



Mia Herron <lupc07@venicenc.org>

1414 Main Street - full explanation of SB 1818

2 messages

Brian Silveira <silveira.brian@gmail.com>
 To: Mia Herron <mia.herron@venicenc.org>
 Cc: Jason Teague <jasonteague@ca.rr.com>

Tue, Oct 15, 2013 at 10:45 PM

Hi Mia,

See below. Sorry about the length. Hopefully, this answers your questions about SB 1818. I'll do my best to summarize this tomorrow night.

HISTORY

From California Senate Bill 1818:

"SB 1818, Hollingsworth. Density Bonuses.

The Planning and Zoning Law requires, when a developer of housing proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with a density bonus or other incentives or concessions for the production of lower income housing units within the development if the developer meets certain requirements, including a requirement that the applicant agree or propose to construct a specified percentage of the total units for specified income households or qualifying residents."

This law was passed in 2004 and cities/counties were given a deadline for creating a new ordinance that complied with this law.

As a result, Los Angeles created Ordinance No. 179,681 which became effective in April of 2008, and is referred to as the Density Bonus Ordinance. The Density Bonus Ordinance provides an automatic "density bonus" for projects that set aside a certain percentage of units for low-income households as well as certain development "incentives"

DENSITY BONUS

According to the ordinance, the percentage of permitted density bonus is relative to the percentage of the low-income set-aside. In our case, we are setting aside 20% of our 19 base units for low-income households, which qualifies us for a 35% density increase.

The calculation looks like this:

Units allowed in the C2 zone/Venice SP = 19 units (referred to as "base units")

Proposed # of low-income units = 4

% of low income units = 21%

-> 21% low income units qualifies for a 35% density bonus

-> 19 (base units) * 1.35 (density bonus) = **26 units**

In addition to a Density Bonus, projects that provide income-restricted units also qualify for a parking reduction and development incentives.

PARKING

Here is the ordinance language used to describe our parking reduction:

"Required parking for all residential units in the Housing Development Project (not just the restricted units), inclusive of handicapped and guest parking, shall be reduced to the following requirements:

- (i) For each Residential Unit of 0-1 bedroom: 1 on-site parking space
- (ii) For each Residential Unit of 2-3 bedrooms: 2 on-site parking spaces
- (iii) For each Residential Unit of 4 or more bedrooms: 2-1/2 on-site parking spaces"

INCENTIVES

The ordinance allows for what are called "On-Menu" and "Off-Menu" incentives. On-Menu incentives are selected from a pre-approved list that includes things like 11-foot (or one-story) height increase, 35% increase in FAR, 20% decrease in open space, etc.

Applicants may also make a request for an Off-Menu Incentive, which is any incentive not included on the menu of incentives (except for additional density). Off-Menu Incentives are usually requested when the menu of incentives does not provide the adequate incentives to address a unique circumstance.

In our case, we are using Off-Menu Incentives to address the unique height restrictions in the Specific Plan as well as a unique FAR situation on Main Street.

Normally, height limits do not distinguish between flat and variable roofs. Since our project is a combination of both flat and variable roofs, in order to have a consistent roof line, we need to make an off-menu request for a height increase rather than the normal on-menu request.

The step-back requirement in the Specific Plan would cause us to lose a large portion of our top story, so we have included an Off-Menu Incentive to ask for relief from the step-back requirement.

Both the 35-foot height limit and step-back requirements in the Venice SP would cause the provision of affordable units to be financially infeasible.

The ordinance has an On-Menu Incentive that allows for an increase in FAR up to 3:1 if a project is in (1) Height District 1, (2) fronts on a Major Highway, and (3) is within 1,500 feet of a transit stop.

Our project should qualify for this On-Menu Incentive to allow a 3:1 FAR except that Main Street is still classified as a Secondary Highway in the now-outdated General Plan, despite the fact that it is improved to the same roadway width as a Class II Major Highway.

Our request is for 2.4:1 FAR, which is exactly the amount of FAR we need to provide for affordable units and still keep the project financially feasible.

PUBLIC HEARING PROCESS

Any request for Off-Menu Incentives is heard by the City Planning Commission.

From the ordinance: The City Planning Commission shall approve a Density Bonus and requested Incentive(s) unless the Planning Commission finds that:

- (i) The Incentive is not required in order to provide for affordable housing costs; or
- (ii) The Incentive will have a Specific Adverse Impact upon public health and safety of the physical environment or on any real 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 development unaffordable to Very Low, Lo and Moderate Income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

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To: Brian Silveira <silveira.brian@gmail.com>
Cc: Mia Herron <mia.herron@venicenc.org>

Wed, Oct 16, 2013 at 10:16 AM

Hi Mia-

If possible, please pass this along to the other LUPC members prior to the meeting this evening. Thanks so much.

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