

Enhanced Density Bonus Draft Ordinance

The goal of the EDB ordinance is to increase housing production outside of Downtown, provide an incentive structure adequate of supporting inclusionary housing, and implement Mayor's Study recommendation 1.4 and Everyone Home recommendations 2a and 2e to expand the number of rent-stabilized units in the City.

Add a new chapter (Chapter 21.68 – Enhanced Density Bonus) in Title 21 – Zoning of the Long Beach Municipal Code (LBMC) to establish the Enhanced Density Bonus program

Definitions

Major Transit Stop: a site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods, as defined by California Public Resources Code 21064.3. The stations or bus routes may be existing, under construction or included in the most recent Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP).

High Quality Transit Bus Corridor: A high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours, as defined by California Public Resources Code 21155.

Procedures

An applicant may request use of the EDB ordinance provision or the Government Code 65915 State Density Bonus but may not utilize both programs.

Deed-restricted affordable units

The affordable units shall be deed-restricted for a minimum of 55 years.

Approval Process:

All EDB projects must undergo Site Plan Review.

Total Bonus and Concession Maximums:

Total density bonus pursuant to EDB shall not exceed 100%. Total number of EDB concessions shall not exceed nine (9).

No-net-loss requirements for EDB projects:

EDB projects will be subject to no-net-loss provisions that exceed the State requirements and include requirements for replacement of existing affordable units, in addition to the Density Bonus minimum affordable housing requirements. The number and affordability levels of the replacement units required

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shall be determined by the number of units on the site that are affordable to lower-income households whether or not the household in the unit was lower-income. The policy goal is to stabilize the amount of 'naturally occurring' affordable housing regardless of the incomes of the households who resided within them. That way all projects would result in a net increase in units with affordable rents.

Documentation to establish current rent and affordability levels of previously existing units on a site shall be provided and shall include evidence of rents charged over the preceding five years. Rent levels will be compared to average median income (AMI) to establish the units' affordability levels. The requirement to provide rents for the last five years applies retroactively to demolished units. Upon the effective date of this ordinance, no demolition permits shall be issued for multifamily development consisting of five or more dwelling units until the aforementioned documentation is provided and an application is submitted to the City for a project that incorporates both replacement and density bonus units.

Rounding and Calculations:

All calculations for affordable requirements and bonuses granted shall be rounded up to the next whole number.

Density Bonus Eligibility and Percentages

The tables below clarify the percentage of affordable units in a proposed EDB project and the eligible density bonus that can be attained based on level of affordability for each of three geographic tiers, the Base Area, High Quality Transit Corridors, and Major Transit Stops, as defined above.

Base Area

Affordable Component	Bonus for VLI	Bonus for LI	Bonus for Mod
3 (*)	15	3	
4 (*)	20	4	
5	25	5	
6	30	10	6
7	35	15	7
8	40	20	8
9	45	25	9
10	50	30	10
11	55	35	15
12	60	40	20
13	65	45	25
14	70	50	30
15		55	35
16		60	40
17		65	45
18		70	50
19			55
20			60
21			65
22			70

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23			
24			
25			
26			
27			
28			

(*) use of 3% and 4% affordability component only permissible when total affordable across multiple restricted income levels equals or exceeds 12%. For example, an applicant may propose 3% Very Low Income (VLI) in the base area and be eligible for a 15% density bonus; however, the 3% can only be used in conjunction with one or more affordable components that total a minimum of 12% affordable units in a project.

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High Quality Transit Corridors

Affordable Component	Bonus for VLI	Bonus for LI	Bonus for Mod
3 (*)	20	5	
4 (*)	25	10	
5	30	15	
6	35	20	6
7	40	25	7
8	45	30	10
9	50	35	15
10	55	40	20
11	60	45	25
12	65	50	30
13	70	55	35
14	75	60	40
15	80	65	45
16	85	70	50
17	90	75	55
18		80	60
19		85	65
20		90	70
21			75
22			80
23			85
24			90

(*) use of 3% and 4% affordable components only permissible when total affordable across multiple restricted income levels equals or exceeds 12%. For example, an applicant may propose 3% Very Low Income (VLI) in the High-Quality Transit Corridor and be eligible for a 20% density bonus; however, the 3% can only be used in conjunction with one or more affordable components that total a minimum of 12% affordable units in a project.

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Major Transit Stop

Affordable Component	Bonus for VLI	Bonus for LI	Bonus for Mod
3 (*)	35	15	
4 (*)	40	20	
5	45	25	6
6	50	30	10
7	55	35	15
8	60	40	20
9	65	45	25
10	70	50	30
11	75	55	35
12	80	60	40
13	85	65	45
14	90	70	50
15	95	75	55
16	100	80	60
17		85	65
18		90	70
19		95	75
20		100	80
21			85
22			90
23			95
24			100

(*) use of 3% and 4% affordable components only permissible when total affordable across multiple restricted income levels equals or exceeds 12%. For example, an applicant may propose 3% Very Low Income (VLI) in a Major Transit Stop eligibility area and be eligible for a 35% density bonus; however, the 3% can only be used in conjunction with one or more affordable components that total a minimum of 12% affordable units in a project.

Concessions

Number of Concessions (for Non-Inclusionary Projects)

The following table will determine how many concessions a project is eligible for based on the percent density bonus a project qualifies for (*see above, Density Bonus Eligibility and Percentages*).

Concession	Eligible Density Bonus
1	20
2	30
3	40
4	50
5	60

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6	70
7	80
8	90
9	100

Number of Concessions for Inclusionary Projects

For projects that are subject to the [Inclusionary Housing Requirements of Section 21.67](#) of the Long Beach Municipal Code, including projects in Downtown (PD-30) and Midtown (SP-1), the following table shall be used to calculate the number of concessions a project is eligible for.

The following table will determine how many concessions a project is eligible for based on the total percent density bonus a project qualifies for (*see above, Density Bonus Eligibility and Percentages*).

Total Concessions	#	Eligible Density Bonus (2023 and beyond)	Maximum Concession for Height	Eligible Density Bonus (2022)	Concession for Height	Eligible Density Bonus (2021)
3		70	1 story	50	1 story	40
4		80		70		60
5		90	2 stories	90	2 stories	80
6		100	3 stories	100	3 stories	100

* Any height increases on a lot sharing a lot line or across an alley from a R1 or R2 zone, occupied by a single-family home or duplex, shall step-back any height increase over 12 feet at least 10 feet from the exterior face of the ground floor of the building face.

Eligible Concessions

The following are the eligible concessions that an EDB project may request based on the number of concessions the project is eligible per the concession tables above.

On-Menu Concessions:

- Floor area ratio (FAR) increase of 40% per concession;
- 15% Reduction in non-residential parking per concession;
- 30% Reduction in open-space per concession;
- Allowance for all shared/public (in lieu of private) open space;
- Averaging of FAR, Density, Parking, Open Space or Access across zones (one incentive per regulation averaged);
- 15% Reduction in transitional height requirements;
- 30% Reduction in an individual setback per concession (Maximum one incentive per side or front yard, maximum of two incentive on the rear yard).

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On-Menu Height Concessions (except for projects subject to Inclusionary Housing Requirements, see Concessions Calculations for Inclusionary Projects table above):

- 1 Story Per Incentive (story shall not exceed 12-feet);
- Max 2-Story increase in Base Area, 3-Stories in Major Transit Stop and HQTC areas;
 - Any height increases on a lot sharing a lot line or across an alley from a R1 or R2 zone, occupied by a single-family home or duplex, shall step-back any height increase over 12 feet at least 10 feet from the exterior face of the ground floor of the building face.

Off-Menu Concessions:

Applicant may request an off-menu incentive. Each off-menu incentive shall count double (40% bonus required) and shall be reviewed by the Planning Commission based on the physical necessity of the incentive for the provision of the affordable units. No concessions related to signage shall be granted.

Special Bonuses for Large Units and Childcare

Additional 20% Bonuses for Large/Family Units

Projects with large/family units, as stipulated below, are eligible for additional density bonuses. Bonuses are additive; however, total bonuses shall not exceed 100%. Projects must contain affordable units and mix of affordable units must include some proportion of the large units.

- More than 25% 2-bedroom units of 970 square feet (SF) or larger
- More than 5% 3-bedroom units of 1140 square feet (SF) or larger

On-site Childcare Facilities

Projects with affordable units that equal or exceed 12% that also provide an on-site childcare facility are exempt from floor area ratio (FAR) and parking calculations. Such projects are also eligible for one additional on-menu incentive.

Parking Requirements

Parking – EDB projects shall be subject to the parking provisions in the State Density Bonus Law or the lesser of either the parking requirements in Chapter 21.41 of the Zoning Code or the table below:

0-1 Bedrooms	0.75 space/unit
2 Bedrooms	1.00 space/unit
3 Bedrooms	1.25 space/unit
Guest Parking	1 space / 8 units
Commercial Parking	First 6,000 square feet exempt; zoning code parking requirements apply beyond 6,000 square feet

EDB projects comprised of 100% affordable units shall not be required to provide on-site parking.

Administrative Provisions

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Related Impact Fee Adjustments:

Amend 18.15.110 (Police Facilities Impact Fee), 18.16.110 (Fire Facilities Impact Fee), 18.17.130 (Transportation Improvement Fee), and 18.18.120 (Park and Recreation Facilities Fee)

An EDB project's very low, low, and moderate affordable units would be eligible for waivers from specified development fees, such as parks and recreation and transportation development fees.

Sunset Clause

The EDB ordinance shall sunset if any of these conditions are met:

- On October 1, 2030 unless extended by City Council
- The City fulfills its 6th Cycle RHNA requirements for Very Low, Low and Moderate-Income Units

Related Code Amendment

Add (2) findings to 21.25.506 (Findings Required) for Site Plan Review to address (a) Housing Element no-net-loss; and (b) physical no net loss consistent with LBMC Chapter 21.11, which implements California Senate Bill 330, "The Housing Crisis Act of 2019," and establishes regulations to prevent any reduction of zoned capacity of housing development in the City below what was allowable as of January 1, 2018 and ensures that the construction of any housing development project does not result in a net loss of affordable residential housing units in the City.