



CITY OF OAKLAND

SUPPLEMENTAL FORM – AFFORDABLE HOUSING DENSITY BONUS

<https://www.oaklandca.gov>

Affordable Housing Density Bonus Requirements

State Government Code 65915-65918 re: Density Bonus, updated January 1, 2017:

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65915

In case of discrepancies between State code and the City Planning Code, State Code typically prevails unless the City Planning Code is less restrictive.

City of Oakland Planning Code (OPC), Chapter 17.107 Density Bonus and Incentive Procedure, last substantive update April 2, 2014:

https://www.municode.com/library/ca/oakland/codes/planning_code

1) Applicability (OPC Section 17.107.010)

The Density Bonus and Incentive Procedure is intended to comply with provisions of the California State Government Code 65915-65918 (inclusive) which provides that a local government shall grant a density bonus and concessions, or financially equivalent incentive(s), to a developer of a housing development constructing a specified percentage of housing for low income households, very low income households, senior citizens, or providing child care facilities. This procedure shall apply to all proposals, citywide, to create five (5) or more living units in which the developer is requesting the density bonus. Any provision in California Government Code Section 65915-65918 (inclusive) not included in this Chapter is considered by the City of Oakland to be valid and applicable.

In order for the City to deem an application for a density bonus complete, Applicants shall submit a completed version of this form and all supplemental information required under Section 4.

Please check one or more of the following (as proposed at the time of application submittal, subject to change):

- At least 5% of the Total Units for very low income households, as defined in Section 50105 of the California Health and Safety Code.
- At least 10% of the Total Units for lower income households, as defined in Section 50079.5 of the California Health and Safety Code.
- At least 10% of the Total Units for moderate income households, as defined in Section 50093 of the California Health and Safety Code (common interest unless on-site option for Impact Fees, see 15.72.100.B.4).
- A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the California Civil Code
- At least 10% of the Total Units for transitional foster youth, as defined in California Education Code section 66025.9 (very low income households as defined in Section 50105 of the California Health and Safety Code).
- At least 10% of the Total Units for disabled veterans, as defined in California Government Code Section 18541 (very low income households as defined in Section 50105 of the California Health and Safety Code).
- At least 10% of the Total Units for homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.) (very low income households, as defined in Section 50105 of the California Health and Safety Code).
- Land donation (at least one acre in size, or of sufficient size to permit development of at least 40 units and otherwise satisfies the requirements of California Government Code Section 65915(g).)
- Child care facility (that satisfies the requirements of California Government Code Subsection 65915(h)(1))
- Condominium Conversion (satisfies the requirements of California Government Code 65915.5))

2) Project Data

Table 1: Project Data

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Project Site Address:	
Project Parcel Number:	
Total Number of Housing Units:	
Market Rate Housing Units:	
Affordable Housing Units:	
Size of Market Rate Units (# of Studios, 1 bedroom, 2 bedroom, etc.):	

Size of Affordable Units (# of Studios, 1 bedroom, 2 bedroom, etc.):	
Proposed number of restricted affordable units for Very Low Income Households (up to 50% AMI)	
Proposed number of restricted affordable units for Low Income Households (51% to 80% AMI)	
Proposed number of restricted affordable units for Moderate Income Households (81%-120% AMI)	
Percentage of Total Units of the Development that are Affordable:	
Maximum Density Bonus Percentage (See chart on page 4)	
Number of Required Parking Spaces:	
Number of Parking Spaces Provided:	
Residential Tenure: Does the project propose rental or ownership units?	
Prior Use: Are there currently residential units on the property, or has there been any residential use of the property in the last five years?	
Has the applicant or any partner, member or principal of the applicant previously applied for and received a density bonus in the City for a different project? If so, please provide the address and brief description for the project.	

3) Proposed Density Bonus and Incentives or Concessions

a) Density Bonus

Density Bonus Percentage _____ (calculate using the “Density Bonus Calculator” provided at the end of this application)

b) Incentives/ Concession Calculator

Table 2: Incentives/Concessions Calculator								
Affordability Level	Restricted Affordable Units Provided in Project	% of Base Project	Threshold for one (1) Incentive or Concession Granted (number of units)		Threshold for two (2) Incentives or Concessions Granted (number of units)		Threshold for three (3) Incentives or Concessions Granted (number of units)	
Very Low Income (up to 50% AMI)			5%		10%		15%	
Low Income (51-80% AMI)			10%		20%		30%	
Moderate Income (81-120% AMI)			10%		20%		30%	

Please check the following reduction in development standards in order to allow utilization of a density bonus that are being requested:

- | | |
|--|--|
| <input type="checkbox"/> Required off-street parking | <input type="checkbox"/> Maximum Floor-Area Ration (FAR) |
| <input type="checkbox"/> Required setback | <input type="checkbox"/> Minimum lot area |
| <input type="checkbox"/> Maximum building height | <input type="checkbox"/> Minimum courtyards |
| <input type="checkbox"/> Required open space | <input type="checkbox"/> Other _____ |

c) Concessions and Incentives:

Please list the concessions and incentives (up three, see “Incentive/ Concessions Calculator” above) the project is seeking, and describe how each requested incentive or concession would result in identifiable and actual cost reductions to provide for affordable housing costs.

d) Waivers:

Please list any waivers the project is seeking, and describe how the development standard for which a waiver is proposed would have the effect of physically precluding the construction of the project.

4) Supplemental Information

In addition to completing this checklist and form, please submit the following along with your application materials:

- a) A Project pro-forma. This document should indicate the incentives and concessions that are required to provide the affordable housing. This should outline the financial justification for EACH specific incentive and concession requested for the Project. The information submitted should clearly demonstrate how and to what extent a grant of each incentive or concession will result in identifiable and actual cost reductions to provide for affordable housing costs. A suggested format is to include a cost comparison of the project without the requested incentives and concessions (“base case”) versus the proposed Project with the density bonus and each requested incentive and concession. The pro-forma should include the base case, base case plus one incentive or concession, base case plus 2 incentives or concessions, and a base case with all proposed incentives and concessions. Pro-forma submissions should include direct construction costs, indirect costs, financing costs, sales revenues by product type and income restriction category, and show total profit for the applicant.
- b) (Optional) Any other information that may assist the City in evaluating your Project and its eligibility for a density bonus (summary Project description, clarification of unit breakdown or mix, etc.).

5) Certification

I, hereby certify under the penalty of perjury that I have reviewed the project and appropriate checklist and attest that to the best of my knowledge the proposed project would likely satisfy and comply with the requirements of the City of Oakland’s Density Bonus Ordinance and the State of California Density Bonus Statutes

X _____
Signature of Applicant

Date

Density Bonus Calculator

To calculate the allowable density bonus for a project, locate the percentage of affordable units proposed to be included within your project in the right-hand column for “Percentage of Affordable Units,” and locate the density bonus under the column that corresponds to the income level for the units that are proposed. Enter the figure into the box for “Density Bonus Percentage” in Section 3(a).

Table 3: Density Bonus Calculator			
Percentage of Affordable Units	Very Low Income Density Bonus	Low Income Density Bonus	Moderate Income Density Bonus (For-Sale Common Interest Developments)
5%	20%	0%	0%
6%	22.50%	0%	0%
7%	25%	0%	0%
8%	27.50%	0%	0%
9%	30%	0%	0%
10%	32.50%	20%	5%
11%	35%	21.50%	6%
12%	35%	23%	7%
13%	35%	24.50%	8%
14%	35%	26%	9%
15%	35%	27.50%	10%
16%	35%	29%	11%
17%	35%	30.50%	12%
18%	35%	32%	13%
19%	35%	33.50%	14%
20%	35%	35%	15%
21%	35%	35%	16%
22%	35%	35%	17%
23%	35%	35%	18%
24%	35%	35%	19%
25%	35%	35%	20%
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27%	35%	35%	22%
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29%	35%	35%	24%
30%	35%	35%	25%
31%	35%	35%	26%
32%	35%	35%	27%
33%	35%	35%	28%
34%	35%	35%	29%
35%	35%	35%	30%
36%	35%	35%	31%
37%	35%	35%	32%
38%	35%	35%	33%
39%	35%	35%	34%
40%	35%	35%	35%