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**To:** David Biggs, City Manager  
CITY OF HERCULES

**From:** James C. Simon, Principal  
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**Subject: Hercules - Inclusionary Housing Policy Best Practices**

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It is best practice for inclusionary units to be of comparable size and contain on average the same number of bedrooms as non-inclusionary units. The location of inclusionary units should be reasonably dispersed throughout the project. These assumptions are based on municipal codes from several California cities of various size and geographical location including Pinole, Richmond, San Pablo, Dublin, Fremont, Glendale, Solana Beach, Patterson, and San Francisco.

#### **Pinole Municipal Code Section 17.32.050 (A) & (B)**

- Design. Except as otherwise provided in this chapter, affordable housing units shall be integrated within **and reasonably dispersed throughout the project** and shall be comparable in infrastructure (including sewer, water, and other utilities), construction quality, exterior design, and materials to the market-rate units.
- Size. All affordable housing units shall **reflect the range and numbers of bedrooms provided in the project as a whole**, except that affordable housing units need not provide more than four bedrooms.

#### **Richmond Municipal Code Section 15.04.810.053 (D) (2)**

- Location and Design of Affordable Housing Units. The affordable housing units shall be **integrated with other housing units in the housing development with regard to siting and placement within buildings**, and shall not differ in exterior appearance from the other housing units. The location of the affordable housing units may or may not be on contiguous parcels within the site. **In no event shall the affordable housing units be located in only one portion of the housing development** or situated in one building of a multi-building development;

**San Pablo Municipal Code Section 17.60.020 (M) (I)**

- As required by state law (California Government Code §65915(j)), the location of density bonus units within the residential project may be at the discretion of the developer. However, **the inclusionary units shall be reasonably dispersed throughout the development and shall contain on average the same number of bedrooms as the non-inclusionary units in the development**, and shall be compatible with the design or use of the remaining units in terms of appearance, materials, and quality finish.

**Dublin Municipal Code Section 8.68.040 (E)**

- Design and Distribution of Affordable Units. **All affordable units shall reflect the range of numbers of bedrooms provided in the project as a whole** and shall not be distinguished by exterior design, construction, or materials. Affordable units may be of smaller size than the units in the project and may have fewer amenities than the market rate units in the project. **All affordable units shall be reasonably dispersed throughout the project.**

**Fremont Municipal Code Section 18.155.060**

- Standards for on-site affordable units. On-site affordable units shall be **comparable to the market rate units in terms of unit type, number of bedrooms per unit**, quality of exterior appearance and overall quality of construction. **Affordable unit size should be generally representative of the unit sizes within the market-rate portion** of residential projects, as acceptable to the community development director or designee. Interior features and finishes in affordable units shall be durable, of good quality and consistent with contemporary standards for new housing. **The affordable units shall be dispersed throughout the residential project in a manner acceptable to the community development director** unless an alternative provided under Section 18.155.080 or 18.155.085 is approved by the approval body.

**Glendale Municipal Code Sections 30.35.070 (B) & 30.35.080 (C) (I) (b)**

- All off-site inclusionary units will contain **on average the same number of bedrooms** as the non-inclusionary units in the project, and be comparable with the non-inclusionary units in terms of appearance, finished quality, materials, and **location within the building**;
- [All inclusionary units] shall contain **on average the same number of bedrooms as the non-inclusionary units** in the project; and

**Solana Beach Municipal Code Section 17.70.035 (B)**

- Affordable units shall be **comparable to market-rate units in overall number of bedrooms and the proportion of units in each bedroom category.** [...]

**Patterson Municipal Code Section 18.86.040**

- Design and building requirements. **All inclusionary units shall be comparable** with the market-rate units in terms of the size, base design, appearance, materials, and finished quality, and shall be proportional in number, size, and **location. Affordable units shall be comparable in number of bedrooms,** exterior appearance, and overall quality of construction to first-class quality affordable housing found elsewhere in the city. [...]

**San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual Sections VI (C) (1) (a & c) & VI (E) (2)**

- Exterior Features and Size: BMR Units should be **comparable in number of bedrooms,** exterior appearance and overall quality of construction to market-rate units in the same project.
- Location of BMR Units: **BMR Units should be evenly distributed throughout the building, except for buildings over 120', in which case they should be evenly distributed in the building's lower 2/3rds.** Project Sponsors should also consult Planning Department Zoning Administrator Bulletin No. 10 for further information concerning BMR location requirements regarding issues such as adjacency and comparable access to building and neighborhood amenities, (balconies, views, light, etc.) as well as income tier distribution.
- Unit Mix: The **mix of bedroom sizes among the BMR Units must be proportional to the bedroom sizes for the market-rate units** in the Principal Project.