

	Jurisdiction	Effective Date	Exemptions or Exceptions
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	<p>822-4.408 Exemptions:</p> <p>(1) Residential developments of one through four dwelling units.</p> <p>(2) The reconstruction of any dwelling units that were destroyed by fire, flood, earthquake, or other act of nature, provided the square footage, number of units, and use of the units remain the same and the use is resumed within six months of the interruption.</p> <p>(3) Residential developments that obtain one of the following before November 23, 2006:(A)A discretionary approval.(B)A building permit.</p> <p>(4) A community care facility as defined in Health and Safety Code Section 1502.</p> <p>(5) Residential developments that are exempt from the requirements of this chapter pursuant to State law, including, but not limited to, the following: (A) Residential developments that obtain a vesting tentative map before the effective date of the ordinance codified in this chapter, provided the vesting tentative map has not expired.(B) Residential developments where the application for a tentative map has been deemed complete by the county before the effective date of the ordinance codified in this chapter.</p> <p>A residential development that is located in or proposed for a former county redevelopment area is exempt from the provisions of this chapter.</p>

Ordinance 3	Sacramento County	3/27/2014	<p>22.35.040 Exempted Development Projects: The following development projects are exempt from this Chapter and generate no affordable housing obligation:</p> <ul style="list-style-type: none"> (1) Conversion of nonresidential buildings to residential use; (2) Mobilehome parks; (3) Market rate and affordable units in a mixed-income development on a newly created multifamily site located on-site built at a density of 17 units per acre or more where at least twenty (20) percent of the units are affordable to low income renters or buyers. Affordable housing units shall have a regulatory agreement recorded and monitored by SHRA; (4) A new single-family residential structure built by an owner-builder on his or her property, provided that (1) the new home is not intended for sale within two years of completion of construction; (2) the owner has not utilized the exemption set forth in this Section 22.35.040 within two years of applying for a building permit for the new structure; and (3) the owner personally performs the work, or the owner directly contracts with a contractor to complete the project.
Ordinance 4	Placer County	10/6/2020	<p>15.65.050 Exempted Development: The following residential development projects are exempt from this article and do not have an affordable housing obligation pursuant to Section 15.65.060 below:</p> <ul style="list-style-type: none"> (1) A residential full-time occupancy project of seven units or less (2) Residential development of an infill site as defined by Public Resources Code section 21061.3 (3) A residential project located within a "transit priority area" as defined in Public Resources Code Section 21099(a) (4) A residential mixed-use project where a minimum of at least seventy (70) percent of the total project floor area is constructed for residential use (5) Accessory dwelling units (6) Deed restricted affordable housing (7) Emergency shelters (8) Community care / health facilities (9) Single room occupancy units (10) A single dwelling unit constructed by an owner/ builder

			<p>(11) Mobile home parks</p> <p>(12) Rehabilitation of an existing building that does not increase the number of dwelling units</p> <p>(13) Rehabilitation of an existing residential single-family dwelling unit</p> <p>(14) Any residential project for development of single family residential units on subdivision lots created pursuant to a final map recorded on or before December 31, 2020, unless otherwise required by the condition of approval, so long as the only remaining discretionary entitlements required to develop the project are non-legislative entitlements: variance, plan review or design review.</p> <p>(15) An additions or replacement unit, where the total number of units are not increased</p> <p>(16) A residential project with a majority (fifty-one (51) percent or greater) of the primary units for full time occupancy that have habitable square footage of less than one thousand, six hundred (1,600) square feet. A deed restriction for occupancy and resale requirement will be required to meet the exemption allowance</p> <p>(17) Dormitories, fraternity and sorority houses, boarding houses, residential hotels, or live/ work units, which are not considered a permanent dwelling unit.</p>
Ordinance 5	Nevada County	03/05/2023 (Draft)	
Ordinance 6	LA County	9/14/2023	
Ordinance 7	City of Emeryville	7/6/1905	
Ordinance 8	City of Santa Clara	2/22/2018	<p>17.40.070 Exemptions: The following development projects are exempt from the provisions of this chapter:</p> <p>(1) Additions, remodeling or construction of a single residential unit or duplex unit on an existing lot of record, including accessory dwelling units.</p> <p>(2) Commercial square footage within a mixed use development where the commercial space is integrated into a single building that also includes residential development at a density of thirty (30)</p>

			<p>dwelling units per acre or greater and where the commercial square footage does not exceed twenty thousand (20,000) square feet.</p> <p>(3) Assembly uses including lodges, clubs, youth centers and religious assemblies.</p> <p>(4) Day care, nursery and school facilities.</p> <p>(5) Hospitals.</p> <p>(6) Other nonresidential uses not listed above, but which the City Council determines will have a minimal impact upon the demand for affordable housing and to be exempt pursuant to City Council resolution. (Ord. 1974 § 1, 1-23-18).</p>
Ordinance 9	City of Long Beach	10/7/2021	<p>21.67.040 Exemptions:</p> <p>(1) The following residential developments shall be exempt from the provisions of this Chapter:</p> <p>a. Residential developments with nine (9) or fewer units.</p> <p>b. Residential developments which are developed in accordance with the terms of a development agreement adopted by ordinance pursuant to the authority and provisions of California Government Code Section 65864 et seq. and/or Chapter 21.29 of the Long Beach Municipal Code, and that is executed prior to the effective date of this Chapter, provided that such residential developments shall comply with any inclusionary housing requirements included in the development agreement or any predecessor ordinance in effect on the date the development agreement was executed.</p> <p>(c) Residential developments exempted by California Government Code Section 66474.2 or 66498.1, provided that such residential developments shall comply with any predecessor ordinance, resolution, or policy in effect on the date the application for the development was deemed substantially complete.</p> <p>(d) Residential developments for which a building permit has been issued no later than the effective date of this Chapter, provided that such residential developments shall comply with any predecessor ordinance, resolution, or policy in effect on the date the application for the development was approved.</p> <p>(2) Planning entitlement expiration. Upon the</p>

			expiration of any planning entitlement, and unless otherwise exempted, the residential development shall be subject to the inclusionary housing requirements of this Chapter, and shall not proceed until such time as an inclusionary housing plan is approved in conjunction with any other required planning entitlement or amendment thereto. The provisions of this Chapter shall also apply to any residential development which is granted a discretionary extension of a planning entitlement after the effective date of this Chapter, to the extent consistent with state law.
Ordinance 10	City of Morgan Hill	8/9/2018	14.04.040 General Requirements Exceptions: The affordability levels required for a Residential Project may be modified by written agreement between the City and the Applicant upon a finding that such modification is necessary to effectively achieve the City's RHNA goals in the then-current housing element cycle.
Ordinance 11	City of San Diego	12/13/2022	§ 142.1303 Exemptions From the Inclusionary Affordable Housing Regulations: This Division is not applicable to the following: (1) Residential development located in the North City Future Urbanizing Area that is within Proposition A Lands of the City of San Diego or any project located in an area of the City that was previously located in the North City Future Urbanizing Area and has been phase shifted into the Planned Urbanized Communities, and is subject to the inclusionary zoning requirements contained in the North City Future Urbanizing Area Framework Plan, San Diego Municipal Code section 143.0450(d), the Subarea Plans, Development Agreements, Affordable Housing Agreements, or conditions of approval of a development permit, as applicable. (2) Rehabilitation of an existing building that does not result in a net increase of dwelling units on the premises. (c) Density bonus units constructed in accordance with the provisions of Chapter 14, Article 3, Division 7.
Ordinance 12	City of Folsom	3/27/2007	17.104.080 Exempted residential development: The following development projects are exempt from this chapter and generate no obligation to provide an inclusionary housing requirement:

			<p>(1) Residential projects proposed to contain nine or fewer market rate units.</p> <p>(2) Parcels covered by development agreements which legally restrict the imposing of this chapter; however, nothing shall preclude modification of any development agreements with the consent of the property owner.</p> <p>(3) Parcels which have tentative subdivision or final maps approved prior to September 24, 2002.</p> <p>(4) Parcels where the developer can demonstrate that it has acquired vested rights to develop the property such that the city cannot legally require compliance with the provisions of this chapter. (Ord. 958 § 2 (part), 2002)</p>
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