

ORIGINAL

1/9/91

ORDINANCE NO. **1130.274**

ORDINANCE ADDING SECTIONS 32.19, 32.20 AND 32.21 TO ORDINANCE NO. 1130, THE REDWOOD CITY ZONING ORDINANCE, AS AMENDED, REGARDING DENSITY BONUSES AND INCENTIVES FOR RESIDENTIAL HOUSING DEVELOPMENTS, CONDOMINIUM CONVERSIONS AND HOUSING FOR SENIORS/ELDERLY, RESPECTIVELY

THE COUNCIL OF REDWOOD CITY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 32.19 is hereby added to Ordinance No. 1130, the Redwood City Zoning Ordinance, adopted May 11, 1964, as amended, to read as follows:

"Section 32.19. Affordable Housing Density Bonuses.

a. Applicability/Purpose.

- (1) Government Code Sections 65915 and 65915.5 require that the City provide developer incentives for the production of lower income housing units if the developer meets the requirements set forth in said sections.
- (2) It is the State Legislature's intent that these incentives shall contribute significantly to the economic feasibility of lower income housing in proposed housing developments.
- (3) The provisions of this Section shall also implement the Housing Element of the General Plan of the City of Redwood City by providing increased residential densities for projects that guarantee that a portion of housing units therein shall be affordable for persons with low or very low income.

(4) The provisions of this section shall apply to all housing developments consisting of 5 or more dwelling units as hereinafter set forth.

b. Criteria for density bonus for housing developments other than condominium conversions.

(1) Applicability. The City shall grant a density bonus and at least one of the incentives referenced in Government Code Section 65915(h), or provide other incentives of equivalent financial value based upon the land cost per dwelling unit, when a developer of housing (with a minimum of 5 dwelling units) agrees or proposes to construct at least:

(a) 20% of the total dwelling units of a housing development for lower income households as defined in Health and Safety Code Section 50079.8; or

(b) 10% of the total dwelling units of a housing development for very low income households as defined in Health and Safety Code Section 50105; or

(c) 50% of the total dwelling units of a housing development for senior citizens as defined in Civil Code Section 51.3.

(2) Duration of Affordability. If one incentive is granted, then the affordable dwelling units shall

be restricted to use as affordable dwelling units for a minimum period of thirty (30) years. If no incentives are granted, then the affordable dwelling units shall be restricted to use as affordable dwelling units for a minimum period of ten (10) years. 'Affordable Dwelling Units' as used in this Section means dwelling units which conform to the criteria established in Subdivision b(1) hereof.

c. Density Bonus/Incentives.

- (1) Housing developments which provide affordable dwelling units pursuant to the provisions of this Section shall be granted a Density Bonus. 'Density Bonus' as applied to housing developments, other than condominium conversion projects, means a density increase of at least 25% over the otherwise maximum allowable residential density under the applicable zoning district regulations and land use element of the General Plan of the City of Redwood City as of the date the development application by the developer is accepted by the City. The density bonus shall not be included when determining the density increase.
- (2) At least one of the incentives referenced in Government Code Section 65915(h) shall be provided for housing developments which include affordable

dwelling units under this Section except that the City Council need not grant an incentive other than the density bonus if it adopts written findings that an additional incentive is not required to provide affordable dwelling units as specified in Government Code Section 65915.

d. Approval of Density Bonus.

- (1) The procedure for applying for a density bonus shall be the same as that for a Planned Development Permit pursuant to Article 46, except that following the determination of the Planning Commission, the City Council shall make the final determination after public hearing on the question of granting a density bonus.
- (2) An application for a density bonus pursuant to this Section shall be made concurrently with other applicable related planning action requests for the project as specified in this ordinance.
- (3) The applicant shall provide clear, sufficient and accurate information to demonstrate convincingly that the requested incentive(s) is/are needed to make the proposed affordable dwelling units economically feasible.

- (4) Approval of a density bonus and (if applicable) incentive(s) shall be based upon the findings that:
- (a) The project as proposed will not cause significant adverse effects on the public health, welfare and safety.
  - (b) Enforceable recorded agreements shall restrict the use of the targeted affordable dwelling units as affordable dwelling units for the period required by the planned development permit.
  - (c) The project, as proposed, complies with state law and with this ordinance.
  - (d) The applicant has shown that any requested waiver or modification of development and zoning standards which would otherwise inhibit the utilization of the density bonus on specific sites is necessary to make the affordable dwelling units economically feasible (if applicable).
  - (e) The project as proposed will comply with the requirements of this Section.
- (5) In approving the application for a density bonus or incentive(s), the Council may select any incentive or combination of incentives or bonuses authorized by state law."

SECTION 2. Section 32.20 is hereby added to Ordinance No. 1130, the Redwood City Zoning Ordinance, as amended to read as follows:

"Section 32.20. Affordable Housing Density Bonuses for Condominium Conversions.

a. Applicability/Purpose. See Section 32.19a; provided, however, that the provisions of this Section pertain to housing developments consisting of condominium conversions relating to 5 or more dwelling units.

b. Criteria for Density Bonus or Incentive.

- (1) When an applicant for approval to convert apartments to a condominium project agrees to provide at least 33% of the total units of the proposed condominium project to persons and families of low or moderate income as defined in Section 50093 of the Health and Safety Code, or 15% of the total units of the proposed condominium project to lower income households as defined in Section 50079.5 of the Health and Safety Code, and agrees to pay the reasonably necessary administrative costs incurred by the City pursuant to this Section, the City Council, following review by the Planning Commission shall either (a) grant a density bonus or (b) provide other incentives of equivalent financial value. 'Density Bonus' as used in this Section means an

increase in units of 25% over the number of apartments to be provided within the existing structure or structures proposed for conversion.

- (2) The Planning Commission, upon its review, or the City Council, upon making the final determination, may place such reasonable conditions on the granting of a density bonus or other incentive(s) of equivalent financial value as it finds appropriate, including, but not limited to, conditions which assure that the affordable dwelling units specified in the project remain affordable to subsequent purchasers who are persons of low and moderate income or lower income households. 'Affordable dwelling units' as used in this Section means dwelling units which conform to the criteria established in subdivision (b)(1) hereof.

c. Approval of Density Bonus.

- (1) The procedure to apply for the Density Bonus shall be as set forth in Section 32.19d.
- (2) An applicant shall be ineligible for a density bonus or other incentives under this Section if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentives were provided under Section 32.19.

- (3) Nothing in this Section shall be construed to require the City to approve a proposal to convert apartments to condominiums."

SECTION 3. Section 32.21 is hereby added to Ordinance No. 1130, the Redwood Zoning Ordinance, as amended, to read as follows:

"Section 32.21. Conditional Exceptions to Density Requirements for Housing for Seniors/Elderly.

a. Criteria for exceptions to density requirements for housing for Seniors/Elderly.

- (1) The maximum density otherwise applicable for 'RH', 'R-1', 'R-2', 'R-3', 'R-4', and 'R-5' Zoning Districts may be doubled for housing projects for Senior/Elderly persons containing not less than twenty units. Application for the foregoing density exceptions to zoning district regulations shall be made pursuant to the provisions of Article 46, pertaining to the issuance of planned development permits, and the procedures of said Article shall govern the granting of such exceptions.
- (2) To qualify for this density exception, the Planning Commission must find that:
- (a) The proposed project provides adequate housing for Senior/Elderly persons.



(b) The proposed project is of the same general character as the housing immediately adjacent to the site of the proposed project.

(c) The proposed project shall be used exclusively for housing for Senior/Elderly persons.

(b) Conditions. Reasonable conditions in granting exceptions to zoning district density requirements hereunder may be imposed by the Planning Commission; provided, that one such condition shall require that the proposed project shall be used exclusively as housing for Senior/Elderly persons. Conditions imposed hereunder shall be recorded in form approved by the City.

(c) Exclusion. The provisions of this Section are not applicable if a proposed project is granted a density bonus under Section 32.19 or 32.20.

(d) Effect. Except as to the contrary herein permitted, all other regulations of the zoning district in which a proposed housing project for Senior/Elderly persons is located shall remain in full force and effect."

SECTION 3. This ordinance shall become effective thirty (30) days after its adoption.

\* \* \*

ORDINANCE NO. 1130.274

Passed and adopted by the Council of the City of Redwood City, California,  
at a regular meeting thereof held on the 7th day of January, 1991,  
by the following votes:

AYES, and in favor of the passage and adoption of the foregoing ordinance:

Councilmembers Buchan, Bury, Greenalch, Murray, Stangel and  
Mayor La Berge

NOES: None

ABSENT: Councilmember Claire

George La Berge

Mayor of the City of Redwood City

Attest:

Arlyn C. Jorgenson

Clerk of the City of Redwood City

I hereby approve the foregoing Ordinance  
this 8th day of January, 1991.

Mayor of the City of Redwood City

George La Berge

Arlyn C. Jorgenson, City Clerk of the  
City of Redwood City, California, does hereby  
certify that the above and foregoing is a full,  
true and correct copy of ORDINANCE NO. 1130.274

In Witness Whereof, I have hereunto set my hand  
and the Seal of said City this 10th day of

January, 1991

ARLYN C. JORGENSON  
City Clerk

By Arlyn C. Jorgenson

NOTICE IS HEREBY GIVEN THAT the following ORDINANCE will be considered for adoption by the Council of the City of Redwood City on the 7th day of January, 1991, in the Board of Supervisors Chambers, Hall of Justice and Records,

Redwood City, California: (Ordinance adding sections 32.19, 32.20 and 32.21 to ordinance no. 1130, the Redwood City Zoning Ordinance, as amended, regarding density bonuses and incentives for residential housing developments, condominium conversions and housing for seniors/elderly, respectively)

Copy to  
RC Almanac  
12-21-90

Density  
Bonus  
file

December 26, 1990  
PUBLISH: January 7, 1991

Arlyn C. Jorgenson  
City Clerk of the  
City of Redwood City