

TABLE 3
COMPARISON OF AFFORDABLE HOUSING REQUIREMENTS - RESIDENTIAL
PARTICIPATING JURISDICTIONS: SANTA CLARA COUNTY¹
AFFORDABLE HOUSING NEXUS ANALYSES

Draft

	Campbell	Los Altos	Milpitas	Santa Clara City	Palo Alto
Year Adopted / Updated	2006	Est. 1995, update 2009	2015	Est. 1991, update 2006	2017
Minimum Project Size					
For In-lieu/Impact Fee	FS, <6du/Ac: 10 units FS, >6 du/Ac: n/a	n/a	FS/R: 5 units	n/a	FS/R: 3 units (except mixed use)
For Build Requirement	FS, <6du/Ac: n/a FS, >6du/Ac: 10 units	FS: 5 units	no build req.	FS: 10 units	FS: 30 units
Impact / In-Lieu Fee	FS: \$34.50 /sf	none	FS/R: 5% building permit value	<i>Fractional units only</i> Market Value - Affordable Price) x fractional unit	FS detached: \$75/sf, FS attached: \$50/sf R: \$20/sf
Onsite Requirement/Option					
Percent of Total Units	FS: 15%	FS: 10%	FS/R: 5%	FS: 10%	FS: <5 ac: 15%, 5+ ac: 20% Condo Conv: 25%
Income Level for Qualification	FS: Moderate	FS: Moderate if <10 units, one unit at Low.	FS/R: Low and Very Low	FS: Moderate	
Income Level for Pricing(% AMI)	FS: Moderate @ 110%	Not Specified.	Not specified.	Not specified.	FS: 2/3 of units - 80%-100% AMI, 1/3 of units - 100%-120% AMI CC: 4/5 of units - 80%-100% AMI, 1/5 of units - 100%-120% AMI
Fractional Units	<0.5: round down, >0.5: round up	provide unit	not specified	pay fee or provide unit	> 30 units: pay fee 30+ units: 0.5 or more - round up
Comments		<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.		* see notes below.

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.

**TABLE 3
COMPARISON OF AFFORDABLE HOUSING REQUIREMENTS - RESIDENTIAL
NON-PARTICIPATING JURISDICTIONS: SANTA CLARA COUNTY
AFFORDABLE HOUSING NEXUS ANALYSES**

Draft

	Cupertino	Mountain View	San Jose	Sunnyvale
Year Adopted / Updated	Est. 1992, update 2015	Est. 1999, rental impact fee in 2012, update 2015	Est. 2010. Rental Fee 2014.	Update 2015
Minimum Project Size For In-lieu/Impact Fee	FS/R: 1 unit	FS: 3 units R: 5 units	FS: 20 units R: 3 units	FS: 8 units R: 4 units
For Build Requirement	FS: 7 units	Mixed FS/R: 6 units FS: 10 units	no build req.	FS: 20 units
Impact / In-Lieu Fee	FS: Detached \$15/sf, Attached \$16.50/sf, MF \$20/sf R: <35 du/Ac \$20/sf, >35 du/Ac \$25/sf	FS: 3% of sales price R: \$17/sf	FS: based on affordability gap R: \$17 /sf	FS: 7% of sales price R: \$8.50/sf (4-7 units), \$17/sf (8+ units)
Onsite Requirement/Option Percent of Total Units	FS/R: 15%	FS/R: 10%	FS: 15%	FS: 12.5% R: On-site credits (see below)
Income Level for Qualification	FS: 1/2 Median 1/2 Moderate R: 40% Low, 60% Very Low	FS: Median R: Low	FS: Moderate	FS: Moderate
Income Level for Pricing(% AMI)	FS: Moderate @ 110%, Median @ 90% R: Low @ 60%, Very Low @ 50% AMI	FS: One unit: 90% AMI Multiple units: 80 - 100% AMI R: Ranges btwn 50-80% AMI	Moderate @ 110% AMI	Moderate @ 100% AMI
Fractional Units	<.5 unit owed: pay fee .5+ unit owed: round up	pay fee or provide unit	R: pay fee FS: pay fee or provide unit	pay fee or provide unit
Comments			Inclusionary zoning to be reinstated 2016. Downtown highrises exempt from impact fee for five years.	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.

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R = Rental
du = Dwelling Unit

FS = For Sale
Ac = Acre

/sf = per square foot
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