

CA GOV STATE CODE 65915

This applies when adding Bonus ADUs to be included in Base Density

(6) “Maximum allowable residential density” or “base density” means the greatest number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the greatest number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. Density shall be determined using dwelling units per acre. However, if the applicable zoning ordinance, specific plan, or land use element of the general plan does not provide a dwelling-units-per-acre standard for density, then the local agency shall calculate the number of units by:

RDCA - Realistic Development Capacity Analysis:

(A) Estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limited to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and private open-space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project. Parking requirements shall include considerations regarding number of spaces, location, design, type, and circulation. A developer may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards. **Prove that Base Density meets development standards of base zone**

(B) Maintaining the same average unit size and other project details relevant to the base density study, excepting those that may be modified by waiver or concession to accommodate the bonus units, in the proposed project as in the study.

Then Bonus Units can go beyond the standards of the base zone

(7) (A) (i) “Shared housing building” means a residential or mixed-use structure, with five or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.

(ii) A “shared housing building” may include other dwelling units that are not shared housing units, provided that those dwelling units do not occupy more than 25 percent of the floor area of the shared housing building. A shared housing building may include 100 percent shared housing units.

(B) (i) “Shared housing unit” means one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the “minimum room area” specified in Section R304 of

effective through December 31, 2020, that city, county, or city and county is not required to amend or otherwise update its ordinance or corresponding affordable housing incentive program to comply with the amendments made to this section by the act adding this subdivision, and is exempt from complying with the incentive and concession calculation amendments made to this section by the act adding this subdivision as set forth in subdivision (d), particularly subparagraphs (B) and (C) of paragraph (2) of that subdivision, and the amendments made to the density tables under subdivision (f).

(t) When an applicant proposes to construct a housing development that conforms to the requirements of subparagraph (A) or (B) of paragraph (1) of subdivision (b) that is a shared housing building, the city, county, or city and county shall not require any minimum unit size requirements or minimum bedroom requirements that are in conflict with paragraph (7) of subdivision (o).

(u) (1) The Legislature finds and declares that the intent behind the Density Bonus Law is to allow public entities to reduce or even eliminate subsidies for a particular project by allowing a developer to include more total units in a project than would otherwise be allowed by the local zoning ordinance in exchange for affordable units. It further reaffirms that the intent is to cover at least some of the financing gap of affordable housing with regulatory incentives, rather than additional public subsidy.

(2) It is therefore the intent of the Legislature to make modifications to the Density Bonus Law by the act adding this subdivision to further incentivize the construction of very low, low-, and moderate-income housing units. It is further the intent of the Legislature in making these modifications to the Density Bonus Law to ensure that any additional benefits conferred upon a developer are balanced with the receipt of a public benefit in the form of adequate levels of affordable housing. The Legislature further intends that these modifications will ensure that the Density Bonus Law creates incentives for the construction of more housing across all areas of the state.

(v) (1) Provided that the resulting housing development would not restrict more than 50 percent of the total units to moderate-income, lower income, or very low income households, a city, county, or city and county shall grant an additional density bonus calculated pursuant to paragraph (2) when an applicant proposes to construct a housing development that conforms to the requirements of paragraph (1) of subdivision (b), agrees to include additional rental or for-sale units affordable to very low income households or moderate-income households, and meets any of the following requirements:

Additional Density Bonus is Allowed and is integrated into SDMC 143.0760

(A) The housing development conforms to the requirements of subparagraph (A) of paragraph (1) of subdivision (b) and provides 24 percent of the total units to lower income households.

(B) The housing development conforms to the requirements of subparagraph (B) of paragraph (1) of subdivision (b) and provides 15 percent of the total units to very low income households.

(C) The housing development conforms to the requirements of subparagraph (D) of paragraph (1) of subdivision (b) and provides 44 percent of the total units to moderate-income households.

(2) A city, county, or city and county shall grant an additional density bonus for a housing development that meets the requirements of paragraph (1), calculated as follows:

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	23.75
7	27.5
8	31.25
9	35
10	38.75

Percentage Moderate-Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5

9	30	
10	32.5	
11	35	
12	38.75	
13	42.5	
14	46.25	
15	50	Results in 100% Density Bonus

(3) The increase required by paragraphs (1) and (2) shall be in addition to any increase in density granted by subdivision (b).

(4) The additional density bonus required under this subdivision shall be calculated using the number of units excluding any density bonus awarded by this section.

(Amended by Stats. 2025, Ch. 486, Sec. 1.5. (AB 87) Effective January 1, 2026.)

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Table 143-07A
Very Low Income Density Bonus Households

Percent <i>Very Low Income</i> Units	Percent <i>Density Bonus</i>	Number of Incentives
5	20	1
6	22.5	1
7	25	1
8	27.5	1
9	30	1
10	32.5 ¹	2
11	35	2
12	38.75	3
13	42.5	4
14	46.25	4
≥ 15	50 ^{2, 3}	5

Footnotes for Table 143-07A

- ¹ For *development* containing 50 pre-density dwelling units or less, once this maximum is reached, an additional 25 percent *density* bonus and three incentives are allowed if an additional 10 percent of the pre-density bonus units are restricted in accordance with the provisions of this Division for households earning less than or equal to 120 percent of the area *median income*, as adjusted for household size, and the *development* is within a *Sustainable Development Area*.
- ² Once this maximum is reached, an additional 25 percent *density* bonus and three incentives are allowed if an additional 10 percent of the pre-density bonus units are restricted in accordance with the provisions of this Division for households earning less than or equal to 120 percent of the area *median income*, as adjusted for household size, and the *development* is within a *Sustainable Development Area*. site is in SDA
- ³ See Section 143.0760 for the additional state *density* bonus allowed under California Government Code section 65915(v).

2 Options
to add
more units

§143.0755 Shared Housing Development

A *development* containing *shared housing buildings* or *shared housing units* requesting an affordable housing *density* bonus is subject to the following:

- (a) A *shared housing building* may be permitted in base zones that permit an affordable housing *density* bonus.
- (b) Shall meet one of the criteria in Sections 143.0720(c)(1), 143.0720(c)(2), 143.0720(d)(1), 143.0720(d)(2), 143.0720(e), 143.0720(h), or 143.0720(i); and
- (c) For purposes of calculating base *density* and *density* bonus granted under Section 143.0720, the term “unit” means one *shared housing unit* and its pro rata share of associated common area facilities.

(“*Shared Housing Development*” added 6-15-2026 by O-22109 N.S.; effective 7-15-2026.)

[Editors Note: Amendments as adopted by O-22109 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-22109-SO.pdf]

§143.0760 Additional Density Bonus allowed by the State

An *applicant* proposing a *density* bonus as set forth in Tables 143-07A, 143-07B, or 143-07C shall be eligible for an additional *density* bonus allowed by the state under California Government Code section 65915(v) and in accordance with Section 143.0760.

- (a) Additional state *density* bonus. An eligible *development* may receive an additional *density* bonus subject to all the following:
 - (1) The *development* shall meet the criteria in Sections 143.0720(c)(1), 143.0720(c)(2), 143.0720(d)(1), 143.0720(d)(2), and 143.0720(d)(3).
 - (2) The *development* shall provide sufficient pre-*density* bonus *dwelling units* as affordable to *very low income*, *low income*, and *moderate income* households to achieve a 50 percent *density* bonus as set forth in Tables 143-07A, 143-07B, or 143-07C.

- (3) After achieving 50 percent *density* bonus, the *applicant* shall include additional pre-*density* bonus *dwelling units* as affordable to *very low income* or *moderate income* households as part of the *development* and receive an additional *density* bonus as specified in Tables 143-07F and 143-07G. These additional pre-*density* bonus *dwelling units* restricted as affordable to *very low income* or *moderate income* households may be offered as for-sale or rental units.
- (4) The maximum number of *dwelling units* restricted as affordable to *very low income*, *low income*, and *moderate income* households shall not exceed 50 percent of the total *dwelling units* in the *development*.
- (5) The maximum total *density* bonus for the *development* shall not exceed 100 percent of the pre-*density* bonus *dwelling units*.

Table 143-07F
Additional Very Low Income Density Bonus Households

Percent <i>Very Low Income</i> Units	Percent <i>Density Bonus</i>
5	20
6	23.75
7	27.5
8	31.25
9	35
10	38.75

Table 143-07G

Additional Moderate Income Density Bonus Households

Percent <i>Moderate Income Units</i>	Percent <i>Density Bonus</i>
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

Results in 100%
Density Bonus

(“Additional Density Bonus allowed by the State” added 6-15-2026 by O-22109 N.S.; effective 7-15-2026.)

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