

**TABLE V-1  
COMPARISON OF AFFORDABLE HOUSING REQUIREMENTS - RESIDENTIAL  
SANTA CLARA COUNTY CITIES**

	<b>Campbell</b> 2006	<b>Los Altos</b> Est. 1995, update 2009	<b>Milpitas</b> 2015	<b>Santa Clara City</b> Est. 1991, update 2006 and 2017
<b>Year Adopted / Updated</b>				
<b>Minimum Project Size</b>				
For Fee Payment	FS, <6du/Ac: 10 units FS, >6 du/Ac: n/a	n/a	FS/R: 5 units	FS/R: 3 units
For Build Requirement	FS, <6du/Ac: n/a FS, >6du/Ac: 10 units	FS: 5 units	no build req.	FS/R: 10 units
<b>Impact / In-Lieu Fee</b>	FS: \$34.50 /sf	none	FS/R: 5% building permit value	Single family: \$30 psf Townhome: \$25 psf Condo: \$20 psf Rentals: \$20 psf
<b>Onsite Requirement/Option</b>				
Percent of Total Units	FS: 15%	FS: 10%	FS/R: 5%	FS/R: 15%
Income Level for Qualification	FS: Low and Moderate	FS: Moderate If <10 units, one unit at Low.	FS/R: Low and Very Low	May be at a range of income levels.
Income Level for Pricing(% AMI)	FS: Moderate @ 110% Low @ 70%	Not Specified.	Not specified.	May be at a range of income levels but must average to 100% AMI or below.
<b>Fractional Units</b>	<0.5: round down, >0.5: round up	provide unit	not specified	pay fee or provide unit
<b>Comments</b>	code does not specify allocation between Low and Moderate; staff indicates approximately 50/50 allocation has been the experience.	<4 du/Ac: no requirement. Also, requirements may be waived by City Council for projects of 9 units or less.	In-lieu/impact fee introduced as temporary measure while City prepares formal nexus study. Fee has not yet been assessed.	

Abbreviations:

R = Rental  
du = Dwelling Unit

FS = For Sale  
Ac = Acre

/sf = per square foot  
AMI =Area Median Income

MF = Multi-Family  
SF = Single Family

1. Santa Clara County and Saratoga do not currently have an inclusionary housing requirement.

Notes: This chart presents an overview, and as a result, terms are simplified. For use other than general comparison, please consult the code and staff of the jurisdiction.

Virtually all cities that do not allow fee payment by right allow developers to seek Council approval of fee payment instead of on-site units, in addition to providing options for off-site construction and land dedication.

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COMPARISON OF AFFORDABLE HOUSING REQUIREMENTS - RESIDENTIAL  
SANTA CLARA COUNTY CITIES (PLUS SAN MATEO COUNTY)**

	<b>Cupertino</b>	<b>Mountain View</b>	<b>San Jose</b>	<b>Sunnyvale</b>	<b>San Mateo County</b>
<b>Year Adopted / Updated</b>	Est. 1992, update 2015	Est. 1999, rental impact fee in 2012, update 2015	Est. 2010.	Update 2015	Est. 2004; update 2016
<b>Minimum Project Size</b>					
For Fee Payment	<b>FS/R: 1 unit</b>	<b>FS: 3 units R: 5 units</b>	<b>FS/R: 20 units</b>	<b>FS: 8 units R: 4 units</b>	<b>FS/R: 1 unit</b>
For Build Requirement	<b>FS: 7 units</b>	<b>Mixed FS/R: 6 units FS: 10 units</b>	no build req.	<b>FS: 20 units</b>	<b>MF: 10 units; SF: no build reqmt.</b>
<b>Impact / In-Lieu Fee</b>	<b>FS: Detached \$15/sf, Attached \$16.50/sf, MF \$20/sf R: &lt;35 du/Ac \$20/sf, &gt;35 du/Ac \$25/sf</b>	<b>FS: 3% of sales price R: \$17/sf</b>	<b>FS: based on affordability gap R: \$125,000 SF per affordable unit owed</b>	<b>FS: 7% of sales price R: \$8.50/sf (4-7 units), \$17/sf (8+ units)</b>	<b>FS: 1 unit: \$5 psf above 2,500 SF 2-4 units: \$5 psf, 1st 2,500 SF then \$12.50 SF 5+ units: \$15 MF 5+ units: based on gap calculation R: \$10</b>
<b>Onsite Requirement/Option</b>					
Percent of Total Units	<b>FS/R: 15%</b>	<b>FS/R: 10%</b>	<b>FS: 15%</b>	<b>FS: 12.5% R: On-site credits (see below)</b>	<b>MF 5+ units: 20%; SF: 15%</b>
Income Level for Qualification	<b>FS: 1/2 Median 1/2 Moderate R: 40% Low, 60% Very Low</b>	<b>FS: Median R: Low</b>	<b>FS: Moderate R: 9% Moderate 6% Very Low</b>	<b>FS: Moderate</b>	<b>MF 5+ units: FS: ELI to Mod, &lt;= 50% @ Mod; R: ELI to Low, &lt;= 50% @ Low; SF: Mod</b>
Income Level for Pricing(% AMI)	<b>FS: Moderate @ 110%, Median @ 90% R: Low @ 60%, Very Low @ 50% AMI</b>	<b>FS: One unit: 90% AMI Multiple units: 80 - 100% AMI R: Ranges btwn 50-80% AMI</b>	<b>Moderate @ 110% AMI Rental @ 80% and 50% of AMI</b>	<b>Moderate @ 100% AMI</b>	<b>State H&amp;S code standards</b>
<b>Fractional Units</b>	<b>&lt;.5 unit owed: pay fee .5+ unit owed: round up</b>	<b>pay fee or provide unit</b>	<b>&lt;.5 unit owed: round down .5+ unit owed: round up</b>	<b>pay fee or provide unit</b>	<b>pay fee</b>
<b>Comments</b>			<b>Inclusionary program reinstated in 2016 following litigation. Rental requirements automatically apply following AB 1505</b>	<b>On-site rental: developer credited \$300,000/du (Very Low), \$150,000/du (Low). Projects with fewer than 20 units are eligible to pay in-lieu fee.</b>	<b>Inclusionary program applies to multifamily projects of 5+ units; impact fee program applies to single family and smaller multifamily projects.</b>

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ALAMEDA COUNTY CITIES**

	<b>Albany</b>	<b>Fremont</b>	<b>Hayward</b>	<b>San Leandro</b>	<b>Union City</b>
<b>Year Adopted / Updated</b>	2005	Est. 2002, update 2015, full phase-in 2017	Updated in 2017	2004	Est. 2001, update 2006
<b>Minimum Project Size</b> For Fee Payment For Build Requirement	FS: 5 units FS: 7 units	FS/R: 2 units no build req.	FS/R: 2 units no build req.	FS: 2 units FS: 7 units	FS/R: 1 unit no build req.
<b>Impact / In-Lieu Fee</b>	FS: (Market Value - Affordable Price) x units owed	FS: Attached \$27.00 no units, \$18.50 w/ aff units Detached \$26.00 no units, \$17.50 w/ aff units,  R: \$17.50 no map, \$27.00 w/ map	FS / R: \$18.18/sf, Condos (35+ DU/acre): \$15 /sf Add 10% if paid at C/O	FS: (Median Sale Price - Affordable Price) x units owed	<b>Council Direction for Updated Ordinance (April 2017):</b> FS: \$22/SF R: \$14/SF
<b>Onsite Requirement/Option</b> Percent of Total Units	FS: 15%	FS: Attached 3.5% plus \$18.50/sf Detached 4.5% plus \$17.50/sf R: 12.9%	FS: 10%, Condos (35+ DU/acre): 7.5 % R: 6%	FS: 15%	FS: 15%
<b>Income Level for Qualification</b>	FS: <10 units: Low 10+ units: 50% Low, 50% Very Low	FS: Moderate Income R: 19% Extremely Low, 33% Very Low, 25% Low, 24% Moderate	FS: Moderate Income R: 50% Low, 50% Very Low	FS: 60% Moderate, 40% Low	FS: 60% Moderate, 30% Median, 10% Low.
<b>Income Level for Pricing(% AMI)</b>	Not specified.	FS: Moderate @ 110% AMI (120% w/approval) R: Low @ 60% AMI, Very Low @ 50% AMI, Extremely Low @ 30% AMI	FS: Moderate @ 110% AMI R: Low @ 60% AMI Very Low @ 50% AMI	FS: Moderate @ 110% AMI, Low @ 70% AMI	FS: Moderate @ 110% AMI, Median not specified (80-100%) Low @ 70% AMI
<b>Fractional Units</b>	<0.5: pay fee, >0.5: provide unit	pay fee or provide unit	pay fee or provide unit	<0.5: round down, >0.5: round up	pay fee or provide unit
<b>Comments</b>		Full phase-in levels shown. Rental projects with a subdivision map pay the higher fee. FS projects req. to provide onsite units and pay fee.		Fee calculated based on current median sales price.	Reflects Council direction for updates to ordinance that have not yet been adopted. Fee applies to additions over 500 square feet.

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ALAMEDA COUNTY CITIES**

	<b>Alameda (city)</b>	<b>Berkeley</b>	<b>Dublin</b>	<b>Oakland</b>	<b>Pleasanton</b>
<b>Year Adopted / Updated</b>	2003	Est. 1986, rental fee 2011, update adopted 2017	Est. 1997, update 2005	2016	Est. 1978, update 2000.
<b>Minimum Project Size</b>					
For Fee Payment	FS: 5 units	FS/R: 5 units	FS/R: 20 units	FS/R: 1 unit	FS/R: 15 units
For Build Requirement	FS: 10 units	no build req.	FS/R: 20 units (partial)	no build req.	no build req.
<b>Impact / In-Lieu Fee</b>	FS: \$19,076/du	FS: 62.5% x (Sale Price - Affordable Price) x units owed  R: \$34,000/du or \$37,000/du if paid at C/O	FS/R: \$127,061 per aff unit owed (in addition to on-site)	FS/R: MF \$12,000-\$22,000, SF Attached \$8,000-\$20,000, SF Detached \$8,000-\$23,000	FS/R: MF \$2,783/du, SF <1,500 sq ft: \$2,783/du, >1,500 sq ft: \$11,228/du
<b>Onsite Requirement/Option</b>					
Percent of Total Units	FS: 15%	FS/R: 20%	FS/R: 7.5%, plus fee (12.5% without fee)	FS/R: Option A 5% or Option B 10%	FS/R: MF 15% SF 20%
Income Level for Qualification	FS: 47% Moderate, 27% Low, 27% Very Low	FS: Low R: Current Very Low Proposed 1/2 Very Low, 1/2 Low	FS: 60% Moderate, 40% Low R: 50% Moderate, 20% Low, 30% Very Low	FS/R: Option A Very Low Option B Low and Moderate	FS: MF Low SF Moderate
Income Level for Pricing(% AMI)	FS: Moderate @ 110%, Low @ 70%, Very Low @ 50%	FS: Low @ 80% R: Low at 81%, Very Low at 50%.	FS: Moderate @ 110%, Low @ 70% R: Moderate @ 110%, Low @ 80%, Very Low @ 50%	FS: Moderate @ 110%, Low @ 70%, Very Low @ 50% R: Moderate 110%, Low @ 60%, Very Low @ 50%	FS: MF 80% AMI SF 120% AMI
<b>Fractional Units</b>	<0.5: round down, >0.5: round up	pay fee	<0.5: round down, >0.5: round up	pay fee or provide unit	<0.5: round down, >0.5: round up
<b>Comments</b>				Fees vary by neighborhood. Fees phased in through 2020. Full fee levels shown. On-site: May choose Option A or B. Based on draft ordinance prepared for April 19, 2016 council meeting.	

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