

to 100%, and in limited situations, 100% affordable housing projects may apply for an unlimited density bonus.

A project's "base" units are calculated by multiplying the maximum density allowed on the site by the County's General Plan or Zoning (whichever is higher) by the site's gross acreage (6.26 acres x 45 = 282 units). Once the number of base units are determined, the number of bonus units is calculated based on the number and type of affordable units or other contributions (i.e., land donation, childcare facility) offered by the project applicant. This calculation is based on formulas contained in state law, and in limited cases, in County Code, where that is more generous than state law, as noted below. (See Gov. Code § 65915[f].)

The proposed project qualifies as a Housing Development under Government Code Section 65915(i), which defines a project as being five (5) or more units. The proposed project does not include a request for additional residential density (e.g., any bonus units) under the provisions of State law; however, consistent with Government Code section 65915(b)(1)(G), the Applicant proposes 100% of the total units for lower income households, exclusive of two managers units. The project is therefore eligible for an unlimited number of waivers and five incentives or concessions pursuant to SDBL.

As referenced in County Code Section 17.12.050, SDBL allows applicants to request waivers of any development standards that have the effect of physically precluding the construction of a housing development. The Applicant is requesting several waivers for this project, which are outlined below.

It is noted that the project site is constrained due to the presence of a stream channel and riparian corridor that is required to be protected as part of the proposed project, thus eliminating development on approximately 2 acres of the project site. In order to preserve these resources and maximize the housing yield envisioned by the County's adopted Housing Element, the proposed project requests the following waivers:

- 1) Reduction of minimum density standard from 34 to 28 dwelling units (du)/acre. A reduction to the required provision of 75% of the minimum density prescribed in General Plan Policy HE-1.3;
- 2) Increase in permitted building height from 40 to 69 feet (SCCC 13.10.323-2, 13.10.333-1);
- 3) Increase in permitted number of stories from 3 to 4-5 (SCCC 13.10.323-2, 13.10.333-1);
- 4) Reduction in minimum front yard setback from 10 to 6.5 feet (Soquel Drive) (SCCC 13.10.333-1);
- 5) Reduction to minimum street side setback from 8 to ~~2.9~~ 6 feet (Thurber Lane) (SCCC 13.10.323-1, 13.10.333);
- 6) Waiver of third story inset/stepbacks requirement (SCCC 13.10.323-2, 13.10.333);
- 7) Increase allowed percentage of residential floor area from 80% to 98.2% (SCCC 13.10.332.1);
- 8) Decrease commercial frontage from 50% to ~~30.6~~ 19% on Thurber Lane 50% and ~~3.8~~ 46.2% on Soquel Drive (SCCC 13.10.334(C));

- 9) Decrease minimum common usable open space from 15% to 5% or 12,759 square feet (SCCC 13.10.323-3);
- 10) Exception to allow tandem parking (SCCC 13.16.070);
- 11) Reduction of minimum parking lot shade coverage from 50% to 48% (SCCC 13.16.060);
- 12) Reduction of minimum parking lot trees from a minimum of one tree per 5 parking spaces (37.8 trees) by 10.8 trees, for a total of 27 trees provided (SCCC 13.16.050);
- 13) Reduction of minimum pathway width from 10 to 6 feet (SCCC 15.05.060);
- 14) Exception to driveway alignment on Soquel Drive: proposed driveway alignment is located east of Chanticleer Drive to avoid hazardous turning movement conflicts (County Design Criteria, part 6, section B.1); and
- 15) Elimination of requirement for planting of street trees along Thurber Lane and Soquel Drive due to conflicts with existing utility lines to remain in the landscape strip (County Design Criteria Figure ST-1b).

The proposed project also requests the following two incentives:

- 1) Revision of street section standard dimensions along 124± feet of the Soquel Drive frontage as follows: elimination of landscape strip and construction of a 6.5-foot attached sidewalk at riparian crossing to protect existing riparian area (SCCC 16.32.090); and
- 2) Modify requirement for restoration of existing degraded habitats, including potential salvage/transplanting of oak trees to potential partial restoration of riparian corridor, including no transplantation of oak trees and reduction of replanting ratio from 10:1 for trees larger than 24 inches diameter at breast height (DBH) to replanting all removed oaks at a 5:1 ratio. (Biotic Acceptance letter).

The applicant is proposing the above waivers and requesting the above incentives pursuant to SDBL. The County is required to grant the concessions and/or waivers if they meet the requirements contained in the SDBL. Staff has not identified any findings available in the SDBL that would allow the County to deny any of the requested waivers/concessions. Therefore, the granting of the waivers and exceptions is recommended as outlined in the attached Density Bonus Findings (Exhibit B).

Zoning & General Plan Consistency

The subject property is a 6.26-acre parcel square foot lot, located in the RF (Residential Flex) zone district and the C-2 zone district, designations that allow mixed use. The proposed development is an allowed use within the zone districts, and the zoning is consistent with the site's C-C, R-UHF (Community Commercial, Urban High Flex Residential Density) General Plan designations.

The project is also consistent with several development and housing policies in the General Plan Built Environment Element and Housing Element. The project was identified as a key opportunity site in the Housing Element Sites Inventory, and is critical to assisting in meeting the County's lower income unit allocation in the Regional Housing Needs Allocation.