

CITY OF SAN RAFAEL

Planning Division

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AFFORDABLE HOUSING REQUIREMENTS

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Introduction

This handout summarizes San Rafael's regulations for affordable housing.

Most of these requirements are contained in Section 14.16.030 of the Zoning Ordinance of the San Rafael Municipal Code. The Zoning Ordinance can be viewed on the City's website at www.cityofsanrafael.org (Municipal Codes), at the Community Development Department, City Clerk's Office or at the Main Library.

Applicability

The requirements apply to all new rental and ownership residential developments.

Exceptions to Requirements:

- Individually developed single-family dwellings (unless part of a subdivision subject to these requirements)
- Second Units
- Projects of 1-4 housing units under 1,800 square feet per unit (not including garage)
- Projects of 1-4 units of attached housing

Requirements

2-10 units	10% of units must be affordable
11-20 units	15% of units must be affordable
20+ units	20% of units must be affordable

Rental developments	50% affordable to very low and 50% low income
Ownership developments	50% affordable to low income and 50% to moderate income

When the calculation results in a fractional unit, the development may pay an 'in lieu' fee if less than 0.5 or must round up to a full unit if 0.5 or greater. The lieu fee for a full unit is approximately \$250,000. Check with the Planning Division for the current figure.

Affordable Units

Units must be affordable to very low, low and moderate income persons assuming 30% of income will be spent on total housing costs. Calculation is based on County median income. The 2008 income figures are shown in chart below:

House hold Size	Number of Bed-rooms	Median Income	Very Low Rental 50%	Low Rental 60%	Low Ownership 65%	Moderate Rental 80%	Moderate Ownership 90%
1	Studio	\$66,500	33,250	39,900	43,225	53,200	59,850
2	One	\$76,000	38,000	45,600	49,400	60,800	68,400
3	Two	\$85,500	42,750	51,300	55,575	68,400	76,950
4	Three	\$95,500	47,500	57,000	61,750	76,000	85,500
5	Four	\$102,600	51,300	61,500	66,690	82,100	92,350

Length of Restrictions

Affordable units must be provided in rental developments for longest feasible time or at least 55 years.

Resale restrictions for ownership units must remain for longest feasible time or at least 55 years.

Rental and ownership restrictions are recorded on the property and run with the land.

Selection of Affordable Units

The affordable units must be of similar mix and type to that of the development as a whole, and disbursed throughout the development.

Selection of Occupants

Tenant selection is responsibility of owner-manager. Tenant income must be equal to or less than maximum income requirements. Owner must provide annual tenant income certifications to the City of San Rafael.

Ownership units are selected through a lottery process conducted by the City of San Rafael or its designee. The City of San Rafael

will provide qualified buyers to the owner and manage the escrow and closing.

Process

The affordable housing requirements are part of the Community Development Department approval process. Questions on affordable housing should be addressed to Community Development staff assigned to the project.

Density Bonus

The City of San Rafael allows a density bonus pursuant to State Law for provision of affordable units (see table to the right). Density bonus units are market rate units. In addition to the bonus units, projects meeting the density bonus thresholds are entitled to additional incentives to assure the density bonus units can be developed. For more information on density bonus, please contact the Community Development Department.

For more information about affordable housing requirements:

Planning Division: 485-3085 or in person at City Hall, 3rd floor, 1400 Fifth Avenue.

DENSITY BONUS CALCULATION

Percentage of Total units	Income Category	Density Bonus
5%	Very Low	20%
6% and above	Very Low	2.5% additional bonus for each 1% increase in affordable units up to 35% max. density bonus
10%	Low	20%
11% and above	Low	1.5% additional bonus for each 1% increase in affordable units up to 35% max. density bonus
10%	Moderate (ownership only)	5%
11% and above	Moderate (ownership only)	1.0% additional bonus for each 1% increase in affordable units up to 35% max. density bonus