

	Jurisdiction	Effective Date	Affordability Requirement
Ordinance 1	Contra Costa County Division 82 - Affordable Housing	7/1/2020	
Ordinance 2	Contra Costa County Chapter 822-4 - Inclusionary Housing	1/1/2020	15% of Rental Units as Inclusionary Rental Units of a development of 5-125 rental units. 15% of the for-sale units as Inclusionary Units of a development of 1-126 units.
Ordinance 3	Sacramento County	3/27/2014	<p>22.35.030 Standard Affordable Housing Component: Development projects shall (1) Pay an affordability fee on all newly constructed market rate units pursuant to Section 22.35.050(A); or (2) Comply with the development project's approved affordable housing plan; if one exists, or (3) Enter into a development agreement or other form of agreement with the County which provides for a fee credit for land dedication, construction of affordable dwelling units, or other mechanism which leads to the production of affordable housing, in an amount at least equivalent to the affordability fee established by Section 22.35.050(A).</p> <p>22.35.050 Affordability Fees:</p> <p>(1) The affordability fee is an amount equal to \$2.50 per habitable square foot of each market rate unit.</p> <p>(2) The affordability fee shall be paid concurrently with the payment of building permit fees for the development project in accordance with the fee schedule in effect at the time of building permit application.</p> <p>(3) The affordability fee, including the maximum amount of the fee, shall be adjusted annually based on the Building Cost Index 20-City Average published by Engineer News-Record/McGraw Hill. County shall publish the fee schedule.</p> <p>(4) At least ten (10) percent of the affordability fees collected pursuant to this Section shall be used to buy down or produce ELI units.</p> <p>(5) At least fifty (50) percent of the affordability fees collected shall be used to produce affordable housing in large development projects. The implementation of this</p>

			provision shall be detailed in the Guidelines prepared pursuant to section 22.35.100.
Ordinance 4	Placer County	10/6/2020	15.65.130 Continued affordability: Prior to the issuance of either temporary or permanent certificates of occupancy for the development project that is subject to this article, all regulatory agreements and, if the affordable units are for sale, resale restrictions, deeds of trust and/or other documents, all of which must be acceptable to the county and consistent with the requirements of this article, shall be recorded against parcels having such affordable units and shall be effective for at least the period of time of fifty-five (55) years or as required by an accepted source of funding for the project.
Ordinance 5	Nevada County	03/05/2023 (Draft)	<p>To accommodate the development of Low and Very-Low Income housing units on vacant sites that are zoned R3, owner and renter occupied single or multifamily residential development in which at least 20 percent of the units are affordable to lower income households as a by-right use (without a Conditional Use Permit, or other discretionary action) as required by California Government Code 65583.2(i) if those properties have been identified in two or more consecutive Housing Element planning periods to accommodate the Low or Very-Low income category of the Regional Housing Need Allocation.</p> <p>If an applicant elects to construct a senior citizen housing development with at least fifty (50) percent of the total dwelling units for senior citizens, the density bonus shall be twenty (20) percent of the total number of allowed housing units without the density bonus, or as described in Subsection (e) of this Section.</p>
Ordinance 6	LA County	9/14/2023	
Ordinance 7	City of Emeryville	7/6/1905	
Ordinance 8	City of Santa Clara	2/22/2018	(1) Affordable units shall be reasonably dispersed throughout the project, unless otherwise approved by City Council through a development agreement, and shall contain, on average, the same number of bedrooms and shall be comparable to the design of the market-rate units in terms of appearance, materials and finished quality of the market-rate units in the project.

			<p>There shall not be significant identifiable differences between affordable and market-rate dwelling units which are visible from the exterior of the dwelling units and the size and design of the dwelling units shall be reasonably consistent with the market-rate units in the development. Affordable units shall have the same access to project amenities and recreational facilities as market-rate units.</p> <p>(2) Affordable units shall be constructed within a similar timeline as the construction of market-rate units. No building permit shall be issued for any market-rate unit unless a proportional number of building permits have been issued for affordable units and no certificates of occupancy or final inspections shall be issued for any market-rate units unless a proportional number of certificates of occupancy or final inspections have been issued for affordable units.</p> <p>(3) All affordable rental units shall be sold or rented only to qualified extremely low, very low, low or moderate income households and all affordable ownership units shall be sold only to qualified extremely low, very low, low or moderate income households pursuant to procedures and guidelines established by the City.</p> <p>(4) For-sale and rental affordable units shall be maintained as affordable housing for a period as identified in the City Below Market Purchase Program Policies and Procedures Manual, but not less than twenty (20) years applicable to for-sale units and fifty-five (55) years applicable to rental units.</p> <p>(5) Any household that occupies an affordable unit must occupy that unit as its principal residence, unless otherwise approved in writing for rental to a third party for a limited period of time due to household economic hardship, as determined by the City.</p> <p>(6) No household may begin occupancy of an affordable unit until the income level of the household has been verified and determined to be eligible to occupy that unit by the City. (Ord. 1974 § 1, 1-23-18).</p>
Ordinance 9	City of Long Beach	10/7/2021	

Ordinance 10	City of Morgan Hill	8/9/2018	<p>14.04.060 Continued affordability and City review of occupancy:</p> <p>(1) Term of affordability-For-sale projects: A resale restriction, covenant, deed of trust and/or other documents in form prepared by the City Attorney, shall be recorded against each Inclusionary Unit that is a for-sale unit. These documents shall have an initial term of forty five (45) years, and shall be renewed upon each change of title to the Inclusionary Unit. The resale restriction, or other documents required by this subsection, and any change in the form of any such documents, shall be approved by the City Manager or his or her designee prior to execution and recordation of such document. The City shall be a party to the resale restriction or other documents required by this subsection and shall have the right to enforce the covenants and restrictions contained therein.</p> <p>(2) Term of affordability-Rental projects: A regulatory agreement, covenant, deed of trust, and/or other documents prepared by the City Attorney, shall be recorded against each Residential Project that contains Inclusionary Units that are rental units. These documents shall have a term of fifty-five (55) years. The regulatory agreement and other documents required by this subsection, shall run with the land and shall not be affected by the sale of the property or units in the project. The regulatory agreement and other documents required by this subsection, and any modification to such document, shall be approved by the City Manager or his or her designee and approved as to form by the City Attorney, prior to execution and recordation of such document. The City shall be a party to the regulatory agreement or other documents required by this subsection and shall have the right to enforce the covenants and restrictions contained therein.</p>
Ordinance 11	City of San Diego	12/13/2022	

Ordinance 12	City of Folsom	3/27/2007	<p>7.104.050 Specific plan requirement:</p> <p>(1) Number and Affordability of Inclusionary Units. All specific plans approved pursuant to Chapter 17.37 on or after the effective date of the ordinance codified in this chapter and which are not otherwise exempt shall include three percent of the dwelling units restricted to and affordable to very low income households and seven percent of the dwelling units restricted to and affordable to low income households (inclusionary housing requirement).</p> <p>a. The inclusionary housing requirement required by this section shall be determined at the specific plan stage, rather than on a project by project basis. Where the inclusionary component is not included in the specific plan, it shall be included with individual projects as provided in this section.</p> <p>b. The specific plan shall include an inclusionary housing plan that establishes, as a minimum but not limited to, the following:</p> <ul style="list-style-type: none"> -- The number of market rate units in the specific plan. -- The inclusionary housing requirement for very low and low income units over the entire specific plan. -- The location of multifamily parcels (if applicable), subdivisions and/or mixed-use development sites designated to receive the inclusionary units. -- The requirements for an inclusionary housing plan specified in Section 17.104.040.
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