

**Town of Yountville
Ordinance Number 22-512**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YOUNTVILLE
AMENDING SECTION 17.80.020 OF CHAPTER 17.80 OF THE YOUNTVILLE
MUNICIPAL CODE REGARDING AFFORDABLE HOUSING OVERLAY**

Now, therefore, the Town Council of the Town of Yountville does ordain as follows:

SECTION 1. CODE AMENDMENT: Section 17.80.020 of Chapter 17.80 of Division 2 of Title 17 of the Yountville Municipal Code is hereby repealed and replaced to read as follows:

17.80.020 General Conditions.

- A. An AHO, Affordable Housing Overlay, may be applied to all or a portion of a site that is deemed suitable by the Town Council for the development of affordable housing.
- B. The Town Council may approve the following densities, as an alternative to those allowed under Section 17.160.030 of this title for projects with an Affordable Housing Overlay proposing to construct 10 or more dwelling units of which 25% or more will be reserved for lower-income households and will be rented or sold at levels that do not exceed 80% of area median income:

Minimum Percent Affordable	Density Bonus
25%	100%
40%	110%
55%	120%
70%	130%
85%	140%
100%	150%

C. Calculation of Density Bonus.

- 1. The density bonus units shall not be included when determining the number of housing units that are to be affordable.
- 2. For purposes of calculating a density bonus, a fraction of a unit shall be rounded up to the nearest whole unit.

- D. **Additional Incentives and Concessions.** The Town may provide incentives and concessions to projects on sites designated AHO that qualify for a town density bonus in order to make such units economically feasible. Possible assistance includes the following:
1. Direct financial aid (e.g., Housing Opportunity Fund, Community Development Block Grant funding) in the form of a loan or a grant to subsidize or provide low-interest financing for on- or off-site improvements, land purchase, or construction costs;
 2. Waived, reduced or deferred building permit and/or development impact fees;
 3. Priority consideration during the review process; or
 4. Concessions or waivers from development regulations in accordance with the provisions of California Government Code Sections 65915 through 65918 (State Density Bonus Law).
 5. A request for approval of incentives and/or concessions pursuant to this subsection shall be made along with applicable related planning application requests for the project as regulated by Division 5 of Title 17.
- E. **AHO, Affordable Housing Overlay.** When the AHO, Affordable Housing Overlay is applied to all or any portion of a site with land use designation PC, Primary Commercial, and new development is proposed for which a Master Development Plan pursuant to Chapter 17.192 of Title 17 is required, the Master Development Plan shall require construction of 3.5 affordable housing units per gross acre for low-income households either on site or on an off-site location not already designated for such in the Housing Element. This requirement shall be accompanied by and may be adjusted in accordance with a nexus study demonstrating the need therefor.

SECTION 2. CEQA: This Ordinance is exempt from CEQA under 14 CCR section 15061, subdivision (b)(3) because CEQA only applies to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In addition and without limiting the foregoing, any future project subject to the revisions in this Ordinance will undergo independent and separate environmental review under CEQA.

SECTION 3. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have

adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE: This Ordinance shall take effect 30 days after final adoption.

SECTION 5. CERTIFICATION: The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Within 15 days from the date of passage of this ordinance, the Town Clerk shall post a copy of the ordinance in accordance with California Government Code in at least three public places in the Town.

INTRODUCED by the Town Council at a regular meeting held on the 19th day of July, 2022.

PASSED AND ADOPTED by the Town Council at a regular meeting held on the ____ day of _____ 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John F. Dunbar, Mayor

ATTEST:

Eddy Gomez
Town Clerk

Gary B. Bell
Town Attorney