

## Appendix B

### State Density Bonus Law California Government Code § 65915

State law requires a city or county to grant at least one density bonus and permit an additional housing incentive for developers who agree to construct housing affordable to lower-income households, unless the city makes a written finding that the density bonus or housing incentive is not required for the units to be affordable.

The density bonus requirements are triggered when the residential development sets aside:

- at least 20 percent of the total units as affordable to low-income households; or
- at least 10 percent of the total units as affordable to very low-income households; or
- at least 50 percent of the units for occupancy by “qualifying residents” (senior citizens).

Development concessions or incentives may include:

- a reduction in site development standards;
- a modification of zoning code requirements (including a reduction in setbacks, square footage requirements, or parking spaces; or architectural design requirements which exceed the minimum building standards);
- approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development, and if such nonresidential uses are compatible with the project; or
- other regulatory incentives or concessions proposed by the developer or the city or county which result in identifiable cost reductions.

A project that receives a density bonus and concession or incentive must retain affordability of the units for at least 30 years.

*Source: Curtain's Land Use and Planning Law*