

ARTICLE 6. **DENSITY**

[FORM - FRONTAGE - STANDARDS] [USE - **DENSITY**]

Part 6A. **Introduction**

Part 6B. **Density Districts**

Part 6C. **Density Rules**

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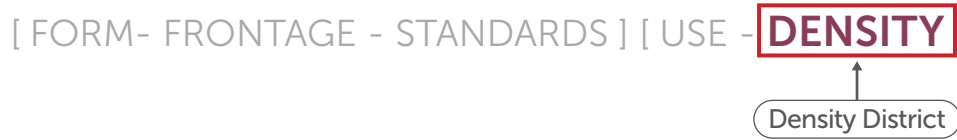
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DIV. 6A.1. **ORIENTATION**

SEC. 6A.1.1. **RELATIONSHIP TO ZONE STRING**

A zone string is composed of the following districts, as established in *Sec. 1.5.2. (Zoning Map)*:



The Density District is a separate and independent component of each zone.

SEC. 6A.1.2. **HOW TO USE ARTICLE 6. (DENSITY)**

A. **Identify the Applicable Density District**

The fifth component in a zone string is the Density District for a property.

B. **Determine Applicable Density District Standards**

1. Density Districts standards are located in *Part 6B. (Density Districts)*. Each Density District identifies the standards specific to that Density District.
2. Each standard in a Density District in *Part 6B. (Density Districts)* provides a reference to *Part 6C. (Density Rules)* where the standard is explained in detail. Text in italics below a heading provides a definition of that heading.

Density District Example:

Zone String

[LM2-MU2-5] [RG1-4]

Part 6B. (Density Districts)

Find Your Applied Density District

For Illustrative Purposes Only
DIV. 6B.2. LOT AREA-BASED DENSITY DISTRICTS
 In FA 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, the maximum density of household dwelling units is limited according to the table below. A lot may contain a combination of household dwelling units and efficiency dwelling units.

Density District	Lot Area per Household Dwelling Unit (min SF) Sec. 6C.1.2	Lot Area per Efficiency Dwelling Unit (min SF) Sec. 6C.1.3
FA	Limited by floor area	Limited by floor area
2	200	100
3	300	150
4	400	200
6	600	300
8	800	400
10	1000	500
12	1200	600
15	1500	750
20	2000	1000
25	2500	1250
30	3000	1500
40	4000	2000
50	5000	2500
60	6000	3000
N	Not Permitted	Not Permitted

Annotations: "Density District Category" points to the first column, "Density Standard" points to the second and third columns, "Link to Rules" points to the table, and "Specification for Standard" points to the row for Density District 4.

Part 6C. (Density Rules)

Find Your Rules

For Illustrative Purposes Only
SEC. 6C.1.3. LOT AREA PER EFFICIENCY DWELLING UNIT
 The maximum number of efficiency dwelling units allowed on a lot based on lot area.

A. Intent
 The intent of regulating the number of efficiency dwelling units based on lot area, is to provide a method that ensures there is a specified maximum ratio of efficiency dwelling units in relation to the size of a lot.

B. Applicability
 Lot area per efficiency dwelling unit applies to any project that includes efficiency dwelling units in a Lot Area-Based Density District.

C. Standards
 The number of efficiency dwelling units on a lot shall not exceed the maximum established by the applied Density District in Div. 6B.2. (Lot Area-Based Density Districts).

D. Measurement

1. The maximum number of efficiency dwelling units is calculated by dividing the lot area by the lot area per efficiency dwelling unit value outlined in Div. 6B.2. (Lot Area-Based Density Districts), and can be provided in conjunction with household dwelling units where permitted, as calculated in Sec. 6C.1.2. (Lot Area per Household Dwelling Unit).
 - a. Lot area that has been committed to the minimum lot area required per efficiency dwelling unit cannot be counted toward the minimum lot area required for a household dwelling unit.
 - b. Example:
 - i. A 5,000 square-foot lot, with a 10 Density District could have five household dwelling units, or three household dwelling units plus four efficiency dwelling units, or any combination that does not exceed the maximum number of dwelling units permitted by the ratios.
 - ii. If this same lot had five household dwelling units, it would not be able to add any efficiency dwelling units, as the 5,000 square feet of the lot would have been

SEC. 6A.1.3. **DENSITY DISTRICT NAMING CONVENTION**

There are two categories of Density Districts, lot-limited and lot area-based.

A. **Lot-Limited Density Districts**

Lot-Limited Density District names include a number, which represents the maximum quantity of household dwelling units allowed on a lot, followed by the letter "L."

B. **Lot Area-Based Density Districts**

With the exception of the "FA" and "N" Density Districts, Lot Area-Based Density District names are a number that represents how many hundreds of square feet of lot area are required per household dwelling unit or efficiency dwelling unit. The FA Density District is an abbreviation for "Floor Area," indicating that floor area is the only practical limit to density in this district and that the effective minimum lot area per household dwelling unit or efficiency dwelling unit is zero square feet. The N Density District is an abbreviation for "Not Permitted," indicating that no household dwelling units or efficiency dwelling units are allowed in this Density District.

DIV. 6A.2. GENERAL RULES

SEC. 6A.2.1. DENSITY

This Article (*Density*) establishes *Density Districts (Part 6B.)*, a mechanism that regulates the number of household dwelling units or efficiency dwelling units permitted on any lot, otherwise known as density. Density Districts allow for a wide variety of zoning approaches to housing.

SEC. 6A.2.2. DENSITY APPLICABILITY

A. General

All projects filed after the effective date of this Zoning Code (Chapter 1A) shall comply with the density standards in this Article (*Density*), as further specified in the applicability statement of each Section in *Part 6C. (Density Rules)*. For vested rights, see *Sec. 1.4.5. (Vested Rights)*, and for continuance of existing development, see *Sec. 1.4.6. (Continuance of Existing Development)*.

B. Nonconformities

Article 12. (Nonconformities) may provide relief from the requirements of this Article (*Density*) for existing lots, site improvements, buildings and structures, and uses that conformed to the zoning regulations, at the time they were established, but do not conform to current district standards or use permissions. All project activities shall conform with *Density District (Part 6B.)* standards unless otherwise specified by *Div. 12.7. (Nonconforming Density)*.

SEC. 6A.2.3. RELATIONSHIP TO USE DISTRICTS

- A. When household dwelling units or efficiency dwelling units are permitted by a Use District in *Part 5B. (Use Districts)*, the Density Districts in this Article (*Density*) establish limits on the number of allowed household dwelling units or efficiency dwelling units.
- B. Some Use Districts in *Part 5B. (Use Districts)* establish additional requirements for household dwelling units and efficiency dwelling units in addition to those in this Article (*Density*).

SEC. 6A.2.4. RELATIONSHIP TO PUBLIC BENEFIT SYSTEMS

Affordable housing incentive programs, outlined in *Article 9. (Public Benefit Systems)*, offer a variety of methods to obtain additional density in excess of the limits established in this Article (*Density*) and the applied *Density District (Part 6B.)* in exchange for different affordability levels and types of affordable housing.

SEC. 6A.2.5. RELATIONSHIP TO FORM DISTRICTS

Form Districts (Part 2B.) do not directly limit density, but do establish requirements that may result in physical constraints that could impact the number of household dwelling units or efficiency dwelling units that can be accommodated on a lot.

PART 6B. DENSITY DISTRICTS

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DIV. 6B.1. **LOT-LIMITED DENSITY DISTRICTS**

In 1L, 2L, 3L and 4L Density Districts, the maximum number of dwelling units permitted on a lot is limited according to the table below.

LOT-LIMITED DENSITY DISTRICTS	
Density District	Dwelling Units Per Lot (max) <i>Sec. 6C.1.1.</i>
1L	1
2L	2
3L	3
4L	4

DIV. 6B.2. **LOT AREA-BASED DENSITY DISTRICTS**

In FA, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, and N Density Districts, the maximum density of household dwelling units and efficiency dwelling units permitted on a lot is limited according to the table below. A lot may contain any combination of household dwelling units and efficiency dwelling units.

LOT AREA-BASED DENSITY DISTRICTS		
Density District	Lot Area per Household Dwelling Unit (min SF) <i>Sec. 6C.1.2.</i>	Lot Area per Efficiency Dwelling Unit (min SF) <i>Sec. 6C.1.3.</i>
FA	Limited by floor area	Limited by floor area
2	200	100
3	300	150
4	400	200
6	600	300
8	800	400
10	1000	500
12	1200	600
15	1500	750
20	2000	1000
25	2500	1250
30	3000	1500
40	4000	2000
50	5000	2500
60	6000	3000
N	Not Permitted	Not Permitted

PART 6C. DENSITY RULES

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DIV. 6C.1. MAXIMUM DENSITY

SEC. 6C.1.1. DWELLING UNITS PER LOT

The maximum number of dwelling units allowed on a lot.

A. Intent

The intent of regulating the number of dwelling units based on a fixed number per lot is to provide a method to establish a specific maximum number of dwelling units, regardless of lot area.

B. Applicability

Dwelling units per lot applies to any project that includes dwelling units and is constructed in a Lot-Limited Density District .

C. Standards

1. Regardless of lot area, the number of dwelling units is limited to the maximum dwelling units per lot outlined in Div. 6B.1 (Lot-Limited Density Districts) above.
2. Where a lot is large enough to be subdivided following the applied Form District (Part 2B.) lot area standards and the subdivision requirements in Article 11. (Division of Land), each new lot is entitled to the dwelling units per lot established by the applied Density District.

D. Measurement

1. Dwelling units per lot is measured as the cumulative number of dwelling units on a lot.

E. Exceptions

Accessory dwelling units and junior accessory dwelling units, compliant with Div. 9.5. (Accessory Dwelling Unit Incentive Programs), are exempt from the density limit for lots having one or more dwelling units.

F. Relief

1. An increase in the dwelling units per lot may be granted as a variance in accordance with Sec. 13B.5.3. (Variance).

SEC. 6C.1.2. LOT AREA PER HOUSEHOLD DWELLING UNIT

The maximum number of household dwelling units allowed on a lot based on lot area.

A. Intent

The intent of regulating the lot area per household dwelling unit is to provide a method that ensures there is a specified maximum ratio of household dwelling units in relation to the size of a lot.

B. Applicability

Lot area per household dwelling unit applies to any project that includes household dwelling units in a Lot Area-Based Density District (Div. 6B.2).

C. Standards

The number of household dwelling units on a lot shall not exceed the maximum established by the applied Density District in Div. 6B.2 (Lot Area-Based Density Districts).

D. Measurement

1. The maximum number of household dwelling units is calculated by dividing the lot area by the lot area per household dwelling unit value outlined in Div. 6B.2 (Lot Area-Based Density Districts), and can be provided in combination with efficiency dwelling units where permitted, as calculated in Sec. 6C.1.3 (Lot Area Per Efficiency Dwelling Unit).
 - a. Lot area that has been committed to the minimum lot area required per household dwelling unit cannot be counted toward the minimum lot area required for an efficiency dwelling unit.
 - b. **Example:**
 - i. A 5,000 square-foot lot with a 10 Density District could have five household dwelling units, or three household dwelling units plus four efficiency dwelling units, or any combination that does not exceed the maximum number of dwelling units permitted by the ratios.
 - ii. If this same lot had five household dwelling units, it would not be able to add any efficiency dwelling units, as the 5,000 square feet of the lot would have been committed to the minimum lot area required for the allowance of the five household dwelling units.
2. For lots that are adjacent to one or more alley, the maximum number of household dwelling units may be calculated using the lot area plus the area between the exterior lot lines and the centerline of the alley.
3. Fractions of units do not count towards an additional household dwelling unit, except as permitted in Article 9 (Public Benefit Systems).

- Maximum Density -

4. When density is designated as "Limited by floor area", there is no maximum density. Household dwelling units are limited only by the physical constraints of the applied *Form District (Part 2B.)*.
5. When density is designated as "Not Permitted", household dwelling units are not permitted.

E. Exceptions

Accessory dwelling units and junior accessory dwelling units, that comply with *Div. 9.5. (Accessory Dwelling Unit Incentive Programs)* are exempt from the density limit for lots having one or more dwelling units.

F. Relief

1. A decrease in the minimum lot area per household dwelling unit may be granted as a variance pursuant to *Sec. 13B.5.3. (Variance)*.
2. For projects that include multiple parcels with different applied *Density Districts (Part 6B.)*, the transfer of density across the development site may be granted, in accordance with *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.

a. Supplemental Findings

In addition to the findings in *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, the Zoning Administrator shall also find that the project meets the following conditions:

- i. The project meets the definition of unified development.
- ii. All lots included in the project have *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied, or the project is located entirely in the Downtown Community Plan Area and all lots included in the project have *Residential-Mixed Use Districts (Div. 5B.4.)*, *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied.
- iii. Where any individual lot exceeds the maximum density specified by the applied *Density District (Part 6B.)*, the total number of dwelling units across all lots included in the unified development shall not exceed the sum of the maximum number of dwelling units allowed across all lots as calculated based on the maximum density specified by each applied *Density District (Part 6B.)*.

b. Supplemental Procedures

If the Zoning Administrator approves the density transfer, then prior to the issuance of any building permit, the property owner shall file with the Department of Building and Safety a covenant running with the land that specifies the following obligations:

- i. The operation and maintenance of the development as a unified development is continued in perpetuity;

- Maximum Density -

- ii. The density used and the remaining unbuilt density, if any, is allocated to each lot;
- iii. The unifying design elements are maintained and continued in perpetuity; and
- iv. The individual or entity responsible and accountable for compliance and the fee for the annual inspection of compliance by the Department of Building and Safety, as required pursuant to *Sec. 15.3.12. (Annual Inspection of FAR Averaging & Density Transfer Covenants)*

SEC. 6C.1.3. LOT AREA PER EFFICIENCY DWELLING UNIT

The maximum number of efficiency dwelling units allowed on a lot based on lot area.

A. Intent

The intent of regulating the number of efficiency dwelling units based on lot area is to provide a method that ensures there is a specified maximum ratio of efficiency dwelling units in relation to the size of a lot.

B. Applicability

Lot area per efficiency dwelling unit applies to any project that includes efficiency dwelling units in a Lot Area-Based Density District.

C. Standards

The number of efficiency dwelling units on a lot shall not exceed the maximum established by the applied Density District in *Div. 6B.2. (Lot Area-Based Density Districts)*.

D. Measurement

1. The maximum number of efficiency dwelling units is calculated by dividing the lot area by the lot area per efficiency dwelling unit value outlined in *Div. 6B.2. (Lot Area-Based Density Districts)*, and can be provided in conjunction with household dwelling units where permitted, as calculated in *Sec. 6C.1.2. (Lot Area per Household Dwelling Unit)*.
 - a. Lot area that has been committed to the minimum lot area required per efficiency dwelling unit cannot be counted toward the minimum lot area required for a household dwelling unit.
 - b. **Example:**
 - i. A 5,000 square-foot lot with a 10 Density District could have five household dwelling units, or three household dwelling units plus four efficiency dwelling units, or any combination that does not exceed the maximum number of dwelling units permitted by the ratios.
 - ii. If this same lot had five household dwelling units, it would not be able to add any efficiency dwelling units, as the 5,000 square feet of the lot would have been committed to the minimum lot area required for the allowance of the five household dwelling units.
2. For lots that are adjacent to one or more alley, the maximum number of efficiency dwelling units may be calculated using the lot area plus the area between the exterior lot lines and the centerline of the alley.
3. Fractions of units do not count towards an additional household dwelling unit or efficiency dwelling unit, except as permitted in *Article 9. (Public Benefit Programs)*.

- Maximum Density -

4. When density is designated as "Limited by floor area", there is no maximum density. Efficiency dwelling units are limited only by the physical constraints of the applied *Form District (Part 2B.)*.
5. When density is designated as "Not Permitted", efficiency dwelling units are not permitted.

E. Exceptions

Accessory dwelling units and junior accessory dwelling units, compliant with *Div. 9.5. (Accessory Dwelling Unit Incentive Program)*, are exempt from the density limit for lots having one or more dwelling units.

F. Relief

1. A decrease in the minimum lot area per efficiency dwelling unit may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.
2. For projects that include multiple parcels having different applied *Density Districts (Part 6B.)*, the transfer of density across the development site may be granted, in accordance with *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.

a. Supplemental Findings

In addition to the findings in *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, the Zoning Administrator shall also find that the project meets the following conditions:

- i. The project meets the definition of unified development.
- ii. All lots included in the project have *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied, or the project is located entirely in the Downtown Community Plan Area and all lots included in the project have *Residential-Mixed Use Districts (Div. 5B.4.)*, *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied.
- iii. Where any individual lot exceeds the maximum density specified by the applied *Density District (Part 6B.)*, the total number of dwelling units across all lots included in the unified development shall not exceed the sum of the maximum number of dwelling units allowed across all lots as calculated based on the maximum density specified by each applied *Density District (Part 6B.)*.

b. Supplemental Procedures

If the Zoning Administrator approves a density transfer then, prior to the issuance of any building permit, the property owner shall file with the Department of Building and Safety a covenant running with the land that specifies the following obligations:

- i. The operation and maintenance of the development as a unified development is continued in perpetuity;

- Maximum Density -

- ii. The density used and the remaining unbuilt density, if any, is allocated to each lot;
- iii. The unifying design elements are maintained and continued in perpetuity; and
- iv. The individual or entity responsible and accountable for compliance and the fee for the annual inspection of compliance by the Department of Building and Safety, as required pursuant to *Sec. 15.3.12. (Annual Inspection of FAR Averaging & Density Transfer Covenants)*.