

*Chapter 19.545 DENSITY BONUS<sup>1</sup>*

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**19.545.040 Residential development project—Eligibility.**

- A. *Eligible.* The City shall grant a density bonus when a residential development project meets at least one of the following criteria:
1. Five percent of the total units are designated for very low-income households.
  2. Ten percent of the total units are designated for low-income households.
  3. One hundred percent of the units, exclusive of a manager's unit, are designated for very low-, low-, and moderate-income households, with no more than 20 percent of the total units designated for moderate-income households.
  4. Ten percent of the total units are designated for transitional foster youth, disabled veterans, or homeless persons with rents provided at the same affordability level as very low-income units.
  5. Twenty percent of the total units are designated for lower income students as defined by Section 65915 of the CA Gov Code, ~~in housing dedicated for full-time students at accredited colleges.~~
  6. Any senior citizen residential development project as defined in Civil Code Sections 51.3 and 51.12, including residential care facilities for the elderly (RCFEs) that has at least 35 dwelling units or a mobile home park that limits residency based on age requirements for housing older persons in compliance with Civil Code Sections 798.76 or 799.5.
  7. Any for-sale project with ten percent of the total units designated for moderate-income households, provided that all units in the development are offered to the public for purchase.
  8. A condominium conversion project where:
    - a. Thirty-three percent of the units converted are for low- or moderate-income households; or
    - b. Fifteen percent of the units converted are for very low- or extremely low-income households.
  9. The applicant donates at least one acre of land to the City for very low-income units, and the land has the appropriate General Plan designation, Zoning, permits and approvals, and access to public facilities needed for such housing.

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<sup>1</sup>Editor's note(s)—Ord. No. 7609, § 4, adopted October 25, 2022, repealed and reenacted Chapter 19.545 in its entirety to read as herein set out. Formerly, Chapter 19.545, §§ 19.545.010—19.545.130 pertained to similar subject matter, and derived from Ord. No. 6966, § 1, adopted in 2007; Ord. No. 7235, § 9, adopted in 2013; Ord. No. 7331, § 87, adopted in 2016; Ord. No. 7408, § 1, adopted in 2018, and Ord. No. 7573 § 1(Exh. A), adopted in 2021.

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### 19.545.050 Permitted density bonus.

A residential development project that complies with the eligibility requirements of Section 19.545.040 shall be granted a density bonus as follows:

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- C. *Bonus for other housing categories.* A residential development project that complies with the eligibility requirements of Section 19.545.040 shall be entitled to density bonus as follows:
  - 1. Units for transitional foster youth, disabled veterans, homeless persons, or seniors: 20 percent density bonus.
  - 2. Units for lower-income students: up to 50% density bonus varies based on percentage of low-income units in the development, up to 50%. 35 percent density bonus.
    - a. Units for lower-income students shall be defined as one rental bed and its pro rata share of associated common area facilities.
    - b. Units for lower-income students shall meet all of the following requirements:
      - i. All units will be used exclusively for ~~full-time~~ undergraduate, graduate, or professional students enrolled currently or in the past 6 months in at least 6 units at an ~~institution~~ institution of higher learning accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges.
      - ii. As a condition of receiving a certificate of occupancy, the developer/applicant shall enter into an operating agreement or master lease with one or more institutions of higher education for students from that institution(s) to occupy all units of the student residential development project.
      - iii. The development shall provide priority for the applicable affordable units for lower-income students experiencing homelessness that may be verified by an institution of higher education that has knowledge of a person's homeless status or a homeless service provider, as defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code.
      - iv. Rent for the affordable units for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.
      - v. —Rental beds reserved for lower-income students shall not be tied to any specific bedrooms.
  - 3. Twenty-five percent density bonus for condominium conversion, subject to the requirements of California Government Code Section 65915.5.

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**19.545.060 Concessions and incentives.**

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B. *Number of concessions or incentives.* The applicant shall receive the following number of concessions or incentives:

Percentage of Affordable Units (Minimum)	Number of Concessions
5% Very Low 10% Low 10% Moderate (for-sale units only) 20% Lower Income Student	1
10% Very Low 17% Low 20% Moderate (for-sale units only) <u>23% Lower Income Student</u>	2
15% Very Low 24% Low 30% Moderate (for-sale units only)	3
100% Very Low or Low (maximum 20% Moderate)*	4
* If the project is within one-half mile of a major transit stop, the applicant shall also be eligible to receive a height increase of up to three (3) additional stories, or thirty-three (33) feet.	

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D. *Parking incentives.*

1. A request for reduced parking pursuant to this section shall not count as concession or incentive.
2. The applicant may request further parking reductions as a concession or incentive.
3. Notwithstanding the requirements below, the applicant may provide additional parking in excess of the minimum required parking identified in this section.
4. *Parking ratios.* Upon the request of the applicant of a residential development project that satisfies the requirements of Section 19.545.040, the following onsite parking ratios shall apply:
  - a. Zero to one bedroom: one parking space per unit;
  - b. Two to three bedrooms: one and one-half parking spaces per unit; and
  - c. Four or more bedrooms: two and one-half parking spaces per unit.
5. *Within one-half-mile of a major transit stop.* If a development is within one-half-mile of a major transit stop and the residents of the development have unobstructed access to the major transit stop from the development, then upon request of the applicant, parking ratios shall be further reduced as follows:

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- a. Development includes at least 11 percent very low-income units or at least 20 percent low-income units: 0.5 spaces per unit.
  - b. Development includes at least 40 percent moderate-income for-sale units: 0.5 spaces per bedroom.
6. *No required parking.* If a development is 100 percent affordable, then upon the request of the applicant, the City shall not impose a vehicular parking ratio if the development meets any of the following criteria:
- a. The development is within one-half mile of a major transit stop and the residents of the development have unobstructed access to the major transit stop from the development; or
  - b. The development is for individuals who are 62 years of age or older and the development has either paratransit service or unobstructed access within one-half mile to fixed bus route service that operates at least eight times per day; or
  - c. The development is either special needs housing or supportive housing and the development has either paratransit service or unobstructed access within one-half mile to fixed bus route service that operates at least eight times per day.
  - d. For a student housing development with at least 20 percent of beds affordable to low-income students, no parking shall be required.
7. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.
8. A residential development project may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking.
9. Notwithstanding the above, the City may impose higher minimum parking requirements pursuant to California Government Code §65915(p)(8).

(Ord. 7609 § 4(Exh. B), 2022)

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