

Proposed revisions to the Density Bonus Ordinance (CMC Section 17.22.020), as required to comply with AB 2345



CITY *of* CALABASAS

City Council
March 10, 2021

Density Bonuses Are Required

- California law (Government Code section 65915) requires every city and county to grant additional density for new residential development projects which will include a percentage of affordable housing units.
- This density bonus is in addition to the maximum allowable density as specified in the local jurisdiction's adopted General Plan and zoning ordinances (and where these may have conflicting maximums, then whichever of the two allows a higher density).
- New housing units which can be accomplished via density bonus shall not count toward the jurisdiction's RHNA.



Density Bonuses Are Required

- Within the established parameters, a housing developer has the discretion as to whether a density bonus will be sought for any given project, and the developer establishes the amount of the density bonus, as well as the applicable concessions &/or incentives.
- Local governments must accommodate density bonus requests that fall within the statutory parameters, and may have discretion only for requested concessions &/or concessions beyond statutory minimums.
- Local governments may request only a limited amount of documentation supporting the economic justification for a density bonus request.



AB 2345 Triggers Density Bonus Update

- The City's density bonus provisions (CMC chapter 17.22) have been in compliance with California law, as existed through the calendar year 2020.
- However, new legislation (AB 2345) modified a number of density bonus standards and limitations.
- AB 2345 took effect on January 1, 2021, and, as with preceding density bonus statutes, the law preempts local zoning regulations.
- The proposed revisions to the City's density bonus requirements will align them with the current California statutes.



Density Bonuses per Current City Regulations

- A density bonus shall be granted for residential development providing for a specified percentage of affordable housing units – ranging from 5% to 20% depending on the household income category (CMC 17.22.020.A).
- Applicable density bonus is determined via a sliding scale, based on the percentage of new affordable housing.
- The number of required (minimum) zoning standard concessions or incentives to be granted by the City is similarly established on the basis of the amount of new affordable housing.

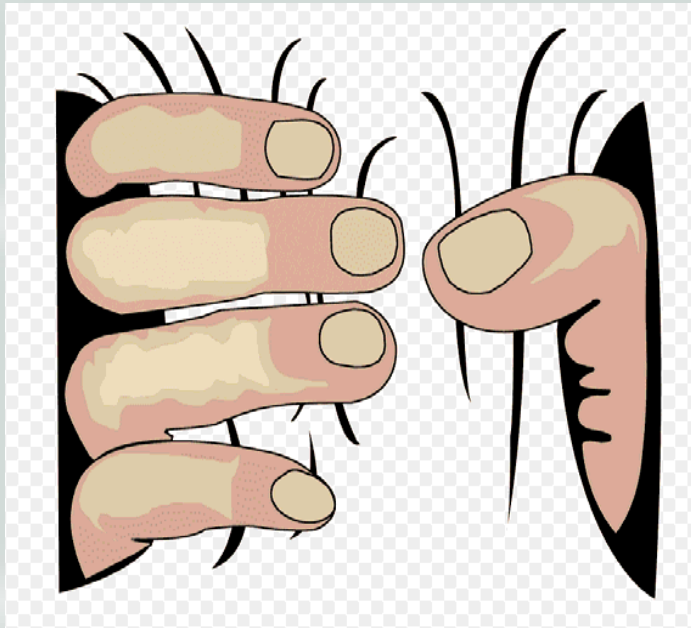


Density Bonuses per Current City Regulations (cont'd)

- In addition to required concessions &/or incentives, required off-street parking may not exceed maximums specified in State law.
- A density bonus shall be also be granted for a number of other housing project types, such as housing for special needs households and housing for seniors.



What Changes Under AB 2345?



- Minimum required density bonuses and minimum number of concessions and/or incentives have been increased.
- Maximum number of off-street parking spaces has been reduced.



SUMMARY OF INCREASED REQUIREMENTS FOR DENSITY BONUS AND CONCESSIONS/INCENTIVES

Household Income Category	Percentage of Affordable Units	Density Bonus	Minimum Number of Concessions &/or Incentives
Very Low-Income	5%	20%	1
Very Low-Income	10%	32.5%	2
Very Low-Income	15%	50%	3
Very Low-Income	80% - 100%	80%	4
Low-Income	10%	20%	1
Low-Income	17% 20%	30.5%	2
Low-Income	24% 30%	50%	3
Low-Income	80% - 100%	80%	4
Moderate-Income	10%	5%	1
Moderate-Income	20%	15%	2
Moderate-Income	30%	25%	3
Moderate-Income	44%	50%	3



Summary of Maximum Off-Street Parking Under State Density Bonus & Reductions Under AB 2345

Thresholds	Max. Req'd. Parking Per Unit
0 – 1 bedroom	1
2 – 3 bedrooms	2 1.5
4 or more bedrooms	2.5 2
Rental projects with at least 11% very low-income OR 20% low-income AND within 1/2 mile of a major transit stop	0.5 per BR Unit
Rental projects 100% affordable to low-income households AND within 1/2 mile of major transit stop	0.5 0
Rental project for individuals 62+ AND with paratransit service OR bus routes within 1/2 mile of major transit stop	0.5 0
Rental project for special needs housing 100% affordable to low-income households AND with paratransit service OR within 1/2 mile of a bus route operating at least 8 times per day	0
Rental project for supportive housing 100% affordable to low-income households	0
Moderate-income for-sale project with at least 40% affordable units AND within 1/2 mile of major transit stop	0.5



Ordinance No. 2021-392

- Updates Chapter 17.22 of the Land Use and Development Code to align the City's density bonus provisions with the State law, as now modified under AB 2345.
- As required for a proposed amendment to the Land Use and Development Code (per CMC 17.76.050), the ordinance includes findings of General Plan consistency and compliance with CEQA (via an exemption).



Planning Commission Recommends Approval

- The Planning Commission conducted a public hearing on February 18, 2021.
- The Commission passed P. C. Resolution No. 707 recommending approval.



Recommended Action

Staff recommends that the City Council conduct a public hearing, and introduce Ordinance No. 2021-392.

