

## City Attorney's Impartial Analysis

In 1991, San Mateo voters enacted Measure H, a citizen's initiative that amended the city's general plan for future development. Measure H amended the general plan to lower limits on building heights, residential densities as measured by the number of housing units per acre, and nonresidential building intensity as measured by the ratio of building floor area to the size of the parcel. Measure H also established an inclusionary housing program requiring residential developments to provide at least 10% of the project's units at rents or prices affordable to low- or moderate-income households.

As a voter-adopted initiative, the policies established by Measure H could not be amended by the city council without subsequent voter approval while the measure was in effect. Measure H contained an expiration provision. By its terms, Measure H would no longer be in effect after December 31, 2005.

In 2004, the city council proposed a measure, Measure P, to authorize limited modifications to the policies established by Measure H, and to extend the expiration provision until December 31, 2020. The voters approved Measure P.

In 2017, the California Legislature enacted a law that authorizes cities to adopt inclusionary housing ordinances; however, this law requires such ordinances to provide developers of rental housing projects with alternative means of satisfying the inclusionary housing requirement.

If approved by the voters, this measure would extend the expiration date of the general plan policies concerning building heights, densities, and intensities established in Measure P to December 31, 2030. In addition, this measure would amend the provisions of Measure P concerning the inclusionary housing program to allow off-site construction of units or other alternative means of compliance with the inclusionary housing requirement. This measure would not permit the payment of in lieu fees as an alternative means of compliance with the inclusionary housing requirement. If approved by the voters, the inclusionary housing program, as modified by this measure, and the policies concerning building heights, densities, and intensities established in Measure P could not be amended by action of the city council without voter approval until 2031.

If passed, this measure would go into effect 10 days after the city council declares the results of the election and shall remain in effect through December 31, 2030.

This measure was placed on the ballot by a petition signed by the number of voters required by law to qualify for the ballot.

A YES vote approves the measure.

A NO vote rejects the measure.

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City Attorney