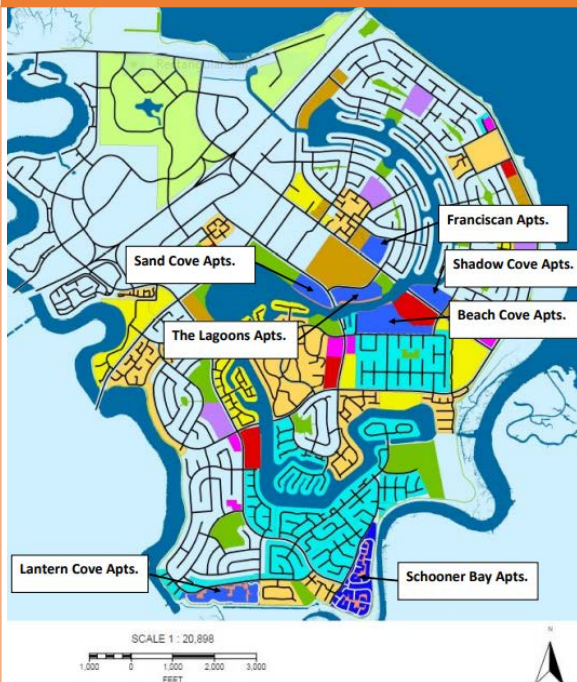


CITY OF FOSTER CITY AFFORDABLE HOUSING OVERLAY (AHOZ)

Facts about AHOZ

- AHOZs is part of the **Housing Strategies toolkits** to create affordable housing with while offering some flexibility to developers in the form of development incentives.
- Because they **provide incentives** in exchange for producing affordable housing, AHOZs avoid some of the challenges and limitations associated with mandatory inclusionary zoning, or in lieu fee policies.
- California Housing & Community Development Dept. (HCD) requires that **California Density Bonus Law** must be allowed to be used together with any AHOZ.

Sites identified for AHOZ



What is proposed for AHOZ?

- AHOZ can require deeper levels of affordability than existing regulations in exchange for a lower inclusionary requirement, such as 15%, but require this to include at least half at very low-income and the remainder at a low-income level.
- This can enable the City to provide capacity to meet the RHNA without as many total new housing units.

Be informed –

Visit the [Foster City Housing Information Page](#).

What is an AHOZ?

Affordable Housing Overlay zones (AHOZ) are added layers on top of existing zoning districts that provide incentives for developers to build housing, particularly affordable housing, within specific districts.

AHOZ may include a variety of incentives to developers to include affordable units in their projects, such as:

- Different affordable housing inclusionary requirements
- Increased density bonus for affordable housing
- Increased allowable heights
- Lower parking requirements
- By-right zoning or administrative project approval
- Streamlined permitting
- Allowing housing in locations not zoned for residential uses
- Impact fee waivers

What is currently allowed without an AHOZ?

- AHOZ Apartment Sites identified for rezoning are currently developed at 12.6 to 22.5 units per acre.
- The General Plan allows up to 35 units per acre for Apartment Residential.
- California Density Bonus Law allows up to a 50% density bonus (up to 52.55 units per acre) if certain percentages of affordable housing are included.
- Foster City's existing 20% inclusionary policy would be applied to all new units, but does not specify the amount of very low-, low- and moderate-income units required.

What if the City does not rezone the AHOZ sites?

If the sites identified for rezoning with an AHOZ are not rezoned, the court can compel the city to complete the rezoning within 60 days or at the earliest time consistent with public notice requirements. If the city fails to comply, the court can issue further orders requiring additional actions to carry out the rezonings and may impose sanctions on the city.

If a city does not complete the rezoning of sites within the three-year period (plus any adopted one-year extension), then the city may be required to approve certain affordable housing projects.

If certain conditions apply, then the city cannot require any discretionary approval except compliance with the Map Act, and cannot require CEQA review unless a subdivision map application is required. In addition, the project may be denied or approved at a lower density only if it would have a specific, adverse effect on public health or safety, and there is no feasible method to mitigate the impact except disapproval or approval at a lower density.

Join the Conversation!

Stay tuned for upcoming meetings on Affordable Housing Overlay Zone.