

RESOLUTION NO. 2022-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, ESTABLISHING A FEE SCHEDULE PURSUANT TO CHAPTER 9.267 (INCLUSIONARY HOUSING) OF THE CITY OF JURUPA VALLEY MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES RESOLVE AS FOLLOWS:

Section 1. Recitals.

(a) On August 4, 2022, the City Council conducted a first reading of Ordinance No. 2022-15, which amends Title 9 of the Jurupa Valley Municipal Code (the “Municipal Code”) to add a new Chapter 9.267 (“Inclusionary Housing and Affordable Housing in Lieu Fee”), establishing the requirement for the payment of in lieu fees for housing development projects within the City. Chapter 9.267 requires developers of residential projects to provide housing units affordable to very low, low, or moderate income households within the residential development to ensure that affordable housing is constructed in the City;

(b) Chapter 9.267 of the Municipal Code provides that the City’s inclusionary housing requirements may be satisfied by payment of an in-lieu fee (instead of building the inclusionary units on-site or off-site in the City);

(c) Chapter 9.267 of the Municipal Code, provides that the City Council shall, by resolution, establish the amount of the inclusionary housing fee;

(d) RSG, Inc., a consulting firm commissioned by the City, prepared a study dated June 16, 2022 entitled “Inclusionary Housing and In-Lieu Fee Study and Recommendation” (“Fee Study”) addressing the gap between market rate sales prices and rents for housing units in the City and sales prices and rents affordable to very low, low, and moderate income households. The study also contained detailed analysis for the estimated development funding gap related to constructing the affordable units on site;

(e) On June 22, 2021, the Planning Commission of the City of Jurupa Valley adopted Resolution No. 2022-06-22-01 recommending that the City Council adopt a resolution establishing an affordable housing in lieu fee;

(f) On August 4, 2022, the City Council adopted Resolution No. 2022-93 approving the Nexus Study, and approving the in lieu fee calculation;

(g) Chapter 9.267 provides that all monies collected by the City in-lieu of constructing affordable units on-site shall be deposited in the inclusionary housing trust fund;

(h) A public hearing was duly held on August 4, 2022 at 7 p.m. in the Jurupa Valley City Hall Council Chamber. Notice of the time, date, and place and purpose of the aforesaid hearing was duly given;

(i) Evidence, both written and oral, was duly presented to and considered by the City Council of the City of Jurupa Valley at the aforesaid public hearing;

(j) After close of the public hearing, the City Council considered all public comments received both before and during the public hearing, the presentation by City staff, the staff report, the recommendations, and all other pertinent documents and associated actions regarding the proposed ordinance amendment and fee update; and

(k) The in-lieu fee schedule resolution was reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act (CEQA), as amended, and the CEQA Guidelines promulgated thereunder. The inclusionary housing in-lieu fee schedule resolution has been determined to be exempt from CEQA pursuant to Section 15378(b)(4) of the CEQA Guidelines, since it involves a government funding mechanisms and fiscal activities that do not involve any commitment to a specific project that may result in a potentially significant physical impact on the environment. Moreover, additional CEQA review would be required on a case-by-case basis prior to issuance of any approvals to construct units with the funds generated by the in-lieu fees.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Jurupa Valley as follows:

Section 1. The City Council has reviewed and approved the study prepared by RSG, Inc., and finds that the analysis therein supports the in-lieu fees established by this resolution.

Section 2. The City Council hereby adopts the inclusionary housing in-lieu fee amount stated in this resolution. To satisfy the inclusionary housing requirements of Jurupa Valley Municipal Chapter 9.267, the total amount of the in-lieu fee for a residential development shall be calculated by multiplying the total square feet of all market-rate units in the development project by \$2.50 per square foot.

Section 3. Imposition of In Lieu Fee. The in lieu fee established herein shall be due and payable prior to the issuance of the first certificate of occupancy for any phase of the housing development project.


Section 4. Appeal of Fee Imposition. Any applicant who is subject to payment of the in lieu fees established herein may file an appeal in accordance with Section 2.05.050 (“Appeals of Discretionary Actions and Fees”) of Chapter 2.05 (“City Council”) of Title 2 (“Administration and Personnel”) of the Municipal Code, as that Chapter may be amended from time to time.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Resolution or any part hereof is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion of this Resolution or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared invalid or unconstitutional.

Section 6. Effective Date. The fees specified in this resolution shall take effect on September 17, 2022. Any residential development project that has not been approved by the City on or before September 17, 2022 shall be subject to the new fees set forth in this Resolution.

Section 7. Certification. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Jurupa Valley on this 4th day August, 2022.



Chris Barajas
Mayor

ATTEST:



Victoria Wasko, CMC
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF JURUPA VALLEY)

I, Victoria Wasko, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Resolution No. 2022-94 was duly passed and adopted at a meeting of the City Council of the City of Jurupa Valley on the 4th day of August, 2022 by the following vote, to wit:

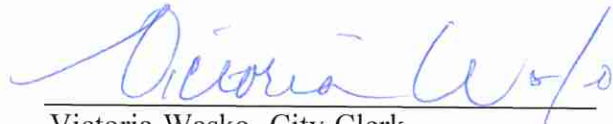
AYES: L. ALTAMIRANO, C. BARAJAS, L. BARAJAS, B. BERKSON, G. SILVA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Jurupa Valley, California, this 4th day of August, 2022.



Victoria Wasko, City Clerk
City of Jurupa Valley