

Density Bonus Ordinance Update

Zoning Code Text Amendment REZ 21-003

Chapter 20-31, Density Bonus
and other Developer Incentives

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Density Bonus Ordinance Update Project Description

Density Bonus Ordinance Update will:

- ✓ Implement State Law (Gov. Code §65915) as amended by AB 2345 (Gonzalez) on January 1, 2021
- ✓ Adjust the Supplemental Density Bonus Program to complement new State density bonus limits.

Density Bonus Ordinance Update Amendments

Key Changes Triggered by New State Law

- Lower affordable housing set aside needed to qualify for DB
- Increase the maximum DB from 35% to 50%
- Add 100% DB for 100% AH Project and allow 20% Mod-Inc rental units.

Key Changes Triggered by New State Law

- Limit development standard waivers to 4 unless City allows more.
- Add ½ mile “obstructed” access to major transit facility clarification.
- Eliminate parking for age restricted rental housing within ½ mile of major transit facility or served by paratransit.

Density Bonus Ordinance Update Amendments

Key Changes Triggered by New State Law

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- Adjust SDB tiers to maintain the 60%, 80% and 100% maximum density bonus.

Supplemental Density Bonus		
Tier	Existing	New
60%	$35\% + \underline{25\%} = 60\%$	$50\% + \underline{10\%} = 60\%$
80%	$35\% + \underline{45\%} = 80\%$	$50\% + \underline{30\%} = 80\%$
100%	$35\% + \underline{65\%} = 100\%$	$50\% + \underline{50\%} = 100\%$

Density Bonus Ordinance Update Amendments

Other Changes to Simplify Ordinance

- Density Bonus by Income Type Tables consolidated into one.

Density Bonus Ordinance Update Environmental Review

CEQA Exemption

DB Ordinance Neg Dec adopted 1/8/2019

Per GC Section 15162, subsequent review NOT required when:

- No increase in previously analyzed impact.
- No new significant environmental effect

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, recommend the Council introduce an ordinance to amend City Zoning Code Chapter 20-31, Density Bonus and Other Developer Incentives to be consistent with State Government Code Section 65915, Density Bonuses and Other Incentives.

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