

City Council Hearing

May 1, 2018

Item 4.4

PP14-036 Amendments to Title 5 (Housing) and Title 20 (The Zoning Ordinance) to comply with California Government Code Section 65915 (Density Bonus Ordinance)



*Planning, Building and
Code Enforcement*

Density Bonus Law Background

- California State Density Bonus Law was first enacted in 1979
- Provides tools to encourage the development of affordable and senior housing
- City of San Jose to codify state law in new Chapter 20.190 (the Density Bonus Ordinance) to assist developers who wish to use the density bonus program
- Over time, as state law changes, these regulations will be updated to reflect the new state requirements

City of San Jose Ordinance & Incentives

- New Chapter 20.190 establishes procedures for consideration of requests for density bonuses, and development incentives and waivers for development projects that include restricted affordable housing units
- City will grant up to three incentives, from a collection of five options, as required by State law:
 1. A reduction in required parking spaces per state law
 2. Front setback reduction up to five feet
 3. Rear setback reduction up to five feet
 4. Rear corner setback reduction up to five feet
 5. Additional parking reduction beyond the state-mandated reduced parking that may result in no required parking for some affordable housing projects

Public Outreach

- Community Meeting – May 2, 2016
- Developers & Construction Roundtable Meetings:
 1. January 27, 2017
 2. March 16, 2018
- Planning Commission – March 21, 2018
- March 20, 2018 letter from Building Industry Association; meeting held April 6, 2018
 - Expand the types of automatic incentives offered in the Ordinance
 - Eliminate the requirement for unit disbursement
 - Include a provision that all density calculation resulting in fractional units be rounded up to the next whole number, as required by state law

End