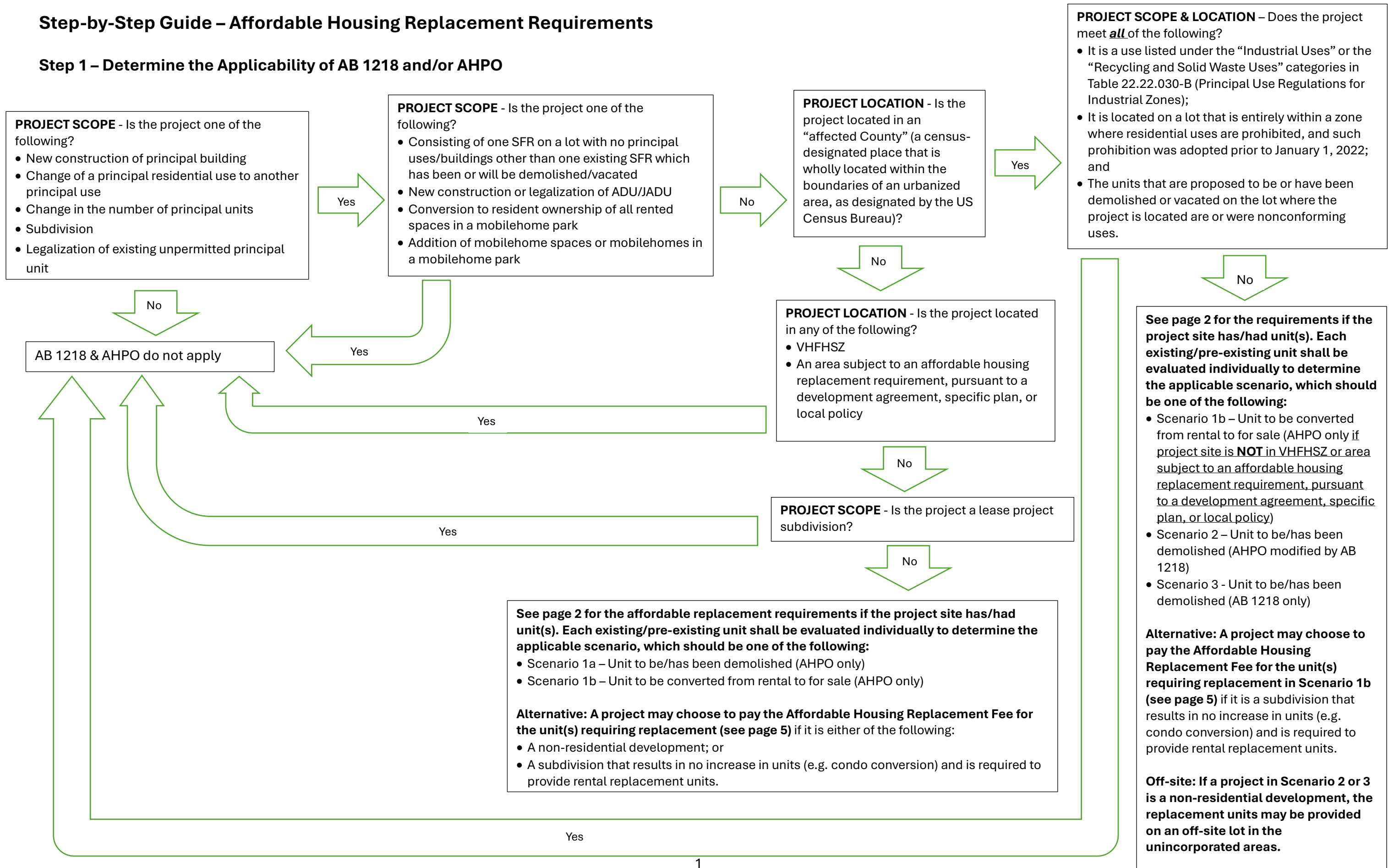


Step-by-Step Guide – Affordable Housing Replacement Requirements

Step 1 – Determine the Applicability of AB 1218 and/or AHPO



Step-by-Step Guide – Affordable Housing Replacement Requirements

Step 2 – Determine the Number and Type of the Required Affordable Replacement Units

Scenario	Existing/Pre-Existing Unit Required Replacement		Unit Replacement Requirement											
	Consistency with Zoning or General Plan?	Unit History	Unit being Replaced	Number ¹ and Type ² of Affordable Replacement Units ³										
1a	The use and density of the unit are consistent with zoning and/or the General Plan pursuant to Section 22.02.050.	<p>The existing/pre-existing unit requires replacement if it is/was any of the following and has been/is proposed to be demolished (1a) or converted from rental to for sale (1b):</p> <ol style="list-style-type: none"> Covenanted – Subject to a recorded covenant that restricts rents to levels affordable to persons and families of moderate, lower, very low, or extremely low income within the 5 years prior to application submittal. Occupied by Lower Income or Below – Occupied by lower, very low, or extremely low income households within the 5 years prior to application submittal. Rent-Stabilized – Rent-stabilized by the County Rent Stabilization Ordinance (RSO – Title 8) or state rent control (section 1947.12 of CA Civil Code) within the 5 years prior to application submittal. Withdrawn from Rental Market – Withdrawn from rent or lease according to the Ellis Act (Chapter 12.75 of CA Govt. Code) within the 10 years prior to application submittal. 	<table border="1"> <thead> <tr> <th>Is/Was</th> <th>Is/Was Not</th> </tr> </thead> <tbody> <tr> <td>1. Covenanted</td> <td>-</td> </tr> <tr> <td>2. Occupied by Lower Income or Below</td> <td>1. Covenanted</td> </tr> <tr> <td>3. Rent-Stabilized</td> <td>2. Occupied by Lower Income or Below</td> </tr> <tr> <td>4. Withdrawn from Rental Market</td> <td>1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized</td> </tr> </tbody> </table>	Is/Was	Is/Was Not	1. Covenanted	-	2. Occupied by Lower Income or Below	1. Covenanted	3. Rent-Stabilized	2. Occupied by Lower Income or Below	4. Withdrawn from Rental Market	1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized	<p>One-to-one replacement at the same or deeper level of affordability.</p> <p>One-to-one replacement at lower, very low, or extremely low income level if the household income is/was moderate or above moderate.</p> <p>If the income level of households is unknown,⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas.⁵</p> <p>No affordable replacement required if the household income was moderate or above moderate.</p> <p>If the income level of households is unknown,⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas:⁵</p>
Is/Was			Is/Was Not											
1. Covenanted			-											
2. Occupied by Lower Income or Below			1. Covenanted											
3. Rent-Stabilized			2. Occupied by Lower Income or Below											
4. Withdrawn from Rental Market			1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized											
1b	<p>Notes:</p> <ol style="list-style-type: none"> The required number of affordable replacement units shall not be reduced as the result of the deeper level of affordability of the affordable replacement units. Replacement units affordable to lower, very low or extremely low income households shall be rental units. Replacement units affordable to moderate income households may be rental or for sale. Affordable replacement units in a condo project or a single-family residential subdivision shall be for sale only. The replacement units shall contain at least the same total number of bedrooms as the units being replaced. For any of the following: <ol style="list-style-type: none"> The current household in occupancy at the time of application submittal; The last household in occupancy, if a unit is unoccupied at the time of application submittal; or The households at the highpoint of such units that existed in the five-year period preceding application, if the units have been vacated or demolished. As of 6/24/2024: lower (12%), very low (17%), extremely low (26%). 													

Step-by-Step Guide – Affordable Housing Replacement Requirements

Scenario	Existing/Pre-Existing Unit Required Replacement		Unit Replacement Requirement																			
	Consistency with Zoning or General Plan?	Unit History																				
2	<p>The use and density of the unit are consistent with zoning and/or the General Plan pursuant to Section 22.02.050.</p>	<p>The existing/pre-existing unit requires replacement if it is/was any of the following and has been/is proposed to be demolished:</p> <ol style="list-style-type: none"> 1. Covenanted – Subject to a recorded covenant that restricts rents to levels affordable to persons and families of moderate, lower, very low, or extremely low income within the 5 years prior to application submittal. 2. Occupied by Lower Income or Below – Occupied by lower, very low, or extremely low income households within the 5 years prior to application submittal. 3. Rent-Stabilized – Rent-stabilized by the County Rent Stabilization Ordinance (RSO – Title 8) or state rent control (section 1947.12 of CA Civil Code) within the 5 years prior to application submittal. 4. Withdrawn from Rental Market – Withdrawn from rent or lease according to the Ellis Act (Chapter 12.75 of CA Govt. Code) within the 10 years prior to application submittal. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="width: 50%;">Unit being Replaced</th> <th rowspan="2" style="width: 50%;">Number¹ and Type² of Affordable Replacement Units³</th> </tr> <tr> <th style="width: 25%;">Is/Was</th> <th style="width: 25%;">Is/Was Not</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1. Covenanted</td> <td style="text-align: center;">-</td> <td rowspan="2" style="vertical-align: top;">One-to-one replacement at the same or deeper level of affordability.</td> </tr> <tr> <td style="text-align: center;">2. Occupied by Lower Income or Below</td> <td style="text-align: center;">1. Covenanted</td> </tr> <tr> <td style="text-align: center;">3. Rent-Stabilized</td> <td style="text-align: center;">2. Occupied by Lower Income or Below</td> <td style="vertical-align: top;"> One-to-one replacement at lower, very low, or extremely low income level if the household income is/was moderate or above moderate. If the income level of households is unknown,⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas.⁵ </td> </tr> <tr> <td style="text-align: center;">4. Withdrawn from Rental Market</td> <td style="text-align: center;">1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized</td> <td style="vertical-align: top;"> No affordable replacement required if the household income was moderate or above moderate. If the income level of households is unknown,⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas.⁵ </td> </tr> </tbody> </table>	Unit being Replaced		Number ¹ and Type ² of Affordable Replacement Units ³	Is/Was	Is/Was Not	1. Covenanted	-	One-to-one replacement at the same or deeper level of affordability.	2. Occupied by Lower Income or Below	1. Covenanted	3. Rent-Stabilized	2. Occupied by Lower Income or Below	One-to-one replacement at lower, very low, or extremely low income level if the household income is/was moderate or above moderate. If the income level of households is unknown, ⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas. ⁵	4. Withdrawn from Rental Market	1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized	No affordable replacement required if the household income was moderate or above moderate. If the income level of households is unknown, ⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas. ⁵	<p>Notes:</p> <ol style="list-style-type: none"> 1. The required number of affordable replacement units shall not be reduced as the result of the deeper level of affordability of the affordable replacement units. 2. Affordable replacement units may be rental or for sale. Affordable replacement units in a condo project or a single-family residential subdivision shall be for sale only. 3. The replacement units shall contain at least the same total number of bedrooms as the units being replaced. 4. For any of the following: <ol style="list-style-type: none"> a. The current household in occupancy at the time of application submittal; b. The last household in occupancy, if a unit is unoccupied at the time of application submittal; or c. The households at the highpoint of such units that existed in the five-year period preceding application, if the units have been vacated or demolished. 5. As of 6/24/2024: lower (12%), very low (17%), extremely low (26%). 		
Unit being Replaced		Number ¹ and Type ² of Affordable Replacement Units ³																				
Is/Was	Is/Was Not																					
1. Covenanted	-	One-to-one replacement at the same or deeper level of affordability.																				
2. Occupied by Lower Income or Below	1. Covenanted																					
3. Rent-Stabilized	2. Occupied by Lower Income or Below	One-to-one replacement at lower, very low, or extremely low income level if the household income is/was moderate or above moderate. If the income level of households is unknown, ⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas. ⁵																				
4. Withdrawn from Rental Market	1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized	No affordable replacement required if the household income was moderate or above moderate. If the income level of households is unknown, ⁴ same proportion of lower, very low, and extremely low income renter households to all renter households in the unincorporated areas. ⁵																				

Step-by-Step Guide – Affordable Housing Replacement Requirements

Scenario	Existing/Pre-Existing Unit Required Replacement		Unit Replacement Requirement											
	Consistency with Zoning or General Plan?	Unit History	Unit being Replaced	Number ¹ and Type ² of Affordable Replacement Units ³										
3	<p>The use or density of the unit is inconsistent with zoning or the General Plan.</p> <p>Example #1: The number of existing/pre-existing units exceeds the maximum allowable density pursuant to Section 22.02.050 by one unit. That one unit would be subject to the replacement requirement in this scenario if it is one of the unit types described under “Unit History” in this scenario and is proposed to be demolished.</p> <p>Example #2: A duplex is nonconforming due to use in Zone M-1 in which mobilehome parks are conditionally allowed as a residential use. Both duplex units would be subject to the replacement requirement in this scenario if they are one of the unit types described under “Unit History” in this scenario and are proposed to be demolished.</p>	<p>The existing/pre-existing unit requires replacement if it is/was any of the following and has been/is proposed to be demolished:</p> <ol style="list-style-type: none"> 1. Covenanted – Subject to a recorded covenant that restricts rents to levels affordable to persons and families of lower or very low income within the 5 years prior to application submittal. 2. Occupied by Lower Income or Below – Occupied by lower or very low income households within the 5 years prior to application submittal. 3. Rent-Stabilized – Rent-stabilized by the County Rent Stabilization Ordinance (RSO – Title 8) or state rent control (section 1947.12 of CA Civil Code) within the 5 years prior to application submittal. 4. Withdrawn from Rental Market – Withdrawn from rent or lease according to the Ellis Act (Chapter 12.75 of CA Govt. Code) within the 10 years prior to application submittal. 	<table border="1"> <thead> <tr> <th>Is/Was</th> <th>Is/Was Not</th> </tr> </thead> <tbody> <tr> <td>1. Covenanted</td> <td>-</td> </tr> <tr> <td>2. Occupied by Lower Income or Below</td> <td>1. Covenanted</td> </tr> <tr> <td>3. Rent-Stabilized</td> <td>2. Occupied by Lower Income or Below</td> </tr> <tr> <td>4. Withdrawn from Rental Market</td> <td>1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized</td> </tr> </tbody> </table>	Is/Was	Is/Was Not	1. Covenanted	-	2. Occupied by Lower Income or Below	1. Covenanted	3. Rent-Stabilized	2. Occupied by Lower Income or Below	4. Withdrawn from Rental Market	1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized	<p>Number¹ and Type² of Affordable Replacement Units³</p> <p>One-to-one replacement at the same or deeper level of affordability.</p> <p>No affordable replacement required if the household income was moderate or above moderate.</p> <p>Same proportion of the renter households in the following income categories to all renter households in the unincorporated areas:</p> <ul style="list-style-type: none"> • For units that are occupied on the date of application and the income category of the households in occupancy is unknown: lower (55%)⁴ • For units that are unoccupied on the date of application in a development with occupied units and the income category of the last household in occupancy is unknown: lower (55%)⁴ • For units that have been vacated or demolished in the 5-year period preceding application and the income category of the households in occupancy at the highpoint is unknown: lower (12%) and very low (43%)⁴ <p>No affordable replacement required if the household income was moderate or above moderate.</p> <p>Same proportion of the renter households in the following income categories to all renter households in the unincorporated areas:</p> <ul style="list-style-type: none"> • For units that are occupied on the date of application and the income category of the households in occupancy is unknown: lower (55%)⁴ • For units that are unoccupied on the date of application in a development with occupied units and the income category of the last household in occupancy is unknown: lower (55%)⁴ • For units that have been vacated or demolished in the 5-year period preceding application and the income category of the households in occupancy at the highpoint is unknown: lower (12%) and very low (43%)⁴
			Is/Was	Is/Was Not										
			1. Covenanted	-										
			2. Occupied by Lower Income or Below	1. Covenanted										
			3. Rent-Stabilized	2. Occupied by Lower Income or Below										
4. Withdrawn from Rental Market	1. Covenanted, 2. Occupied by Lower Income or Below, or 3. Rent-Stabilized													
<p>Notes:</p> <ol style="list-style-type: none"> 1. The required number of affordable replacement units shall not be reduced as the result of the deeper level of affordability of the affordable replacement units. 2. Affordable replacement units may be rental or for sale. Affordable replacement units in a condo project or a single-family residential subdivision shall be for sale only. 3. The replacement units shall contain at least the same total number of bedrooms as the units being replaced. 4. As of 6/24/2024. 														

Step-by-Step Guide – Affordable Housing Replacement Requirements

Step 3 – Determine the Affordable Housing Replacement Fee (for Eligible Projects Only)

The amount shall be:

- Applied by submarket area;
- Calculated by multiplying the gross floor area of the units requiring replacement by the applicable per-square-foot rate. If the gross floor area of the units requiring replacement is unknown, a per-unit fee shall apply;
- Calculated using the effective rate on the date the complete permit application for the principal project is submitted; and
- Paid:
 - Prior to approval of the principal project if no discretionary approval is associated with the project;
 - Concurrently with fees submitted pursuant to Section 22.222.260.B if the project requires a discretionary approval other than a tentative map; and
 - With final map submittal if the project is a subdivision.

TABLE 22.268.020-A: AFFORDABLE HOUSING REPLACEMENT FEES (Updated Annually in May)								
Submarket Area	May 2021		May 2022		May 2023		May 2024	
	Per Square Foot of Gross Building Area	Fee Per Unit	Per Square Foot of Gross Building Area	Fee Per Unit	Per Square Foot of Gross Building Area	Fee Per Unit	Per Square Foot of Gross Building Area	Fee Per Unit
Antelope Valley	\$155	\$139,557	\$163	\$146,811	\$180	\$162,264	\$182	\$163,768
Coastal South Los Angeles	\$373	\$343,760	\$392	\$361,629	\$434	\$399,694	\$438	\$403,399
East Los Angeles/Gateway	\$291	\$245,888	\$306	\$258,669	\$338	\$285,897	\$342	\$288,547
San Gabriel Valley	\$289	\$315,048	\$304	\$331,424	\$336	\$366,310	\$339	\$369,705
Santa Clarita Valley	\$188	\$166,315	\$197	\$174,960	\$218	\$193,376	\$220	\$195,169
South Los Angeles	\$290	\$249,385	\$305	\$262,348	\$337	\$289,963	\$340	\$292,650