

	Jurisdiction	Effective Date	Development Requirements
Ordinance 1	Contra Costa County Division 82 - Affordable Housing	7/1/2020	<p>822-2.404 Affordable unit Density Bonus: A project for which a density bonus is eligible under this section must meet at least one of the following criteria:</p> <p>(1) Ten percent of the total units of a housing development must be reserved for lower income households.</p> <p>(2) Five percent of the total units of a housing development must be reserved for very low income households.</p> <p>(3) The housing development must be a senior citizen housing development, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Civil Code Section 798.76 or 799.5.</p> <p>(4) Ten percent of the total dwelling units in a common interest development must be reserved for persons and families of moderate income, provided that all units in the development are offered to the public for purchase.</p>

<p>Ordinance 2</p>	<p>Contra Costa County Chapter 822-4 - Inclusionary Housing</p>	<p>1/1/2020</p>	<p>822-4.402 Inclusionary unit requirement: In a residential development of five through one hundred twenty-five rental units, at least fifteen percent of the rental units shall be developed and rented as inclusionary units under the terms and conditions of Section 822-4.410(a). In a residential development of one hundred twenty-six or more rental units, at least fifteen percent of the rental units shall be developed and rented as inclusionary units under the terms and conditions of Section 822-4.410(a). At least twenty percent of the inclusionary units shall be rented at an affordable rent to very low-income households, and the remaining inclusionary units shall be rented at an affordable rent to lower income households. As an alternative to providing some or all of the inclusionary units required by this subsection, an in-lieu fee may be paid pursuant to Section 822-4.404.</p> <p>In a residential development of five through one hundred twenty-five for-sale units, at least fifteen percent of the for-sale units shall be developed and sold as inclusionary units under the terms and conditions of Section 822-4.410(b). In a residential development of one hundred twenty-six or more for-sale units, at least fifteen percent of the for-sale units shall be developed and sold as inclusionary units under the terms and conditions of Section 822-4.410(b). At least twenty percent of the inclusionary units shall be sold at an affordable sales price to lower income households, and the remaining inclusionary units shall be sold at an affordable sales price to moderate income households. As an alternative to providing some or all of the inclusionary units required by this subsection, an in-lieu fee may be paid pursuant to Section 822-4.404.</p> <p>822-4.404 In-lieu fee: The amount of a fee that is paid in lieu of some or all inclusionary units will be established by the board of supervisors in the department of conservation and development's fee schedule.</p>
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<p>Ordinance 3</p>	<p>Sacramento County</p>	<p>3/27/2014</p>	<p>22.35.080 Accessibility: A minimum of five (5) percent of the dwelling units (but not less than one (1) unit) in a multifamily project constructed using affordability fees paid pursuant to this Chapter shall be made accessible for persons with disabilities.</p> <p>22.35.090 Occupancy and Affordability Requirement:</p> <p>(1) Any person who rents or owns an affordable unit shall occupy that unit as his or her principal residence.</p> <p>(2) Rental affordable units shall remain affordable for a period of no less than fifty-five (55) years from recordation of the notice of completion for the rental units.</p> <p>(3) For-sale affordable units shall remain affordable for a period of not less than thirty (30) years from the first sale of an individual property and from the date of any resale to an income-eligible buyer made at a time the affordable unit is subject to affordability restrictions under this Chapter.</p>
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<p>Ordinance 4</p>	<p>Placer County</p>	<p>10/6/2020</p>	<p>15.65.60 Affordable residential development-basic requirement:</p> <p>(1) If a residential project exceeds one hundred (100) units, at least ten (10) percent of all dwelling units in a new residential project shall be affordable as prescribed in Section 15.65.070 or 15.65.080, as applicable, and shall be constructed in a timely manner with, and the related market rate units, unless one of the alternative actions set forth in Section 15.65.120 is performed. Such dwelling units shall include a regulatory agreement recorded on title, requiring that each dwelling unit shall be affordable for at least fifty-five (55) years . For fractions of affordable units, the owner of the property must construct the next higher whole number of affordable units or perform an alternative action pursuant to Section 15.65.120.</p> <p>(2) Residential projects of eight units to one hundred (100) units, the owner shall pay an affordable housing fee on all newly constructed market rate dwelling units pursuant to Section 15.65.100.</p> <p>(3) Affordable units shall be comparable in number of bedrooms, exterior appearance, and overall quality of construction to first-class quality affordable housing found elsewhere in Placer County. Subject to the approval of the director, square footage of affordable units and interior features in affordable units need not be the same as or equivalent to those in market rate units in the same residential project, so long as they are of good quality and are consistent with contemporary standards for new housing. Affordable units shall be dispersed throughout the residential project, or subject to the approval of the director, may be clustered within the residential project when this furthers affordable housing opportunities.</p> <p>15.65.70 Requirements of residential rental affordable units:</p> <p>(1) For specific plans or master plan projects with 100 or more units, the property owner/ developer shall construct ten (10) percent of its total units as affordable (four (4) percent very-low, four (4) percent low, and two (2) percent moderate - income) within the plan area. In addition, the property owner I developer will be required to enter into a Development Agreement or Affordable Housing Agreement, as determined at the sole discretion of the County, to detail the way and timing for construction of the affordable units.</p> <p>B. For all other projects, pursuant to Section 15.65.060, at least ten (10) percent of all rental units shall be affordable. Forty (40) percent of the affordable rental units required to be</p>
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			<p>constructed in connection with the project shall be available at affordable rents to very low income households and sixty (60) percent of the affordable rental units shall be available at affordable rents to low income households.</p> <p>15.65.80 Requirements of residential for-sale affordable units:</p> <p>(1) For specific plans or master plan projects with 100 or more units, the property owner I developer shall construct ten (10) percent of its total units as affordable (four (4) percent very-low, four (4) percent low, and two (2) percent moderate - income) within the plan area. In addition, the property owner I developer will be required to enter into a Development Agreement or Affordable Housing Agreement, as determined at the sole discretion of the County, to detail the way and timing for construction of the affordable units.</p> <p>(2) For all other projects, pursuant to Section 15.65.060, at least ten (10) percent of all for-sale units shall be affordable. Any affordable units required to be constructed in connection with the project that are for sale units shall be available at affordable sales prices to moderate income households</p>
Ordinance 5	Nevada County	03/05/2023 (Draft)	Residential Inclusionary Affordable Housing Component: In addition to the above incentives, all projects or subdivisions within the Town of Truckee’s Sphere of Influence creating 20 or more parcels or units within the Urban High Density, Urban Medium Density, and Urban Single-Family Density General Plan land use map designations shall have an inclusionary affordable housing component of 10%.
Ordinance 6	LA County	9/14/2023	<p>Eligibility Requirements: To qualify for the provisions of this Subdivision, a 100 Percent Affordable Housing Project must meet all of the following eligibility requirements:</p> <p>(1) The project site does not include any parcels located in a single family or more restrictive zone, or any parcels located in a manufacturing zone that does not allow multi-family residential uses.</p> <p>(2) If the project site has a residential zoning classification, then the entire project site’s zoning, prior to the granting of any density bonus, permits the construction</p>

			<p>of five or more residential units, rounded up to the nearest whole number, on the project site.</p> <p>(3) The project, excluding any additional density or other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in California Government Code Section 65915 or any other local affordable housing incentive program, is consistent with objective zoning standards and objective overlay and design review standards in effect at the time that the development application is submitted pursuant to this Subdivision.</p>
Ordinance 7	City of Emeryville	7/6/1905	<p>Ownership Housing: Developers are required to set aside 20% of total project units as designated below market rates (BMRs) for moderate-income households.</p> <p>For ownership residential projects partially in Emeryville, 20% of the total project units in Emeryville shall be set-aside units or 10% of all the units in the project shall be set aside with those units located in Emeryville, whichever is greater. In applying these percentage, any decimal fraction less than or equal to 0.50 may be disregarded and any decimal fraction greater than 0.50 shall be construed as requiring one dwelling unit.</p> <p>Developers of projects requiring development bonuses must set aside project units as designated BMRs for very low-income households, low-income households, and moderate-income households in accordance with Section 9-4.204 (d)(1) of the Planning Regulations.</p> <p>For ownership residential projects, housing costs shall generally mean the monthly mortgage principal and interest, property taxes and assessments, homeowners insurance, homeowner association fees where applicable, an allowance for utilities and property maintenance, and repairs.</p> <p>Rental Housing: Developers shall pay affordable housing impact fees to mitigate the project's impact on the need for affordable housing in the City or may instead provide on-site rental affordable units.</p> <p>For on-site rental units, the developer shall set aside 12% of total project units as designated BMRs, of which 4% of total project units shall be designated as BMRs for very low-income households and 8% of total project units shall be designated as BMRs for low-income households. In applying these percentages, any decimal fraction less than or equal to 0.50</p>

			<p>may be disregarded and any decimal fraction greater than 0.50 shall be construed as requiring one dwelling unit.</p> <p>Developers of projects requiring development bonuses must set aside project units as designated BMRs for very low-income households, low-income households, and moderate-income households in accordance with Section 9-4.204 (d)(1) of the Planning Regulations.</p> <p>For rental housing projects, housing costs include monthly rent and an allowance for utilities, fees, or service charges charged to all tenants.</p>
Ordinance 8	City of Santa Clara	2/22/2018	<p>17.40.030 Affordable housing plan: An application for a development project shall include a written affordable housing plan describing how the project will comply with the provisions of this chapter. The affordable housing plan shall be processed concurrently with all other applications required for the project. The approving authority shall consider the affordable housing plan when acting upon the project. The approving authority shall impose conditions of approval to carry out the purposes of this chapter. (Ord. 1974 § 1, 1-23-18).</p> <p>17.40.080 Affordable housing requirements – Residential ownership projects: The provisions of this section shall apply to all residential ownership projects, including the residential ownership portion of any mixed use project, except for any resident ownership project exempt under SCCC 17.40.070.</p> <p>(1) Residential ownership projects of ten or more units must provide at least fifteen percent (15%) of the units at affordable housing costs for extremely low, very low, low and moderate income households, or some combination of those income categories. A developer shall select income categories for each of the affordable units such that the average income of purchasers will not exceed one hundred percent (100%) of AMI. Residential ownership projects of fewer than ten units may either provide one dwelling at an affordable housing cost for a household earning up to one hundred percent (100%) of AMI, or pay an in-lieu fee identified for residential ownership projects in the affordable housing master fee schedule.</p> <p>(2) The in-lieu fee will be calculated as follows: (Gross square feet of total residential floor area) minus (gross square feet of existing residential floor area) multiplied by (per square foot fee) equals (total housing in-lieu or impact fee).</p> <p>17.40.090 Affordable housing requirements – Residential rental projects: The provisions of</p>

			<p>this section shall apply to all residential rental projects, including the residential rental portion of any mixed use project, except for any resident rental project exempt under SCCC 17.40.070.</p> <p>(1) Residential rental projects of ten or more units must provide at least fifteen percent (15%) of the units at affordable housing costs made available at affordable rental prices to extremely low, very low, low and moderate income households as long as the distribution of affordable units averages to a maximum of one hundred percent (100%) area median income. Residential rental projects of fewer than ten units may either provide an affordable unit or pay an in-lieu fee identified for residential rental projects in the affordable housing master fee schedule.</p>
Ordinance 9	City of Long Beach	10/7/2021	<p>21.67.050 Inclusionary Housing Requirement: All residential developments proposing ten (10) or more dwelling units (unless exempt under Section 21.67.040), and contiguous property under common ownership and control, shall include inclusionary units.</p> <p>(1) On-site inclusionary requirement: Unless an alternative is approved as described in Section 21.67.080, residential developments subject to this Chapter shall provide certain dwelling units in the residential development as inclusionary units upon the same site as the residential development as follows:</p> <p>a. Ownership residential development: If the application for first approval is submitted during calendar year 2021, then the applicant shall provide four percent (4%) of the units in the residential development available at an affordable sales price to moderate-income households. If the application for first approval is submitted during calendar year 2022, then the applicant shall provide five percent (5%) of the units in the residential development available at an affordable sales price to moderate-income households. If the application for first approval is submitted during calendar year 2023 or anytime thereafter, then the applicant shall provide ten percent (10%) of the units in the residential development available at an affordable sales price to moderate-income households.</p> <p>b. Rental residential development: If the application for first approval is submitted during calendar year 2021, then the applicant shall provide five percent (5%) of the units in the residential development available at an affordable rent to very low-income households. If the application for first approval is submitted during calendar year 2022, then the applicant shall</p>

		<p>provide six percent (6%) of the units in the residential development available at an affordable rent to very low-income households. If the application for first approval is submitted during calendar year 2023 or anytime thereafter, then the applicant shall provide eleven percent (11%) percent of the units in the residential development available at an affordable rent to very low-income households.</p> <p>(2) Calculating the number of inclusionary units:</p> <p>a. Calculations of the number of inclusionary units required by this Section shall be based on the number of dwelling units in the residential development, excluding any density bonus units.</p> <p>b. In computing the total number of inclusionary units required in a residential development, fractions of an inclusionary unit shall either be: (i) rounded up, or (ii) provided by the payment of an in-lieu fee as established in Section 21.67.080.A.</p> <p>c. When a residential development includes both ownership and rental dwelling units, the provisions of this Chapter that apply to ownership residential development shall apply to that portion of the development that consists of ownership dwelling units, while the provisions of this Chapter that apply to rental residential development shall apply to that portion of the development that consists of rental dwelling units.</p> <p>(3) Common ownership and control: An applicant for a planning entitlement shall not avoid the requirements of this Chapter by submitting piecemeal planning entitlement applications. At the time of the application for first approval for the residential development, the applicant shall identify all contiguous property under common ownership and control. The applicant shall not be required to construct dwelling units upon the contiguous property at the time of the application for first approval; however, the applicant shall be required to include the contiguous property under common ownership or control in its inclusionary housing plan. The inclusionary housing regulatory agreement shall be recorded against the residential development and all contiguous property under common ownership or control and shall require compliance with this Chapter upon development of each contiguous property at such time as there are planning entitlement applications that would authorize a total of ten (10) or more residential units for the residential development and the contiguous property under</p>
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			<p>common ownership or control.</p> <p>21.67.070 Timing of Construction of Inclusionary Units: All required inclusionary units shall be made available for occupancy prior to, or concurrently with, the market-rate units. For the purposes of this subsection, "concurrently" means one of the following:</p> <p>(1)The inclusionary units may be constructed in phases if the market-rate units are constructed in phases, provided that the percentage of inclusionary units developed in each phase shall be equivalent to or greater than the total percentage of inclusionary units to be developed as part of the residential development until such time that all the inclusionary units have been built.</p> <p>(2) In-lieu fees, if applicable, have been paid.</p> <p>(3) The applicant has met, or made arrangements satisfactory to the City to meet, an alternative requirement as permitted by Section 21.67.080.</p>
Ordinance 10	City of Morgan Hill	8/9/2018	<p>14.04.040 General Requirements:</p> <p>(1) Percentage Requirement: Except as provided in paragraphs B and D of this Section, at least fifteen percent (15%) of all units in Residential Projects shall be Inclusionary Units that shall be made available at Affordable Rents or Affordable Sales Prices as prescribed in this Section. The Inclusionary Units shall be approved, and construction of the Inclusionary Units shall be completed not later than the times prescribed in Section 14.04.050 of this Chapter, unless an alternative requirement is approved pursuant to Section 14.04.070 of this Chapter. Whenever application of the requirements of this Chapter results in a fractional number of required Inclusionary Units, if the fraction is 0.50 or greater, construction of the next higher whole number of Inclusionary Units shall be required, and where the fraction is 0.49 or less, payment of the applicable housing fee adopted by City Council shall be required for the fractional unit.</p> <p>(2) For-Sale Projects in Downtown: All new for-sale Residential Projects consisting of two (2) or more Dwelling Units located within Downtown are required to restrict ten percent (10%) of the Dwelling Units for sale at Affordable Sales Prices to Moderate-Income Households. Such</p>

		<p>Dwelling Units must be sold to Eligible Households, and shall be subject to a recorded deed restriction that will impose resale price restrictions for a period of forty-five (45) years.</p> <p>(3) For-Sale Projects Outside of Downtown: All new for-sale Residential Projects consisting of two (2) or more Dwelling Units located within the City but outside of Downtown are required to restrict fifteen percent (15%) of the Dwelling Units for sale at Affordable Sales Prices to Moderate-Income Households. Such Dwelling Units must be sold to Eligible Households, and shall be subject to a recorded deed restriction that will impose resale price restrictions for a period of forty-five (45) years.</p> <p>(4) Rental Projects in Downtown: All new rental Residential Projects consisting of two (2) or more Dwelling Units located within Downtown are required to restrict ten percent (10%) of the Dwelling Units for rent at Affordable Rents and occupancy by Low-Income and Very Low-Income Households. Such Dwelling Units must be occupied by, or if vacant, available for occupancy by Eligible Households, and such restrictions shall be documented in a recorded Inclusionary Affordable Housing Agreement with a term of fifty-five (55) years. At least one half of the required Inclusionary Units shall be offered at Affordable Rents exclusively to Very Low-Income Households.</p> <p>(5) Rental Projects Outside of Downtown: All new rental Residential Projects consisting of two (2) or more Dwelling Units located within the City but outside of Downtown are required to restrict fifteen percent (15%) of the Dwelling Units for rent at Affordable Rents and occupancy by Low-Income and Very Low-Income Households. Such Dwelling Units must be occupied by, or if vacant, available for occupancy by Eligible Households, and such restrictions shall be documented in a recorded Inclusionary Affordable Housing Agreement with a term of fifty-five (55) years. At least one-half of the required Inclusionary Units shall be offered at Affordable Rents exclusively to Very Low-Income Households.</p> <p>(6) Location and Design of Inclusionary Units: All Inclusionary Units shall be reasonably dispersed throughout the Residential Project and shall be comparable to the design of the market-rate units in the Residential Project in terms of distribution of model types, number of bedrooms, appearance, materials and quality of finishes. There shall not be significant identifiable differences between Inclusionary Units and market-rate dwelling units that are visible from the exterior of the dwelling units, and the size and design of the dwelling units</p>
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			<p>shall be reasonably consistent with the market-rate units in the development. Occupants of Inclusionary Units shall be provided the same access to project amenities, recreational facilities, and common areas as occupants of market-rate units.</p> <p>(7) For-sale Projects: Inclusionary Units that will be offered for sale shall be sold for owner occupancy at an Affordable Sales Price to Moderate-Income Households that qualify as Eligible Households.</p> <p>(8) Rental projects: The Inclusionary Units that are constructed in market-rate Rental Projects shall be offered for rent to Eligible Households at Affordable Rents to Low- and Very Low Income Households. At least one-half of the required Inclusionary Units in Rental Projects, shall be offered at Affordable Rents exclusively to Very Low-Income Households.</p>
Ordinance 11	City of San Diego	12/13/2022	<p>§ 142.1302 When Inclusionary Affordable Housing Regulations Apply: This Division applies to all residential development of 10 or more dwelling units outside of the Coastal Overlay Zone, five or more dwelling units within the Coastal Overlay Zone, and to all condominium conversion development of two or more dwelling units, except as provided in Section 142.1303. The requirements of this Division shall not be cumulative to state or other local affordable housing requirements where those dwelling units are subject to an affordability restriction recorded against the property by the state or local agency. To the extent that state or local regulations are inconsistent with the requirements of this Division for the amount of the fee, length of the restriction, or the level of affordability, the more restrictive shall apply.</p> <p>§142.1304 Inclusionary Affordable Housing Requirements:</p> <p>(1) Rental residential development: At least 10 percent of the total dwelling units in the development shall be made available for rent by very low income households or low income households at a cost, including an allowance for utilities, that does not exceed 30 percent of 60 percent of median income.</p> <p>(2) For-sale residential development:</p> <p>(a) At least 10 percent of the total dwelling units in the development shall be made available for purchase at a cost affordable to median income households; or</p> <p>(b) At least 15 percent of the total dwelling units in the development shall be made available for purchase at a cost affordable to moderate income households.</p>

			<p>(3) The applicant may propose a combination of inclusionary dwelling units required by this Division. The proposal shall be considered by the San Diego Housing Commission in accordance with this Division and the Procedures Manual. The proposal shall be approved if the combination provides substantially the same or greater level of affordability as required by this Division and provides the same or greater number of inclusionary dwelling units required by this Division.</p> <p>(4) For any partial inclusionary dwelling unit calculated, the applicant shall pay a prorated amount of the Inclusionary In Lieu Fee in accordance with Section 142.1306 or provide an additional inclusionary dwelling unit.</p> <p>(5) Development of inclusionary dwelling units shall be subject to the following:</p> <p>(a) The inclusionary dwelling units shall be constructed at the same time as the market-rate dwelling units and receive final inspection approval from the Building Official no later than the date that the market-rate dwelling units receive final inspection approval from the Building Official. The applicant may seek an alternative development schedule in accordance with Sections 142.1310 and 142.1311.</p> <p>(b) The inclusionary dwelling units shall be comparable in bedroom mix, design, and overall quality of construction to the market-rate dwelling units in the development, as determined by the San Diego Housing Commission, except that the inclusionary dwelling units shall not be required to exceed three bedrooms per dwelling unit. The square footage and interior features of the inclusionary dwelling units shall be good quality and consistent with current building standards for new housing in the City of San Diego. For purposes of calculating total bedroom count for inclusionary dwelling units on a different premises from the development, the applicant may provide different bedroom mixes to meet the total dwelling unit and bedroom count minimums as follows:</p> <ul style="list-style-type: none"> -- An affordable studio dwelling unit or a micro unit shall count as 60 percent of an affordable bedroom; -- An affordable SRO hotel room shall count as 40 percent of an affordable bedroom; and -- Any calculations resulting in fractional units shall round up to the next whole number. <p>-- Sale or lease of the inclusionary dwelling units shall follow the marketing requirements and procedures in the Procedures Manual.</p> <p>Very low income, low income, and moderate income households located in an area identified</p>
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		<p>as a Low Resource or High Segregation and Poverty Resource California Tax Credit Allocation Committee (CTCAC) Opportunity Area when the development application is deemed complete shall receive priority preference for new covenant restricted dwelling units created under this section.</p> <p>-- Development of the inclusionary dwelling units shall follow all other requirements in the Procedures Manual.</p> <p>-- When the inclusionary dwelling units are located on a different premises from the development, the applicant shall record a deed restriction prior to the issuance of the first Building Permit that:</p> <p>-- Documents the required number of affordable dwelling units to be provided; and</p> <p>-- Assigns foreclosure rights of the development premises to the San Diego Housing Commission as follows:</p> <p>(i) For new development, if the affordable dwelling units have not received a certificate of occupancy within 54 months of the issuance of the first Building Permit.</p> <p>(ii) For an existing structure(s) if the affordable dwelling units have not received a certificate of occupancy within 36 months of the issuance of the first Building Permit.</p> <p>(6) For-sale inclusionary dwelling units shall be owner-occupied and the San Diego Housing Commission shall cause the for sale inclusionary dwelling units to be subject to documentation ensuring the following:</p> <p>(a) The owner and the San Diego Housing Commission shall share equity in a for-sale inclusionary dwelling unit. For the purpose of this Section 142.1304, equity shall be defined in the Procedures Manual. Shared equity shall be measured by the difference between the unrestricted fair market value of the inclusionary dwelling unit on the date of the first resale and the original unrestricted fair market value of the inclusionary dwelling unit at the time of its initial acquisition. Any equity calculation shall be based on an appraisal approved by the San Diego Housing Commission and shall consider the actual costs of any San Diego Housing Commission-approved improvements to the inclusionary dwelling unit. If the San Diego Housing Commission's calculation results in a negative number, the equity is deemed to be zero.</p> <p>(b) The owner and the San Diego Housing Commission shall share the equity earned during the owner's first 15 years of ownership at the time of the first resale, refinance, or transfer of the for-sale inclusionary dwelling unit in accordance with the table in the Procedures Manual. The San Diego Housing Commission may waive the requirement to share equity if the for-sale</p>
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		<p>inclusionary dwelling unit is sold to another median income household or moderate income household in compliance with the Procedures Manual.</p> <p>(c) Upon any sale or transfer of the inclusionary dwelling unit by the original owner, whenever it occurs, the San Diego Housing Commission shall also receive that sum calculated as the difference between the original unrestricted fair market value of the inclusionary dwelling unit and the restricted value of the inclusionary dwelling unit at the time of the original sale, as determined by an appraisal approved by the San Diego Housing Commission.</p> <p>(d) The owner shall sell the inclusionary dwelling unit at no less than fair market value unless sold to another median income household or moderate income household in compliance with the Procedures Manual.</p> <p>(e) Unless otherwise required by law, all promissory note repayments, shared equity payments, or other payments collected under this Section 142.1304(g) shall be deposited into the Affordable Housing Fund.</p> <p>§ 142.1306 Inclusionary In Lieu Fee:</p> <p>(1) From July 1, 2020 through June 30, 2024, the Inclusionary In Lieu Fee requirements shall be implemented incrementally as set forth in the Procedures Manual. Effective July 1, 2024, the Inclusionary In Lieu Fee shall be \$25.00 per square foot of net building area of unrestricted market-rate residential development. The Inclusionary In Lieu Fee shall be updated annually based on the annual increase in the Construction Costs Index (CCI) published by Engineering News Record for Los Angeles, or similar construction industry index selected by the City Manager if the CCI index is discontinued.</p> <p>(2) Except as provided in Section 142.1306(c), the Inclusionary In Lieu Fee shall be determined using the rate in effect at the time the applicant's development permit application, application for subdivision under the Subdivision Map Act, or Building Permit application is deemed complete, whichever is earlier. The Inclusionary In Lieu Fee shall be paid on or before the issuance of the first residential Building Permit for the development.</p> <p>(3) The Inclusionary In Lieu Fee applicable to residential development that has an application for a development permit, for a subdivision, or for a Building Permit deemed complete before July 1, 2020 shall be \$12.73 per square foot multiplied by the net building area of the unrestricted market-rate residential development.</p> <p>(d) All funds collected pursuant to this Section 142.1306 shall be deposited into the Affordable</p>
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			<p>Housing Fund.</p> <p>§ 142.1308 Land Donation: The requirements of this Division may be satisfied by the donation of land, if the donation is completed in accordance with California Government Section 65915(g) and Chapter 14, Division 7, Article 3 of the San Diego Municipal Code and if the value of the land on the date of donation is equal to or greater than the Inclusionary In Lieu Fee applicable to the applicant's development on the date of donation.</p>
Ordinance 12	City of Folsom	3/27/2007	<p>17.104.030 Inclusionary housing requirement:</p> <p>(1) Number and Affordability of Inclusionary Units: All for-sale development projects consisting of ten or more units, including condominium conversion projects, as well as residential rental projects of ten or more units receiving funding assistance from the city or that are otherwise subject to a voluntary affordable housing agreement with the city, shall include inclusionary housing units equal to ten percent of the total number of units in the project, excluding density bonus units. The ten percent shall consist of three percent very low income units and seven percent low income units.</p> <p>When four or fewer inclusionary units are required, the inclusionary units shall be provided in the following manner: one inclusionary unit: one low income unit; two inclusionary units: one low income unit and one very low income unit; three inclusionary units: two low income units and one very low income unit; four inclusionary units: three low income units and one very low income unit.</p> <p>a. Calculation of Units Required. Where the number of units required to be constructed in the development project or condominium conversion project results in a percentage other than a whole number, the developer shall round to the nearest whole number the resulting percentage from the total inclusionary housing requirement calculated as provided in this chapter and provide only the whole units resulting from the inclusionary housing requirement calculation. If, after rounding to the nearest whole number, the total number of inclusionary units provided is less than ten percent of the total project units, any difference in units shall be provided as low-income units.</p> <p>b. Various Methods for Compliance. The inclusionary housing requirement may be satisfied by: including the units within the development project; providing an alternative as set forth in</p>

		<p>Section 17.104.060; providing the units off site; dedicating land for other affordable development projects; acquisition, rehabilitation, and conversion of existing market rate units; conversion of existing market rate units; paying an in-lieu fee as described in this chapter; other methods as approved by the city council that meet the intent of this chapter; or a combination of these methods or other alternatives set forth in this chapter.</p> <p>17.104.040 Inclusionary housing plan: (1) Submittal Requirements. The inclusionary housing plan must include:</p> <p>a. The method by which the developer intends to comply with the requirements of this chapter. The developer shall describe the location of the inclusionary units within the development project, unit sizes, and any incentives requested.</p> <p>17.104.060 Alternative methods to meet the inclusionary housing requirement: Alternatives to the on-site construction of the inclusionary housing requirement shall be encouraged and allowed in order to meet the housing needs for low and very low income households, consistent with the criteria in subsections A through I of this section. Alternatives may include:</p> <p>(1) Land Dedication: The developer may dedicate sufficient land within the city of Folsom on which to construct at least the same number of units and infrastructure to support that number of units as the developer would be required to construct on site subject to the inclusionary housing requirement; provided, that the site will support the same number of units the developer is required to construct, has zoning of a minimum density necessary to accommodate the inclusionary housing requirement, that the site is acceptable to the city, and that the site is restricted for affordable housing. The developer shall dedicate the land to the city, an affordable housing developer, or special needs developer acceptable to the city at no cost to the city.</p> <p>(2) Off-Site Construction (“Off-Site”): The developer may develop housing to satisfy the inclusionary housing requirement at an off-site location within the city of Folsom.</p> <p>(3) Acquisition, Rehabilitation, and Conversion of Market Rate Units: The developer may propose to acquire and rehabilitate existing market rate units in the city of Folsom which are</p>
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		<p>at or above existing affordable rents, which require repair, rehabilitation, modernization or other work, and convert those units to affordable for-sale housing units.</p> <p>(4) Conversion of Market Rate Units: A developer may propose to convert existing market rate units in the city of Folsom which do not require rehabilitation and are at or above existing affordable rents to affordable for-sale housing units by way of deed restrictions, recorded covenants or other legal mechanisms to assure that the units remain affordable housing units.</p> <p>(5) Deleted.</p> <p>(6) Inclusionary Housing Credits: A developer may use inclusionary housing credits, as defined in this chapter, to meet the inclusionary housing requirement.</p> <p>(7) In-Lieu Fee: A developer may pay an in-lieu fee calculated as follows to satisfy all of the inclusionary housing requirements: multiply one percent of the lowest priced for-sale residential unit in the proposed subdivision by the total number of for-sale residential units in the proposed subdivision. For custom lot subdivisions where only lots will be sold, multiply one-half percent of the estimated cost of the least expensive homes anticipated for the proposed subdivision by the total number of for-sale lots in the proposed subdivision. The in-lieu fee is payable at the time of the building permit on a per-unit basis and may be deferred upon application by the developer and approval in the city's sole and complete discretion pursuant to Section 16.80.030. Once the in-lieu fee has been set for an initial twelve months, the amount of the fee shall be evaluated on January 1st of each following year. In the event the lowest priced for-sale residential unit or anticipated home in the subdivision changes by ten percent or more, the amount of the in-lieu fee shall be adjusted to the new amount using the formula set forth above, applicable prospectively to the remaining units or lots in the subdivision.</p> <p>(8) Combination: Combination of the above alternatives.</p> <p>(9) Other Alternatives: Other alternatives proposed by the developer which are accepted by the city and meet the requirements and intent of this chapter. (Ord. 1243 § 2, 2015; Ord. 1177 § 4, 2013; Ord. 958 § 2 (part), 2002)</p>
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