

## **Section 9407 Incentives and Concessions for Affordable Housing.**

A. Definition Of A Qualified Concession Or Incentive. An applicant for a density bonus pursuant to Section 9402 may also submit to the city a written proposal for specific incentives or concessions as provided in this Section. The applicant may also request a meeting with the Director to discuss such proposal. For purposes of this chapter, concessions and incentives include any of the following:

1. Reductions in site development standards or modifications of zoning requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the California Health & Safety Code. These include, without limitation, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required. In order to qualify as a "concession or incentive," the city must be able to find that the requested reductions in site development standards result in identifiable, financially sufficient, and actual cost reductions.
2. Approval of mixed use zoning in conjunction with the housing development if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial or other land uses are compatible with the housing development and the existing or planned development in the area where the proposed housing development will be located; or
3. Other regulatory incentives or concessions proposed by the applicant or the city, so long as the city can find that such proposals result in identifiable, financially sufficient, and actual cost reductions.

B. Findings To Deny Concession Or Incentive. The city shall grant the concession or incentive requested by the applicant unless the city makes a written finding, based upon substantial evidence, of any of the following:

1. The concession or incentive is not required in order to provide for affordable housing costs or for affordable rents for the targeted units to be set as specified in Section 9202; or
2. The concession or incentive would have a specific adverse impact; or
3. The concession or incentive would be contrary to State or Federal Law.

C. Number Of Concessions Or Incentives. If all other provisions of this Section are satisfied, an applicant will be eligible for the following number of incentives and concessions:

1. One incentive or concession for housing developments where at least five percent (5%) of the total units are for very low income households, at least ten percent (10%) of the total units are for lower income households, or at least ten percent

