



March 17, 2021

Chair Ahi and Members of the Planning Commission  
City Hall  
1 North San Antonio Road  
Los Altos, CA 94022

Re: Planning Commission Meeting March 18th – Affordable Housing Fees

As we have written earlier, the League of Women Voters supports actions for the provision of affordable housing for all Californians. This includes support of inclusionary zoning as well as support for requiring that new commercial developments assist in providing housing for the jobs created by such developments. Therefore, we supported the City's Affordable Housing Impact Fees ordinance passed in June of 2018 as Ch.3.49.010. Discussion of this ordinance began in April 2017 but got delayed because the Palmer decision, barring inclusionary zoning (below-market-rate units), as discussed in the "Building Blocks" in the Staff Report was in effect. [https://www.losaltosca.gov/sites/default/files/fileattachments/city\\_council/page/51351/2018-06-12\\_18-444.pdf](https://www.losaltosca.gov/sites/default/files/fileattachments/city_council/page/51351/2018-06-12_18-444.pdf)) However, the fees referenced in this ordinance were never adopted so no fees have ever been collected.

By June of 2018, AB 1505 was in place, allowing the Los Altos inclusionary ordinance, 14.28.030, to be back in operation. Also, as a result of AB 1505, rental housing impact fees were no longer relevant as these were used during the time Palmer was operational and inclusionary rental housing was not allowed.

We urge the Planning Commission to proceed to adopt the fees referenced in the Affordable Housing Impact Fees ordinance. SV@Home shows the fees adopted by most other Santa Clara cities. The average fee per square foot of office is \$22.43, for retail - \$9.70, for hotel - \$9.70 and for industrial - \$17.55. The fees are set to be feasible, rather than close to the maximum allowed by the nexus study done by Keyser Marston for Los Altos and thereby not discourage new construction. We understand that a new fee analysis may be required; if so, we recommend this be done as soon as possible so the City can start assessing these fees.

We also urge the Planning Commission to recommend that 14.28.030(D) be amended. Currently, this ordinance allows in-lieu fees instead of inclusionary units, but there is no specificity about how the fees should be calculated. Also, most jurisdictions allow other alternative mitigation such as land dedication and some kind of statement as to how such alternative mitigation will be evaluated.

We urge Los Altos to adopt these measures in order to be in sync with neighboring cities in terms of charging impact fees on non-residential construction, helping to fund affordable housing in general, and also to be able to provide funds to help in financing the all-affordable housing developments proposed for 330 Distel Circle. (For any questions, please contact [susan.russell75@gmail.com](mailto:susan.russell75@gmail.com))

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