

17.31.030 - Basic inclusionary requirement.

A. This section shall apply to all residential projects with six (6) or more dwelling units, except for the following:

1. Residential projects which are developed pursuant to the terms of a development agreement executed prior to the effective date of this chapter, provided that such residential projects shall comply with any affordable housing requirements included in the development agreement.
2. Residential projects if exempted by Government Code Section 66474.2 or 66498.1, provided that such residential projects shall comply with any predecessor ordinance in effect on the date the application for the development was deemed complete.

B. In a residential project with six (6) or more dwelling units, units shall be made available exclusively at affordable rents or affordable ownership cost for both rental and for-sale projects as prescribed in the chart in subsection (B)(3) below.

1. For purposes of calculating the number of inclusionary units required by this section, any density bonus units authorized pursuant to this chapter shall not be counted as part of the residential project.
2. In order to prevent evasion of the provisions of this chapter, contemporaneous construction of six (6) or more dwelling units on a lot, or on contiguous lots for which there is evidence of common ownership or control, even though not covered by the same city land use approval, shall also be considered a single residential project. Construction shall be considered contemporaneous if any building permits are issued within five (5) years following the date of completion of any earlier construction.

3. Chart Showing Inclusionary Requirements (for projects of more than 200 units, refer to the link above):

Total # of Units in Project	<i>For-Sale Project</i>		<i>Rental Project</i>	
	Units Required to be Affordable to Low-Income Households	Units Required to be Affordable to Moderate-Income Households	Units to be Affordable to Very-Low Income	Units to be Affordable to Low Income Households
0—5	0	0	0	0
6—10	0	1	0	1
11—15	1	1	1	1
16—20	1	2	1	2
21—25	1	3	1	3
26—30	2	3	2	3
31—40	2	4	2	4
41—50	2	5	2	5
51—60	3	6	3	6
61—70	3	7	3	7
71—80	4	8	4	8
81—90	4	9	4	9
91—100	5	10	5	10
101—110	5	11	5	11
111—120	6	12	6	12
121—130	6	13	6	13
131—140	7	14	7	14
141—150	7	15	7	15
151—160	8	16	8	16
161—170	8	17	8	17
171—180	9	18	9	18
181—190	9	19	9	19
191—200	10	20	10	20