIP
Very Low Income (VLI)	5% of units affordable at 50% AMI or lower*		5% of units affordable at 50% AMI or lower*	
Low Income (LI)	5% of units affordable at 65% AMI average or lower	5% of units affordable at 80% AMI or lower	5% of units affordable at 65% AMI average or lower	5% of units affordable at 80% AMI or lower
Moderate Income (MOD)	5% of units affordable at 100% AMI average or lower	10% of units affordable at 110% AMI or lower*	10% of units affordable at 100% AMI average or lower	10% of units affordable at 110% AMI or lower*
Above Moderate Income (Above MOD)				5% of units affordable at 135% AMI or lower
* These provisions allow the North Bayshore Bonus FAR program to meet the requirements of State Density Bonus Law by providing these minimum percentages of units at these household incomes based on Areawide Median Income (AMI).				

2. On-site Affordable Ownership Housing Requirements

If the project applicant chooses the on-site affordable option for ownership housing, at least 10% of all ownership units within a proposed development must be affordable at a purchase price based on an income level not to exceed 110% Santa Clara County AMI.² The purchase price for an ownership unit shall be affordable to households at certain corresponding income levels. The actual affordable purchase price is determined annually by a formula based on the household target income levels specified in the NBAHP for each development. Table 2 shows the target income levels and affordable housing cost levels by household income category for on-site affordable ownership housing.

Affordable purchase prices for on-site ownership units are based on housing costs that do not exceed the following percentage of household incomes:

- ◆ 30% of qualifying household gross monthly income for households at or below 100% of Santa Clara County AMI.
- ◆ 35% of qualifying household gross monthly income for households above 100% of Santa Clara County AMI.³

Affordable ownership housing costs are calculated based on an affordable home price and assume a 10% down payment and monthly homeowner payments of property taxes, principal and interest and homeowner association fees. The mortgage interest rate must be equivalent to the 10-year rolling average of 30-year interest rate data provided by Freddie Mac or similar interest rate index. The City

² Based on household income levels for Santa Clara County, adjusted for household size, as published periodically by the State Department of Housing and Community Development.

³ State Density Bonus Law defines affordable housing cost for moderate income households by what is affordable to households at 110% AMI and assuming 35% of income on housing costs.

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shall define affordable housing costs for each proposed development as part of the NBAHP process, and the affordable housing cost may be adjusted annually to reflect the current Santa Clara County AMI.

To qualify to purchase an affordable ownership unit, no member of the owner household may have owned any interest in a housing unit for a 3-year period prior to applying to purchase an affordable unit. The 3-year period shall be counted backwards from the application date to purchase the unit.

The application process for affordable ownership units shall include both an asset test and asset verification in addition to income eligibility, consistent with State and Federal guidelines such as the U.S. Department of Housing Regulation 4350.3.⁴ Income and assets of applicants will be verified by the City or its designee.

All purchases of affordable ownership units must include a minimum 5% down payment, the amount of which will vary based on the sales price of the home. Of the total 5% down payment, 3% must be the purchaser's own funds (held in a financial institution) and 2% can be from gift funds (not yet received).

3. Target Income Categories for Units and Qualifying Households

The City encourages affordable units to serve a broad variety of income levels. During the NBAHP process, the Community Development Director or designee shall work with the project applicant to ensure that the rents and sales prices of affordable units serve a broad range of eligible incomes while still meeting the relevant minimum and average income targets described in Table 2.

Affordable rents for on-site rental units must be established as follows:

- ◆ **Very Low Income (VLI) rents** are affordable at the 50% AMI level or lower.
(At least 5% of all rental units within a proposed development must be rented at affordable rents at the VLI level.⁵)
- ◆ **Low Income (LI) rents** can be set within a range of affordability above 50% up to 80% AMI, such that the average rent across the units in the LI category is affordable at 65% AMI or lower.
- ◆ **Moderate Income (MOD) rents** can be set within a range of affordability above 80% up to 120% AMI, such that the average rent across the units in the MOD category is affordable at 100% AMI or lower.

Purchase prices for on-site ownership units must be established as follows:

- ◆ **Low Income (LI) purchase prices** are affordable at the 80% AMI level or lower.
- ◆ **Moderate Income (MOD) purchase prices** are affordable at the 110% AMI level or lower.
(At least 10% of all ownership units within a proposed development must have affordable purchase prices at the 110% AMI level or below.⁶)
- ◆ **Above Moderate Income (Above MOD) purchase prices** are affordable at the 135% AMI level or lower.

⁴ https://portal.hud.gov/hudportal/documents/huddoc?id=DOC_35701.pdf

⁵ This provision allows the North Bayshore Bonus FAR program to meet the requirements of State Density Bonus Law by providing these minimum percentages of units at these household incomes based on Areawide Median Income (AMI).

⁶ Ibid.

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To qualify for an affordable unit, households may have a household income up to 10% above the affordable rent or purchase price of a particular unit. For example, a household earning up to 70% AMI may qualify for a 60% AMI rental unit. For affordable ownership units, a household earning up to 90% AMI may qualify for an 80% AMI ownership unit, or a household earning up to 145% AMI may qualify for a 135% AMI ownership unit.

4. Household Size and Occupancy

The household size of an affordable renter or owner household must be compatible with the number of bedrooms of the affordable unit being rented or purchased. A minimum of one person per bedroom is required for a household that seeks to occupy an affordable rental or ownership unit.

The City will use household size to determine affordable housing costs for affordable units, as shown in Table 3. However, smaller or larger households can occupy affordable units as long as they meet the City's occupancy standards.

Table 3: Assumed Household Size by Number of Bedrooms

HOUSEHOLD SIZE (NUMBER OF PERSONS)	NUMBER OF BEDROOMS
1	0 (studio or micro unit)
2	1
3	2
4	3
5	4
6	5

All members of the household must occupy the affordable unit as their primary residence and live in the affordable unit at least 10 out of 12 months of the calendar year. No affordable unit shall be sublet in part or in whole for any duration. If the tenant/owner experiences a bona fide hardship, the unit may be rented or sublet with the advance written permission from the Community Development Director or designee. In no event shall the hardship exemption exceed six (6) months.

5. Unbundled Parking

The North Bayshore Precise Plan encourages smaller units and requires residential units to unbundle parking costs from housing unit costs. In other words, parking must be sold or rented separately from each housing unit in a development on an unbundled basis.⁷

The NBAHP must include proposed parking (number of spaces, location, etcetera), pricing, and parking development and operating costs for both market rate and affordable units. Parking spaces must be

⁷ Residential buyers and tenants shall not be required to buy or lease any amount of parking. If an affordable unit or development is financed with funds that do not allow unbundled parking, such as the Low Income Housing Tax Credit Program, the affordable housing unit or development will not have parking unbundled until such time as the financing program is revised to support the unbundling of parking.

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available to renters or owners of affordable housing at the same ratio of parking spaces in the overall development or as approved in the NBAHP.

Renters and owners of affordable housing may be charged rent or a purchase price for each parking space at an amount that is lower than the market price of the parking space.

As part of the NBAHP review process, the City will work with the developer to prepare and agree upon an approach for the provision and pricing of unbundled parking spaces for affordable units.

6. Location and Design of Affordable Units

Affordable units shall be dispersed throughout the project. For a mixed-income residential development up to nine stories, the affordable units shall be evenly distributed throughout the first five floors or higher. For residential structures ten stories or higher, the affordable units shall be evenly distributed throughout the bottom 60% of the floors or higher.⁸

The bedroom mix of the affordable units should be proportionate to the bedroom mix of market rate units. However, the City may direct a different unit mix to meet the goals of the NBPP.⁹ The square footage of the affordable housing units must be reasonably consistent with the market rate units in the development.

All affordable units shall be reasonably comparable to market rate units in the proposed development in terms of appearance, materials, and finish quality. The exterior design of the units shall be consistent with other units in the proposed development. Affordable units shall have access to all project amenities and recreational facilities available to market rate units.

7. Concurrent Development

All on-site affordable housing units in residential developments shall be constructed concurrently with or prior to the construction of market rate units. In phased developments, the affordability requirement will be calculated on the basis of the whole development.

8. Mixed-Use Residential Development

For mixed-use residential developments, the affordable housing requirements shall apply to and be based on the residential portion of the mixed-use development. The non-residential portion of the mixed-use development shall be subject to the appropriate housing impact fee.”

⁸ For example, if the project is twelve stories, the affordable housing units shall be evenly distributed throughout the bottom seven floors or higher. If the number of stories is not a whole number, the City will round up to the nearest whole number for any portion of .5 or above.

⁹ If the calculated percentage of units by bedroom size is not a whole number, the City will round up to the nearest whole number for any portion of .5 or above. For example, if the applicable affordable housing requirement is 20% and the total number of two-bedroom units is 58, then 12 two-bedroom units must be provided (58 times 20% = 11.6, or about 12 units). The City recognizes that rounding may result in minor differences in unit mix by bedroom size according to target household income levels. If this occurs, the average bedroom size of the proposed income mix for each target household income category must be equal to or above the average bedroom size for the market rate units.

E. Land Dedication

Instead of providing affordable units on-site or in addition to providing them on-site, project applicants may dedicate land to the City. If land is dedicated, the dedicated site must be located within the boundary of a complete neighborhood area, as described in the Precise Plan, and must be designated at the time the NBAHP is submitted for review.

1. Minimum Parcel Size and Dimensions

The minimum parcel size for a dedicated site shall be 0.75 acres of developable area.¹⁰ Developable area is defined as the site area exclusive of streets, sidewalks, and street or other public rights of way. The site shall have a minimum width and depth sufficient for a feasible affordable housing development.

2. Land Dedication Formula

The formula for the parcel acreage to be dedicated is based on the larger of the minimum parcel size (0.75 acres of developable area) or the specified percentage of developable area given the selected Bonus FAR Tier for the proposed development (15% for Tier 1 and 20% for Tier 2). The developable building square footage on the dedicated parcel shall be calculated based on the allowable building FAR associated with the selected Bonus FAR Tier for the character area where the proposed development is located. If the proposed development is located in more than one character area, the allowable building FAR will be based on the average FAR of the character areas.

For mixed-use residential developments, the size of the dedicated land shall be sufficient to accommodate the affordable housing requirements, provided that the dedicated land meets at least the minimum parcel size and dimensions as specified in subsection E1. The non-residential portion of the mixed-use development shall be subject to the appropriate housing impact fee.

The land dedication process involves the transfer of the land to the City in fee simple title (not later than the issuance of the first building permit for the proposed development). Developers may propose an alternative land dedication methodology to meet the Precise Plan affordable housing policies and requirements. Alternatives are subject to approval by the City Council.

3. Project Readiness of Dedicated Site

The dedicated site must be suitable for affordable housing development in terms of its configuration, physical and environmental characteristics, access, location, adjacent uses, and other relevant planning criteria. The site must comply with the following:

- ◆ **Environmental Compliance.** The project applicant must submit environmental conditions reports to the City, including but not limited to Phase I and II reports, and must perform any necessary remediation on the site prior to transferring to the City.
- ◆ **Site Infrastructure.** The project applicant shall provide all infrastructure necessary to serve the units, including sewer, utilities, water, light, street access, roadways, and sidewalks on the site, and must meet all Precise Plan infrastructure and open space requirements. Alternately, the

¹⁰ This provision allows the North Bayshore Bonus FAR program to meet the requirements of State Density Bonus Law by providing a minimum-sized site and the development of at least 50 housing units.

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project applicant may provide funding to the City to complete all or a portion of the required infrastructure according to the NBAHP phasing and implementation strategy.

- ◆ **Special Conditions.** The dedicated site must not be subject to any conditions when compared to the rest of the site that would create higher cost burdens for affordable housing development (e.g., poorer soil conditions).
- ◆ **Timing of Affordable Site and Proposed Development.** The dedicated site must be able to be developed prior to the issuance of the first building permit for the proposed development.
- ◆ **Site Condition.** The dedicated site shall be delivered vacant (without any existing buildings).

4. Technical Materials to be Submitted with NBAHP

For the City to perform due diligence on the site, the project applicant must submit the following technical materials as attachments to the NBAHP:

- ◆ **Schedule for delivery** of dedicated land as well as the estimated date for the first building permit for the proposed development.
- ◆ **Preliminary Title Report** dated within 30 days of submittal and recent Land/Site Surveys.
- ◆ **Infrastructure Study** assessing the availability and capacity of existing infrastructure (sewer, utilities, water, light, street access and sidewalk) to support a potential affordable housing project. If adequate infrastructure does not exist, a third-party cost estimate for providing such infrastructure shall be included. The Infrastructure Study must include a schedule for completion of the infrastructure and any required environmental mitigation.
- ◆ All other necessary **technical reports** as determined by the City, including a geotechnical report, Phase I Report and a Phase II Report (if warranted based on the Phase I Report).

F. Term of Affordability

The City's goal is to build and retain affordable housing in North Bayshore in perpetuity. However, the City recognizes conditions can change over time. Housing units may need to be repurposed or replaced to continue to provide decent, safe and affordable housing, or a different land use may be more appropriate in the future. A property owner who seeks a land use change or any other change that would impact the affordable housing on their property shall submit a North Bayshore Affordable Housing Preservation Plan (also referred to as Preservation Plan) to the City describing their proposed plan for the full preservation or replacement of these affordable units. Prior to any changes to the affordable housing portion of the property, the City must formally approve the Preservation Plan.

G. North Bayshore Affordable Housing Plan (NBAHP) Submittal Requirements

The North Bayshore Affordable Housing Plan (NBAHP) must demonstrate how the project applicant intends to satisfy the Precise Plan Affordable Housing requirements. If the project applicant is submitting a master plan, the NBAHP can be included as part of this submittal, and the NBAHP only needs to provide information not included in the master plan submittal.

1. Required Components of NBAHP

The NBAHP should contain the following components:

- ◆ **Signed Cover Statement** from the project applicant and all property owners confirming their commitment to implementing the NBAHP.¹¹
- ◆ **Location and Assessor Parcel Numbers** of all parcels that comprise the proposed development and any other sites in North Bayshore that may be used to meet the affordable housing obligation.
- ◆ **Complete neighborhood area and character area** designation along with the proposed Precise Plan Bonus FAR Tier and percentage affordable housing requirement.
- ◆ **Proposed FAR and Tier level**, distinguishing any differences for portions of the development site that straddle across Edge, General and Core areas, including a calculation of the proposed FAR for the entire site and major development site pads.¹²
- ◆ **Standard City planning application materials**, such as proposed land uses and associated building square footage, site plan, circulation plan and other materials as determined by the City.
- ◆ **Proposed residential program**, including total number of proposed housing units and total number of affordable units.
- ◆ **Description of how affordable housing will be provided**, whether on-site within the proposed buildings, as a stand-alone 100% affordable housing development, and/or provided through the dedication of land. A developer may choose to provide a portion or all of the required affordable units as a stand-alone building as long as the total affordable housing program meets the income target mix in Table 2.
 - **On-Site Affordable Housing.** If affordable housing is proposed on-site, include the proposed unit mix for market and affordable units (by number of bedrooms and unit size), tenure type, proposed household income levels according to Santa Clara County Areawide Median Income, and whether it will be integrated within each of the proposed buildings of the proposed development, or how it is alternatively proposed. If the affordable housing requirement is met on-site but in a separate, 100% affordable housing development, identify which building(s) and location of the development on the NBAHP and site plan. If the affordable unit mix is proposed to differ from the market rate mix, provide a justification for any differences. The NBAHP must address all of the requirements in Section D of these Administrative Guidelines.
 - **Land Dedication.** If land dedication is proposed instead of or in conjunction with developing units on-site, include a map showing the site to be dedicated and demonstrate that it meets the land dedication criteria described in Section E of these

¹¹ Authorized Signature: The signer declares under penalty of perjury that she/he is authorized to sign this document and bind the company or organization to the terms of the NBAHP. The proposed NBAHP and any other documents submitted in with the submittal shall form a part of and be construed as part of the NBAHP.

¹² If the project site is covered by two character areas, the Precise Plan allows projects to do a weighted average FAR, per Section 3.3.3 to 3.3.5.

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Guidelines. For example, the dedicated site cannot have any characteristics not shared by the rest of the site that would create higher cost burdens for affordable housing development (e.g. poorer soil conditions), and it must be developable prior to the issuance of the first building permit for the proposed development. The NBAHP must address all of the requirements specified in Section E of these Guidelines.

- ◆ The **plan for unbundled residential parking**, including the use of shared parking or district parking facilities, the proposed development and operating costs for parking, and the proposed pricing for either the rental or sale of parking spaces.¹³
- ◆ **Environmental and geotechnical site analysis** that evaluates the site conditions and whether any specific environmental remediation for the proposed development may be required as outlined in the North Bayshore Precise Plan EIR, Phase I and/or Phase II reports.
- ◆ **Infrastructure analysis** that assesses the availability and capacity of infrastructure (sewer, utilities, water, street access and sidewalk) needed to support the proposed affordable housing units and the proposed development.
- ◆ **Proposed transportation demand management (TDM) program**, including how the TDM program satisfies the North Bayshore Precise Plan TDM requirements
- ◆ **Phasing and implementation strategy**, which includes the proposed schedule and funding necessary to complete any required environmental mitigation measures and public infrastructure (streets, sidewalks, utilities, etc.). If adequate public infrastructure is not currently provided and/or environmental mitigation is required, a third-party cost estimate of the associated costs must be provided, and the project applicant shall be responsible for these costs for the affordable housing components of the proposed development and/or pay the applicable City development impact fees.
- ◆ **Schedule for transfer** of affordable housing and/or the dedication of land for affordable housing to ensure all affordable housing units in residential developments shall be constructed concurrently with or prior to the construction of market rate units.

2. Submittal and Approval Process

Prior to submittal of an informal or formal project application, the project applicant shall meet with City staff regarding the preparation and submittal of the NBAHP. The project applicant and City staff shall also discuss the timing and City approval process associated with the proposed project and the NBAHP. The NBAHP must be approved prior to the first building permit of the proposed development, and no building permit shall be issued for any residential development within the proposed development until the affordable rents and purchase prices for affordable units, consistent with the NBAHP, have been approved in writing by the project applicant and the Community Development Director or other City designee.

¹³ See Section 6.1 of the Precise Plan for further guidance on unbundled parking policy.