

ATTACHMENT 4

| COMPARISON OF CITIES WITH INCLUSIONARY HOUSING ORDINANCES | | | | |
|---|--------------|-----------------------|---|--|
| City | Year Adopted | Set-aside Requirement | Build vs. In-lieu Fee | Trends |
| Huntington Beach | 2004 | 10% | The in-lieu fee is modified annually by the percentage changes in the average new home sales price in Orange County as published by RERC. Only projects under 30 units can opt to pay an in-lieu fee. Also, fractional unit obligations. | Projects near the beach choose to pay in-lieu fee, while projects further inland tend to build, utilize density bonuses. Most pay the In-lieu fee for fractional units. City Council approval required for payment of in-lieu fee for projects with 30 or more units. |
| Irvine | 2003 | 15% | Only projects with 15 units or less can opt to pay in-lieu fee; donation of land is also an option | Very few developers choose in-lieu fee option; Most developers build on-site and use density bonus law to maximize density. |
| Pasadena | 2001 | 15% | Options include build on-site, in-lieu fee or donation land | In-lieu fee is increased annually based on market consumer price index; Most rental projects build on-site while half of for-sale projects build on-site and the other half pay the in-lieu fee. The general tie in is whether or not state density bonus law is used. |
| Santa Ana | 2011 | 15% | Options include build on-site, off-site or in-lieu fee; Projects between 5 and 20 units opting for the in-lieu fee pay \$5.00/SF and projects with more than 20 units pay \$15.00/SF; The ordinance applies only to the following project types: 1) projects that exceed zoning density standards or other applicable development standards; 2) change in land use designation; 3) condo conversions; | Mostly developers pay the in-lieu fee. City Council approval required for projects with 20 or more units. |
| San Clemente | 1980 | 4% | Options include build on-site, off-site or in-lieu fee and only applies to projects of six units or more | Most developers pay an in-lieu fee |

ATTACHMENT 4

| | | | | |
|---------------------|------|-----|--|--|
| Brea | 1993 | 10% | Options include build on-site or in-lieu fee and applies to projects of 20 units or more and provided the affordable units do not place an economic burden on the developer or the future homeowners; Consideration of in lieu fees are reviewed on a case-by-case basis by the Planning Commission | Most developers have built on-site affordable units, primarily under Redevelopment Agency years. None in recent years have paid in-lieu fee. Developers can only pay an in-lieu fee under extenuating circumstances. City Council approval is required. The in-lieu fee payment amount is set on a case-by-case basis. |
| San Juan Capistrano | 1995 | 10% | Options include build on-site or in-lieu fee and applies to projects of 2 units or more | In-lieu is preferred by developers; No recent on-site affordable housing. |
| West Hollywood | 1986 | 20% | Developers of residential projects with 10 or fewer units may choose to pay a fee, in-lieu of providing the required affordable unit on-site. West Hollywood allows developers to select an inclusionary requirement or an impact fee requirement. Inclusionary projects greater than 10 units cannot pay the in-lieu fee. The majority of projects currently use state density bonus law, and provide the affordable housing units on-site. | No response from City |