

Tracy, CA

10.08.4660 Density bonus; incentives. 

(a)

General. The City shall grant a density bonus and other incentives to an applicant for a housing development of five (5) or more **units**. Neither the granting of an incentive nor the granting of a density bonus shall be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval. (Govt. Code sections 65915(g)(5) and (k))

(b)

Density bonus—Minimum requirement (target **units**). The City shall grant a density bonus to an applicant for a housing development of five (5) or more **units** who seeks a density bonus and agrees to construct at least one of the following:

(1)

**Very low-income.** Five (5%) percent of the total **units** of the housing development as target **units** affordable to very **low-income** households; or

(2)

**Low-income.** Ten (10%) percent of the total **units** of the housing development as target **units** affordable to **low-income** households; or

(3)

**Moderate-income.** Ten (10%) percent of the total **units** of a newly constructed condominium project or planned development as target **units** affordable to moderate-**income** households, provided all the **units** are offered for purchase; or

(4)

**Senior.** A senior citizen housing development of thirty-five (35) **units** or more, or a mobilehome park that limits residency based on age requirements for housing older persons under Civil Code section 798.76 or 799.5. (Govt. Code section 65915(b))

(c)

Density bonus—Calculation of bonus **units**. In determining the number of density bonus **units** to be granted under subsection (b) of this section, the maximum residential density for the site shall be multiplied by 0.20 for subsections (b)(1)(2) and (4) of this section and 0.05 for subsection (b)(3) of this section, unless a lesser number is selected by the developer.

(1)

**Very low-income.** For each one percent increase above five (5%) percent in the percentage of **units** affordable to very **low-income** households, the density bonus is increased by 2.5 percent up to a maximum of thirty-five (35%) percent;

(2)

**Lower-income.** For each one percent increase above ten (10%) percent in the percentage of **units** affordable to lower-**income** households, the density bonus is increased by 1.5 percent up to a maximum of thirty-five (35%) percent;

(3)

**Moderate-income.** For each one percent increase above ten (10%) percent of the percentage of **units** affordable to moderate-**income** households, the density bonus is increased by one percent up to a maximum of thirty-five (35%) percent. (Govt. Code sections 65915(g)(1) and (2))

The density bonus **units** shall not be included when determining the number of target **units** required to qualify for a density bonus. When calculating the required number of target **units**, any calculations resulting in fractional **units** shall be rounded to the next larger number. (Govt. Code sections 65915(b)(1) and (g)(1))

The developer may request a lesser percentage of density bonus than the project is entitled to. Regardless of the number of target **units**, no housing development is entitled to a density bonus of more than thirty-five (35%) percent. (Gov't. Code section 65915(g))

(d)

Density bonus summary. The following table summarizes the density bonus information:

**Density Bonus Summary Table**

TARGET GROUP	MINIMUM % TARGET UNITS	BONUS GRANTED	ADDITIONAL BONUS FOR EACH 1% INCREASE IN TARGET UNITS	% TARGET UNITS REQUIRED FOR MAXIMUM 35% BONUS
Very <b>Low-Income</b>	5%	20%	2.5%	11%
Lower- <b>Income</b>	10%	20%	1.5%	20%
Moderate- <b>Income</b> (condo or planned development only)	10%	5%	1%	40%
Senior Citizen Housing	100%	20%	-	-

Development				
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(e)

Incentives. Subject to the findings included in [section 10.08.4690](#), when a developer seeks a density bonus, the City shall grant incentives listed in [section 10.08.4685](#) as follows:

(1)

One incentive for a project that includes at least ten (10%) percent of the total **units** for **low-income** households, at least five (5%) percent for very **low-income** households, or at least ten (10%) percent for persons and families of moderate **income** in a condominium or planned development;

(2)

Two (2) incentives for a project that includes at least twenty (20%) percent of the total **units** for **low-income** households, at least ten (10%) percent for very **low-income** households, or at least twenty (20%) percent for persons and families of moderate **income** in a condominium or planned development;

(3)

Three (3) incentives for a project that includes at least thirty (30%) percent of the total **units** for **low-income** households, at least fifteen (15%) percent for very **low-income** households, or at least thirty (30%) percent for persons and families of moderate **income** in a condominium or planned development. (Govt. Code sections 65915(b) and (d)(2))

An incentive may be requested only if an application is also made for a density bonus, except for child care facilities under [section 10.08.4670](#). (Govt. Code section 65915(a))

(f)

Incentives—Summary. The following table summarizes the incentives:

**Incentives Summary Table**

TARGET GROUP	TARGET UNITS		
Very <b>Low-Income</b>	5%	10%	15%
<b>Low-Income</b>	10%	20%	30%
Moderate- <b>Income</b> (condo or PD only)	10%	20%	30%

Maximum Incentive(s)	1	2	3
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