

**Topic:** Affordable Housing  
**Resource Type:** Regulations  
**State:** California  
**Jurisdiction Type:** Municipal  
**Municipality:** City of Carlsbad  
**Year** (*adopted, written, etc.*): 2000  
**Community Type – applicable to:** Urban; Suburban  
**Title:** City of Carlsbad Inclusionary Housing Ordinance  
**Document Last Updated in Database:** February 10, 2016

### ***Abstract***

The City of Carlsbad, CA adopted an Inclusionary Housing Ordinance that requires fifteen percent of all residential plans be set aside as affordable housing. The city also established guidelines that allow developers to receive credit towards the requirement, thereby reducing the fifteen percent limit, if certain, more desirable affordable housing units are provided. If the fifteen percent requirement is not feasible on-site, the city may allow a developer to construct second dwelling units or rehabilitate an existing structure.

### ***Resource***

#### **21.85.030 Inclusionary housing requirement.**

The inclusionary housing requirements of this chapter shall apply as follows:

A. This chapter shall apply to all residential market-rate dwelling units resulting from new construction of rental and “for-sale” projects, as well as the conversion of apartments to condominiums:

B. For any residential development or development revision of seven or more units, not less than fifteen (15%) percent of the total units approved shall be constructed and restricted both as to occupancy and affordability to lower-income households.

C. For those developments which are required to provide ten or more units affordable to lower income households, at least ten (10%) percent of the lower income units shall have three or more bedrooms.

D. This chapter shall not apply to the following:

1. Existing residences which are altered, improved, restored, repaired, expanded or extended, provided that the number of units is not increased, except that this chapter

shall pertain to the subdivision of land for the conversion of apartments to condominiums;

2. Conversion of a mobilehome park pursuant to Section 21.37.120 of the code;

3. The construction of a new residential structure which replaces a residential structure that was destroyed or demolished within two years prior to the application for a building permit for the new residential structure, provided that the number of residential units is not increased from the number of residential units of the previously destroyed or demolished residential structure;

4. Any residential unit which is accessory as defined in Section 21.04.020 of this code;  
or

5. Second dwelling units not constructed to fulfill inclusionary housing requirements and developed in accordance with Section 21.10.015 of this code;

6. Any project or portion of a project which is a commercial living unit as defined in Section 21.04.093 of this code; and

7. Those residential units which have obtained affordable housing approvals prior to the effective date of this ordinance, as set forth in Section 21.85.160 of this chapter.

(Ord. NS-535 § 1 (part), 2000)