



# CITY OF SIERRA MADRE

Planning & Community Preservation Department  
232 W. Sierra Madre Blvd. Sierra Madre, CA 91024

## DENSITY BONUS PERMIT APPLICATION

The affordable housing chapter is intended to establish procedures to implement the provisions of Government Code Sections 65915–65918. In enacting this chapter, it is the intent of the City of Sierra Madre to facilitate the development of affordable housing by assisting the private sector in making such units economically viable, and to implement the goals, policies and objectives of the City's Housing Element (SMMC 17.34; Ord. No. 1428).

Please provide a brief description of the proposed housing development, including the number of affordable units, market rate units, base density units, density bonus units proposed, and the total anticipated number of units.

Please complete all fields below

Project Address: \_\_\_\_\_

General Plan, Specific Plan & Zoning Designation: \_\_\_\_\_

APN(s) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Required Materials

- Completed Density Bonus Permit Application
- A vicinity map and preliminary site plan, including building footprints, elevations, and driveway and parking layouts;
- A financial pro forma indicating how the incentive or concession or the waiver or reduction in the development standards significantly contributes to the economic feasibility of providing the affordable units

### Office Use Only

Density Bonus Permit Application Fee

Date Received

**DENSITY BONUS**

**Eligibility for affordable housing units.** All housing developments which include at least the minimum number of affordable units are eligible for a density bonus. The number of density bonus units are determined by calculating the percentage of affordable units out of the base density units for a certain type of project, as provided in the tables below:

**Table 1: Density Bonus for Very Low Income Units in a Housing Development**

Percentage of Very Low Income Units	Percentage of Density Bonus
5%	25%
6%	30%
7%	35%
8%	40%
9%	45%
10%	50%

**Table 2: Density Bonus for Lower Income Units in a Housing Development**

Percentage of Lower Income Units	Percentage of Density Bonus
10%	20%
11%	22%
12%	24%
13%	26%
14%	28%
15%	30%
16%	32%
17%	34%
18%	36%
19%	38%
20%	40%

**Table 3: Density Bonus for Moderate Income For-Sale Units in a Common Interest Development**

Percentage of Moderate Income Units	Percentage of Density Bonus
10%	5%
11%	6%
12%	7%
13%	8%
14%	9%
15%	10%
16%	11%
17%	12%
18%	13%
19%	14%
20%	15%
21%	16%
22%	17%
23%	18%
24%	19%
25%	20%
26%	21%
27%	22%
28%	23%
29%	24%
30%	25%
31%	26%
32%	27%
33%	28%
34%	29%
35%	30%
36%	31%
37%	32%
38%	33%
39%	34%
40%	35%

**Eligibility for other qualifying housing developments.**

1. A senior citizen housing development is eligible for a 20 percent density bonus.
2. If at least 10 percent of the base density units are for foster youth, disabled veterans, or homeless persons, with rents restricted for very low income households, the housing development is eligible for a 20 percent density bonus.
3. If 100 percent of the base density units, exclusive of the manager's units, are restricted to very low, lower or moderate income households, with no more than 20 percent of the base density units restricted to moderate income households, the housing development is eligible for a density bonus of 80 percent of the number of units for lower income households.
4. If 100 percent of the base density units, exclusive of the manager's units, are restricted to very low, lower or moderate income households, with no more than 20 percent of the base density units restricted to moderate income households, and the housing development is located within 0.5 miles of a major transit stop, the city may not impose any maximum controls on density. The housing development will still be constrained by all other development standards.

**DENSITY BONUS**

To grant a density bonus, the following findings must be made. The applicant must provide evidence of each of the following. Attach separate sheet for responses to all applicable findings.

1. The amount of density bonus corresponds to the affordability thresholds in Tables 1–3 of this section;
2. (A) The housing development is not proposed on any property on which rental dwelling units are located;

OR

(B) The housing development is not proposed on any property on which dwelling units have been vacated or demolished in the five-year period preceding the application, which have been:

- a. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons or families of lower or very low income;
- b. Subject to any other form of rent or price control through a public entity's valid exercise of its police power; or
- c. Occupied by lower or very low income households;

(A/B) Unless, either of the following apply:

- a. the proposed housing development, inclusive of the units replaced, contains affordable units at the percentages qualifying for a density bonus; or
- b. each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

**INCENTIVES AND CONCESSIONS**

**Eligibility.** The number of concessions and incentives are calculated based on certain eligibility thresholds for affordable housing projects. An applicant who is eligible for a density bonus under this chapter may request one or more concessions or incentives as permitted in the table below:

Incentives or Concessions	Total Units of Very Low Income Households	Total Units of Lower Income Households	Total Units of Moderate Income in Common Interest Developments
1	5% minimum	10% minimum	10% minimum
2	10% minimum	20% minimum	20% minimum
3	15% minimum	30% minimum	30% minimum
4	100% base density units are restricted to very low, lower, or moderate income households		

Please check all requested Incentives and Concessions below that apply:

- Reduction in Development Standards
- Modification of a zoning requirement or architectural design requirement that exceeds the minimum building standards approved by the California Building Standards Commission.
- Approval of mixed-use zoning if commercial, office, industrial, or other land uses will reduce the cost of the housing development and are compatible with the housing development and the existing or planned development in the area where the proposed housing project will be located.
- Other regulatory concessions or incentives proposed by the applicant that result in identifiable and actual cost reductions to provide for affordable housing costs or for rents for the targeted units.
- If the housing development is entitled to four concessions or incentives and is located within one-half mile of a major transit stop, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.

Total Number of Requested Incentives and Concessions:

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**INCENTIVES AND CONCESSIONS**

To grant a concession or incentive, the following findings must be made. The applicant must provide evidence of each of the following. Attach separate sheet for responses to all applicable findings.

1. The number of concessions or incentives correspond to the affordability thresholds in Table 1 of this section;
2. The concessions or incentives are among the types identified in the above section;
3. The housing development is not a foster youth, disabled veteran, homeless person, or senior citizen housing development;
4. The concession or incentive results in identifiable and actual cost reductions to provide affordable housing costs;
5. The concession or incentive will not have a specific, adverse impact on public health, public safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the housing development unaffordable to lower and moderate income households;
6. The concession or incentive will not have an adverse impact on a property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the housing development unaffordable to low- and moderate-income households;
7. The concession or incentive would not be contrary to state or federal law;
8. (A) The housing development is not proposed on any property on which rental dwelling units are located;

OR

- (B) The housing development is not proposed on any property on which dwelling units have been vacated or demolished in the five-year period preceding the application, which have been:
- a. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons or families of lower or very low income;
  - b. Subject to any other form of rent or price control through a public entity's valid exercise of its police power; or
  - c. Occupied by lower or very low income households;

(A/B) Unless, either of the following apply:

- a. the proposed housing development, inclusive of the units replaced, contains affordable units at the percentages qualifying for a density bonus; or
- b. each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

**WAIVERS OR REDUCTIONS IN DEVELOPMENT STANDARDS**

**Eligibility.** If compliance with a development standard would physically preclude construction of a housing development utilizing the density bonus or a concession or incentive, the applicant may submit a proposal for a waiver or reduction of the development standard. There is no maximum limit on the number of waivers an applicant may request. An applicant must first exhaust his or her available incentives and concessions before requesting a waiver.

Please describe and itemize all waivers or reductions in development standards. Attach additional sheets if necessary:

Total Number of Requested Waivers or Reductions in Development Standards: \_\_\_\_\_

**Findings for Waivers or Reduction in Development Standards**

To grant a waiver, the following findings must be made. The applicant must provide evidence of each of the following. Attach separate sheet for responses to all applicable findings.

1. The housing development qualifies for a density bonus or a concession or incentive;
2. The requested waiver or reduction applies to a development standard;
3. The development standard would physically preclude construction of the housing development at the densities or with the concessions or incentives permitted under this chapter;
4. The waiver or reduction in the development standard will not have a specific, adverse impact on public health, public safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low- and moderate-income households;
5. The waiver or reduction in the development standard will not have an adverse impact on a property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low- and moderate-income households;
6. The waiver or reduction in the development standard would be contrary to state or federal law;
7. The waiver or reduction in the development standard does not change the number of affordable units in such a way that either reduces or increases the number of incentives or concessions to which the applicant is entitled; and
8. The housing development does not seek a waiver from any maximum controls on density.

**PARKING**

**Eligibility.** An application that qualifies for a density bonus or a concession or incentive may request alternative or special parking standards. The number of on-site parking spaces required under an alternative parking standard will be based on the number of bedrooms per unit. The number of on-site parking spaces required under a special parking standard will be based on the number of bedrooms or units in the housing development. An applicant may request the following alternative or special parking standards.

Table 1. Alternative Parking Standards	
Number of Bedrooms	On-Site Parking Spaces
0–1	1
2–3	2
4 or more	2.5

Table 2. Special Parking Standards	
Threshold	Parking Ratio
Housing developments with at least 11% very low income or 20% lower income units and within 0.5 miles of a major transit stop	0.5 per bedroom
Rental projects 100% affordable to lower income households and within 0.5 miles of major transit stop	0.5 per unit
Rental senior housing development 100% affordable to lower income households, with paratransit service or within 0.5 miles of a bus route operating at least 8 times per day	0.5 per unit
Rental special needs housing development 100% affordable to lower income households, with paratransit service or within 0.5 miles of a bus route operating at least 8 times per day	0 per unit
A supportive housing development 100% affordable to lower income households	0 per unit

**Findings for Alternate or Special Parking Standards**

For the alternative or special parking standards to apply, the following findings must be made. The applicant must provide evidence of each of the following. Attach separate sheet for responses to all applicable findings.

1. The housing development qualifies for a density bonus or a concession or incentive;
2. The requested parking ratio is not in conflict with an area-wide or jurisdiction-wide parking study supporting the need for a higher parking ratio.

**Miscellaneous**

**Handicap & guest parking.** The parking ratios in this section are inclusive of handicapped and guest parking.

**Configuration.** A housing development may provide onsite parking through covered parking, tandem parking or uncovered parking, but not through on-street parking.

### CHILDCARE FACILITIES

**Eligibility.** An application for a development project that complies with the density bonus requirement of this chapter and that also includes a childcare facility that will be located on the premises of, as part of, or adjacent to, the housing development may request one additional bonus or concession as follows:

1. An additional density bonus based on square footage instead of density bonus units. The density bonus for a childcare facility will be an amount of square feet of residential space that is equal to or greater than the amount of square feet in the childcare facility; or
2. An additional concession or incentives that contributes significantly to the economic feasibility of the construction of the childcare facility.

### Findings for Alternate or Special Parking Standards

To grant a bonus or concession for a childcare facility, the following findings must be made. The applicant must provide evidence of each of the following. Attach separate sheet for responses to all applicable findings.

1. The housing development qualifies for a density bonus or a concession or incentive;
2. The bonus or concession will contribute significantly to the economic feasibility of the construction of the childcare facility;
3. The city does not have adequate childcare facilities;
4. The bonus or concession will not have a specific, adverse impact on public health, public safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to lower and moderate income households; and
5. The bonus or concession will not have an adverse impact on a property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low- and moderate-income households.

### Conditions of Approval

The childcare facility will comply with the following conditions of approval:

1. The childcare facility will remain in operation for a period of time that is equal to or longer than the period during which the designated dwelling units are required to be affordable; and
2. Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low or lower income households or families of moderate income.



**CONDOMINIUM CONVERSIONS**

**Eligibility.** When an applicant seeks to convert apartments to a condominium project and provide affordable housing, he or she will receive either (1) a density bonus or (2) other incentives of equivalent financial value.

Table 1: Density Bonus for Condominium Projects	
Percentage of Units at Income Level	Percentage of Density Bonus
33% for moderate income households	25%
11% for lower income households	25%

**Findings for Alternate or Special Parking Standards**

To grant a bonus or incentive, the following findings must be made. The applicant must provide evidence of each of the following. Attach separate sheet for responses to all applicable findings.

1. The requested bonus or incentive corresponds to the affordability thresholds in Table 1 of this section;
2. The condominium project does not seek and has not benefitted from a density bonus, incentive, concession, waiver, or parking ratio under this chapter;
3. The condominium project is not proposed on any property on which rental dwelling units are located; or  
 The condominium project is not proposed on any property on which dwelling units have been vacated or demolished in the five-year period preceding the application, which have been:
  - i. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons or families of lower or very low income;
  - ii. Subject to any other form of rent or price control through a public entity’s valid exercise of its police power; or
  - iii. Occupied by lower or very low income households;

Unless, either of the following apply:

- a. the proposed condominium project, inclusive of the units replaced, contains affordable units at the percentages qualifying for a density bonus; or
- b. each unit in the condominium project is affordable to, and occupied by, either a lower or very low income household.

**DONATION OF LAND**

**Land donation.** An applicant for a tentative subdivision map, parcel map, or other residential development approval who donates land to the city is entitled to a density bonus in addition to any other density bonus for the housing development, up to a maximum combined density increase of 35 percent. The density bonus for the donation of land will be calculated as follows:

<b>Table 1. Density Bonus for Land Donation</b>	
Percentage of Very Low-Income Units	Percentage of Density Bonus
10%	15%
11%	16%
12%	17%
13%	18%
14%	19%
15%	20%
16%	21%
17%	22%
18%	23%
19%	24%
20%	25%
21%	26%
22%	27%
23%	28%
24%	29%
25%	30%
26%	31%
27%	32%
28%	33%
29%	34%
30%	35%

**Requirements for Bonus**

A bonus for the donation of land must meet the following requirements:

1. The applicant shall donate and transfer the land no later than the date of approval of the final tract, parcel map, or residential development application;
2. The developable acreage and zoning classification of the land being transferred must be sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed housing development.;
3. The transferred land shall be at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible;
4. No later than the date of approval of the final subdivision map, parcel map, or residential development application, the transferred land shall have all of the permits and approvals, other than design review and building permits necessary for development of the very low income housing units on the transferred land;
5. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of units, consistent with Section 17.34.090(C)(4).
6. The land is transferred to the city or to a housing developer approved by the city.

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7. The transferred land must be within a quarter mile of the boundary of the proposed housing development;
8. A proposed source of funding for the very low income units is identified not later than the date of approval of the final parcel, tract map, or residential development application.

### Conditions of Approval

The childcare facility will comply with the following conditions of approval:

3. The childcare facility will remain in operation for a period of time that is equal to or longer than the period during which the designated dwelling units are required to be affordable; and
4. Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low or lower income households or families of moderate income.