

INCLUSIONARY HOUSING PLAN
2021 AFFORDABLE HOUSING OPPORTUNITY AND CREATION ORDINANCE
RENTAL DEVELOPMENT PROJECT

INCLUSIONARY HOUSING PLAN NUMBER: _____

City of Santa Ana
20 Civic Center Plaza (M-26), Santa Ana, California 92701
714.667.2241

Development Site Characteristics and Contact Information	
Project Address:	
Assessor Parcel Number(s):	
Site Dimensions:	
Site Size (Square Feet):	
Property Owner's Name:	
Address:	
Telephone Number:	Email:
Applicant's Name:	
Telephone Number:	Email:

City Approvals (if applicable)

Approve Deny

Signature: _____ Date: _____

I. DEFINED TERMS

Capitalized terms included in the instructions for completing an Inclusionary Housing Plan have the meanings defined in the Administrative Procedures Manual.

II. PROJECT DESCRIPTION

Please provide the information pertaining to the characteristics of the proposed Project in the following table:

Description of the Proposed Project				
Plan	Number of Units	Number of Bedrooms	Habitable Area Per Unit ¹	Total Habitable Area: Each Plan
Totals	<input type="text"/>			<input type="text"/>

Will the project be constructed in phases? Yes ___ No ___

Is a California Government Code Section 65915 et seq. (Section 65915) density bonus being requested? Yes ___ No ___

¹ Habitable Area defined as the portion of the residential unit measured from exterior walls to exterior walls. The calculation excludes exterior hallways, common areas, landscapes, open space, and exterior stairways.

III. INCLUSIONARY HOUSING REQUIREMENTS

The Ordinance imposes a requirement that one of the following obligations must be fulfilled for Rental Development projects: ²

1. At least 15% of the units must be set aside at an Affordable Rent for Low Income Households; or
2. At least 10% of the units must be set aside at an Affordable Rent for Very Low Income Households; or
3. At least 5% of the units must be set aside at an Affordable Rent for Extremely Low Income Households; or
4. At least 10% of the units must be set aside at Affordable Rents based on the following mix:
 - a. 5% for Low Income Households; plus
 - b. 3% for Very Low Income Households; plus
 - c. 2% for Extremely Low Income Households.

The Ordinance offers the following four options for fulfilling the Inclusionary Housing obligation:

1. On-site development of the affordable units; or
2. Off-site development of the affordable units; or
3. Off-site rehabilitation of existing units; or
4. Payment of a fee in lieu of producing affordable units.

If the calculation of the Inclusionary Unit obligation results in a fraction, the obligation is rounded up to the next whole number. However, as an alternative, the Developer can choose to pay an in-lieu fee for the fractional unit obligation. This option can be applied to each of the three affordable housing production alternatives.

² Any additional units authorized under the Section 65915 density bonus shall not be counted in determining the number of Inclusionary Units required by the Ordinance.

Please select the applicable alternative(s) to indicate how the Project will comply with the Inclusionary Unit requirement:

On-Site Construction of the Required Inclusionary Units

Off-Site Construction of the Required Inclusionary Units

Rehabilitation of Existing Units

In a Target Area

Not in A Target Area

In-Lieu Fee Payment to Fulfill the Entire Inclusionary Housing Obligation

In-Lieu Fee Payment to Fulfill a Fractional Inclusionary Unit Obligation

Inclusionary Housing Production Options

For Projects that opt to use one of the Inclusionary Housing production options, please complete the following tables.

DO NOT COMPLETE THE FOLLOWING THREE TABLES IF AN IN-LIEU FEE IS PROPOSED TO BE PAID TO FULFILL THE ENTIRE INCLUSIONARY HOUSING OBLIGATION

Inclusionary Housing Production Obligation		
	Number of Units	Habitable Area (Square Feet)
Total Units in the Market Rate Project		
<u>Income Category Selected - (Select One)</u>		
Low Income at 15%		
Very Low Income at 10%		
Extremely Low Income at 5%		
5% Low Income + 3% Very Low Income + 2% Extremely Low Income		
Total Inclusionary Housing Obligation		

Inclusionary Housing Production Option Being Applied (Circle One)					
On-Site Development Off-Site Development Rehabilitation					
Income Category Option Being Applied (Circle One)					
Low Income @ 15% Very Low Income @ 10% Extremely Low Income @ 5%					
5% Low Income + 3% Very Low Income + 2% Extremely Low Income					
Plan	Number of Inclusionary Units	Income Category: (LI, VLI, ELI)	Number of Bedrooms in the Unit	Habitable Area in the Unit	Total Habitable Area in the Plan
Totals					
<input style="width: 100px; height: 20px;" type="text"/>		<input style="width: 100px; height: 20px;" type="text"/>			

For Projects that choose to pay an in-lieu fee to fulfill a fractional Inclusionary Unit obligation, calculate the fractional in-lieu fee obligation in the following table:

Fractional In-Lieu Fee Calculation	
Fractional Unit Obligation	_____
Total Habitable Area (Square Feet)	_____
In-Lieu Fee Per Square Foot of Habitable Area (See Section IV of this application)	_____
Total Fractional In-Lieu Fee	_____

IV. DEVELOPMENT STANDARDS

On-Site Construction of Inclusionary Units to Fulfill the Inclusionary Housing Obligation

1. The Inclusionary Units must be reasonably dispersed throughout the project.
2. The Inclusionary Units must be proportional in the number of bedrooms, the gross Habitable Area, and location to the Market Rate units in the project.
3. The Inclusionary Units must be comparable to the Market Rate units in the project in terms of design, materials, finished quality and appearance.

Off-Site Construction of Inclusionary Units to Fulfill the Inclusionary Housing Obligation

1. The off-site development project must comport with the current zoning and general plan standards imposed on the development site.
2. The Inclusionary Housing obligation is equal to at least 15% multiplied times the sum total of the Habitable Area in the proposed Market Rate Project.
3. The total square footage standard will be based on the obligation stated above. However, the number of units, bedroom mix, and other amenities shall be approved by the City's review authority. The standards will be established based on the size and type of units most in demand at the time the application is submitted.
4. The Inclusionary Units must be substantially comparable to the units included in the proposed Market Rate Project in terms of quality of design, materials and finishes.

Rehabilitation of Existing Units to Fulfill the Inclusionary Housing Obligation

1. The Inclusionary Housing obligation is calculated as follows:
 - a. For units in a defined Target Area, the obligation is equal to at least 15% multiplied times the sum total of the Habitable Area in the proposed Project.
 - b. For units that are not located within a defined Target Area, the obligations is equal to 22.5% multiplied times total of the Habitable Area in the proposed Market Rate Project.

2. The total square footage standard will be based on the obligation stated above. However, the number of units, bedroom mix, and other amenities shall be approved by the City’s review authority. The standards will be established based on the size and type of units most in demand at the time the application is submitted.
3. The Inclusionary Units must be substantially comparable to the units included in the Market Rate Project in terms of quality of design, materials and finishes.

In-Lieu Fee Payment to Fulfill the Entire Inclusionary Housing Obligation

The in-lieu fee payment obligation is calculated against the entire Habitable Area of the proposed Market Rate Project. The in-lieu fee schedule included in the Ordinance is presented in the following table:

In-Lieu Fee Schedule – 2021 Ordinance ³	
Units/Lots	Fee Per Square Foot of Habitable Area
5-9	\$6.00
10-14	\$9.00
15-19	\$12.00
20 or More	\$15.00

For Projects that choose to pay an in-lieu fee to fulfill a the entire Inclusionary Housing obligation for the Project, calculate the in-lieu fee obligation in the following table:

In-Lieu Fee Calculation	
Total Habitable Area (Square Feet)	_____
In-Lieu Fee Per Square Foot of Habitable Area in the Project	_____
Total In-Lieu Fee	_____

³ The in-lieu fee calculation per square foot of Habitable Area shall be subject to City Council review and consideration as needed.

A requirement to use a local skilled and trained workforce will be phased in over time for projects with 20 or more units. If these projects are willing to fulfill defined local and skilled labor requirements they shall be entitled to pay a discounted in-lieu fee. The timing of the requirements and the reduced in-lieu fee payment amounts are described in the Administrative Procedures Manual.

V. TIMING

All Inclusionary Units in an Rental Development Project shall be constructed concurrently with, or prior to, the construction of the Market Rate units. If the Rental Development Project is proposed to be constructed in phases, the Inclusionary Units required by the Ordinance shall be constructed in proportion to the total number of units included in each phase.

For projects that choose to pay an in-lieu fee to fulfill the entire Inclusionary Housing obligation or a fractional in-lieu fee obligations the in-lieu fee must be paid prior to the City's issuance of a Certificate of Occupancy. If the Market Rate Project is proposed to be developed in phases, the in-lieu fee shall be constructed in proportion to the total number of units included in each phase.

VI. REQUIRED EXHIBITS TO THE INCLUSIONARY HOUSING PLAN

Please submit the following documents as attachments to this Inclusionary Housing Plan:

- A. Project Description (see Development Project – Review application). Include a description of proposed off-site construction of Inclusionary Units or rehabilitation, if applicable.
- B. Legal Description of the Project.
- C. Site plan of the entire Project detailing the location of proposed Inclusionary Units (minimum size 11" x 17").
- D. If applicable, a phasing plan that provides for the proportionate number of the total Inclusionary Unit requirement to be built in each phase of the Project.
- E. Application Fee.

VII. PROPERTY OWNER’S AFFIDAVIT

I hereby certify that I am the legally authorized owner of all property involved in this application or have been empowered to sign as the property owner on behalf of a corporation, partnership, business, etc., as evidenced by separate instrument attached herewith. I hereby grant to the applicant submitting this form full power to sign all documents related to this application, including any conditions or litigation measures as may be deemed necessary.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) _____ at _____, California

Property Owner’s Signature _____

Printed Name _____

VIII. APPLICANT’S AFFIDAVIT

I hereby certify that the statements furnished above and in the attached exhibits represent the data and information required for this initial evaluation and that the facts, statements and information presented are true and correct to the best of my knowledge and belief. Further, should the stated information be found false or insufficient, I agree to the return of this form for appropriate revisions, understanding the City of Santa Ana cannot process this form until all applicable information is corrected or provided by the applicant. I hereby certify that I have been legally authorized by the property owner to present this application and to sign on behalf of all documents related to this application, including any conditions or litigation measures as may be deemed necessary.

Note: When the applicant is a corporation, partnership, business, etc., a separate document verifying the authorization to sign for such applicant is required.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) _____ at _____, California

Applicant’s Signature _____

Applicant’s Printed Name _____