

§126.0602 When a Planned development Permit May be Requested

- (a) [No change in text.]
- (b) The following types of development may be requested with a Planned Development Permit to be decided in accordance with Process Four.
 - (1) through (3) [No change in text.]

(4) Development of off-site affordable housing dwelling units in accordance with 143.0745 that are not located within the same community planning area and City Council District, or within one-half mile of the development.

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§126.0604 Findings for Planned Development Permit Approval

A Planned Development Permit may be approved or conditionally approved only if the decision maker makes all of the *findings* in Section 126.0604(a) and the supplemental *findings* in Section 126.0604(b) that are applicable to the proposed *development* as specified in this section.

(a) and (b) [No change in text.]

(c) Supplemental Findings – Off-site Affordable Housing Dwelling Units

A development using the Affordable Housing Density Bonus Regulations that proposes to locate affordable housing dwelling units off-site in accordance with Section 143.0745 may be approved or conditionally approved only if the decision maker makes the following supplemental findings in addition to the findings in Section 126.0604(a):

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(1) The location of the off-site affordable housing dwelling units will provide comparable or superior access to transit. Factors to be considered include, but are not limited to, the number, frequency and destination of transit routes within one-half mile of the development;

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(2) The location of the off-site affordable housing dwelling units will provide comparable or superior access to employment opportunities. Factors to be considered include, but are not limited to, distances to and transit availability to regional centers, subregional employment areas, industrial, and prime industrial lands;

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(3) For non-age restricted development the location of the off-site affordable housing dwelling units will provide comparable or superior access to schools. Factors to be considered include, but are not limited to, the number of schools, the educational levels of

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the schools, whether the schools are private or public, and the travelling distances to the schools from the development.

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- (4) The off-site affordable housing dwelling units are located in a census tract with an average income level that is no more than 5% lower than the census tract of the development.

§143.0710 Purpose of Affordable Housing Density Bonus Regulations

The purpose of these regulations is to provide increased residential density to developers who guarantee that a portion of their residential *development* will be available to *moderate income*, *low income*, *very low income*, or senior households. The regulations are intended to materially assist the housing industry in providing adequate and affordable housing for all economic segments of the community and to provide a balance of housing opportunities for *moderate income*, *low income*, *very low income*, and senior households throughout the City. It is intended that the affordable housing *density* bonus and any additional *development* incentive be available for use in all residential *development* of five or more units, using criteria and standards provided in the General Plan, and that requests be processed by the City of San Diego and be implemented by the President and Chief Executive Officer of the San Diego Housing Commission. It is also intended that these regulations implement the provisions of California Government Code Sections 65915 through 65918.

§143.0715 When Affordable Housing Density Bonus Regulations Apply

This division applies to any residential *development* where current zoning allows for five or more *dwelling units*, not including *density* bonus units, where an *applicant* proposes *density* beyond that permitted by the base zone and *land use plan* at the time the application is *deemed complete*, in exchange for either of the following:

- (a) A portion of the total *dwelling units* in the *development* being reserved for *moderate*, *low*, or *very low income* households or for senior citizens through a written agreement with the San Diego Housing Commission; or
- (b) The donation of land, pursuant to the State Density Bonus Law.

§143.0717 Required Replacement of Affordable Units

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- (a) An *applicant* is ineligible for a *density* bonus or any incentive under this division if the property on which the *development* is proposed contains, or during the five years preceding the application, contained, rental *dwelling units* that have had the rents restricted by law or covenant to persons and families of *low income* or *very low income*, or have been occupied by persons and families of *low income* or *very low income*, unless the proposed *development* replaces the affordable *dwelling units*, and either:

- (1) Provides affordable *dwelling units* at the percentages set forth in Section 143.0725 (inclusive of the replacement *dwelling units*), or
 - (2) Provides all of the *dwelling units* as affordable to *low income* or *very low income* households, excluding any manager's unit(s).
- (b) The number and type of required replacement *dwelling units* shall be determined as follows:
- (1) If any of the *dwelling units* are occupied, the replacement *dwelling units* must be at least the same number of *dwelling units* of equivalent size or type, or both, and must be made affordable to and occupied by persons and families in the same or a lower income category as the occupied *dwelling units*. If any *dwelling units* are unoccupied, the replacement *dwelling units* shall be of the same proportion of affordability as those *dwelling units* that are occupied.
 - (2) If the *dwelling units* in the *development* are vacant or have been demolished within the five year period preceding the application, the replacement *dwelling units* must be of at least the same number of *dwelling units* of equivalent size or type, or both, as existed at the time of the greatest number of occupied affordable *dwelling units* in that *development*, and must be made affordable to and occupied by, persons and families in the same or lower income categories as those in occupancy at that time. If the income categories are unknown for this five year period, then at least one-half of the replacement *dwelling units* shall be made available for rent to or purchase by and occupied by persons and families in the *very low income* category, and one-half of the replacement *dwelling units* shall be made available for rent to and occupied by persons and families in the *very low income* category.
 - (3) All replacement *dwelling unit* calculations resulting in fractional units shall be rounded up to the next whole number.
 - (4) All rental replacement *dwelling units* shall be affordable for at least 55 years.

§143.0720 Density Bonus in Exchange for Affordable Housing Units

- (a) A *development* shall be entitled to a *density* bonus and incentives as described in this division, for any residential *development* for which a written agreement, and a deed of trust securing the agreement, is entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission. The agreement and deed of trust in favor of the San Diego Housing Commission are to be recorded in the

Office of the Recorder of the County of San Diego as an encumbrance against the *development*.

- (b) The *density* bonus units authorized by this division shall be exempt from the Inclusionary Housing Regulations set forth in Chapter 14, Article 2, Division 13.
- (c) A rental affordable housing *density* bonus agreement shall utilize the following qualifying criteria consistent with the procedures established by the San Diego Housing Commission:
 - (1) ~~Low income - At least 10 percent of the pre-density bonus units in the development shall be affordable, including an allowance for utilities, to low income households at a rent that does not exceed 30 percent of 60 percent of area median income, as adjusted for assumed household size. Very low income - At least 5 percent of the pre-density bonus units in the development shall be affordable, including an allowance for utilities, to very low income households at a rent that does not exceed 30 percent of 50 percent of the area median income, as adjusted for household size; or~~
 - (2) ~~Very low income - At least 5 percent of the pre-density bonus units in the development shall be affordable, including an allowance for utilities, to very low income households at a rent that does not exceed 30 percent of 50 percent of the area median income, as adjusted for household size. Low income - At least 10 percent of the pre-density bonus units in the development shall be affordable, including an allowance for utilities, to low income households at a rent that does not exceed 30 percent of 60 percent of area median income, as adjusted for assumed household size.~~
 - (3) The affordable units shall be designated units, be comparable in bedroom mix and amenities to the market-rate units in the *development*, and be dispersed throughout the *development*.
 - (4) The *dwelling units* shall remain available and affordable for a period of at least 55 years or longer, as may be required by other laws or covenants.
- (d) A for-sale affordable housing *density* bonus agreement shall utilize the following qualifying criteria consistent with the procedures established by the San Diego Housing Commission:

- (1) Very low income - At least 5 percent of the pre-density bonus units in the development shall be affordable, including an allowance for utilities, to very low income households at a rent that does not exceed 30 percent of 50 percent of the area median income, as adjusted for household size.

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(2) *Low income* - At least 10 percent of the pre-density bonus units in the development shall be affordable, including an allowance for utilities, to low income households at a rent that does not exceed 30 percent of 60 percent of area median income, as adjusted for assumed household size.

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Commented [dpn1]: not sure if these two section are needed. Seems there should be some requirement similar to the one for moderate income. I left a message with Jenny at SDHC.

(43) *Moderate income* - At least 10 percent of the total dwelling units in a common interest development, as defined in California Civil Code Section 4100, shall be affordable, provided that all dwelling units in the development are offered to the public for purchase.

(24) The initial occupant of all for-sale affordable housing units shall be a very low income, low income, or moderate income household.

(35) Prior to, or concurrent with, the sale of each density bonus affordable unit, the applicant shall require the buyer to execute and deliver a promissory note in favor of the San Diego Housing Commissions so that the payment of any initial subsidy is ensured.

(46) Each for-sale unit shall be occupied by the initial owner at all times until the resale of the unit.

(57) Upon the first resale of a unit the seller shall comply with all conditions regarding the sale of a unit, as applied by the San Diego Housing Commission, and as set forth in California Government Code Section 65915(c)(2).

(68) The affordable units shall be designated units, be comparable in bedroom mix and amenities to the market-rate units in the development, and be dispersed throughout the development.

(e) A density bonus agreement for housing for senior citizens shall utilize the following qualifying criteria consistent with the procedures established by the San Diego Housing Commission:

(1) The development consists of housing for senior citizens or qualifying residents as defined under California Civil Code Section 51.3 and 51.12, where at least 35 dwelling units are provided; or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to California Civil Code Section 798.76 or 799.5.

(2) The dwelling units shall remain available for a period of at least 30 years or longer as may be required by other laws.

(f) The density bonus units shall have recorded against them a Declaration of Covenants, Conditions and Restrictions in favor of the San Diego Housing

Commission that shall enjoy first lien position and shall be secured by a deed of trust that may be recorded against the project or unit, as applicable, prior to construction or permanent financing.

- (g) Provision shall be made by the San Diego Housing Commission for certification of eligible tenants and purchasers, annual certification of property owner compliance, payment of a monitoring fee to the San Diego Housing Commission, as adjusted from time to time, for monitoring of affordable unit requirements, and any other terms that the San Diego Housing Commission determines are needed to implement the provisions and intent of this division and State law.
- (h) A *condominium conversion* that provides at least 33 percent of the total *dwelling units to low income* and *moderate income* households, or 15 percent of the total *dwelling units to low income* households, shall be entitled to a *density bonus* of 25 percent or other incentives of equivalent financial value in accordance with State Density Bonus Law and this division, unless the *development* previously received a *density bonus* or other incentives.

§143.0725 Density Bonus Provisions

A *development* proposal requesting an affordable housing *density bonus* is subject to the following:

- (a) For senior citizen housing meeting the criteria of Section 143.0720(e), the *density bonus* shall be 20 percent.
- (b) ~~For development meeting the criteria for low income in Section 143.0720(e)(1), the density bonus shall be calculated as set forth in Table 143-07A. The increased density shall be in addition to any other increase in density allowed in this division, up to a maximum combined density increase of 25 percent. For development meeting the same criteria within the Centre City Planned District, the bonus shall apply to the maximum allowable floor area ratio applicable to the development consistent with Section 156.0309(e).~~ For development meeting the criteria for very low income in Section 143.0720(c)(2), the *density bonus* shall be calculated as set forth in Table 143-07B. The increased *density* shall be in addition to any other increase in *density* allowed in this division, up to a maximum combined *density* increase of 50 percent. For *development* meeting the same criteria within the Centre City Planned District, the bonus shall apply to the maximum allowable floor area ratio applicable to the *development* consistent with Section 156.0309(e).
- (c) ~~For development meeting the criteria for very low income in Section 143.0720(e)(2), the density bonus shall be calculated as set forth in Table 143-07B. The increased density shall be in addition to any other increase in density allowed in this division, up to a maximum combined~~

~~density increase of 25 percent. For development meeting the same criteria within the Centre City Planned District, the bonus shall apply to the maximum allowable floor area ratio applicable to the development consistent with Section 156.0309(e). For development meeting the criteria for low income in Section 143.0720(c)(+2), the density bonus shall be calculated as set forth in Table 143-07A.B. The increased density shall be in addition to any other increase in density allowed in this division, up to a maximum combined density increase of 50 percent. For development meeting the same criteria within the Centre City Planned District, the bonus shall apply to the maximum allowable floor area ratio applicable to the development consistent with Section 156.0309(e).~~

- (d) For development meeting the criteria for moderate income in Section 143.0720(d), the density bonus shall be calculated as set forth in Table 143-07C. The increased density shall be in addition to any other increase in density allowed in this division, up to a maximum combined density increase of ~~35~~ 50 percent. For development meeting the same criteria within the Centre City Planned District, the bonus shall apply to the maximum allowable floor area ratio applicable to the development consistent with Section 156.0309(e).
- (e) If the premises is located in two or more zones, the number of dwelling units permitted in the development is the sum of the dwelling units permitted in each of the zones. Within the development, the permitted number of dwelling units may be distributed without regard to the zone boundaries.
- (f) Where the development consists of two or more specifically identified parcels, whether contiguous or noncontiguous, the maximum number of dwelling units permitted on each parcel is calculated based on the area of that parcel.
- (g) Where the development consists of two or more noncontiguous parcels lying within two or more community planning areas, the dwelling units reserved at levels affordable by moderate income, low income or very low income households shall be distributed among community planning areas in the same proportion as the total number of dwelling units constructed within the development.

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§143.0730 Density Bonus in Exchange for Donation of Land

An applicant for a tentative map, parcel map, or residential development permit, may donate and transfer land to the City for development with affordable housing units, in exchange for a density bonus, in accordance with this division and pursuant to State Density Bonus Law.

§143.0740 Development Incentives for Affordable Housing Density Bonus Projects

The City shall process an incentive requested by an *applicant*, consistent with State Density Bonus Law and as set forth in this Section.

- (a) An incentive means any of the following:
- (1) A deviation to a *development* regulation;
 - (2) Approval of mixed use zoning in conjunction with a residential *development* provided that the commercial, office, or industrial uses:
 - (A) Reduce the cost of the residential *development*; and
 - (B) Are compatible with the proposed residential *development*; and
 - (C) Are compatible with existing or planned *development* in the area where the proposed residential *development* will be located.
 - (3) Any other incentive proposed by the *applicant*, other than those identified in Section 143.0740(c), that results in identifiable, financially sufficient, actual cost reductions.
- (b) Items not considered incentives by the City of San Diego include, but are not limited to the following:
- (1) A waiver of a required permit;
 - (2) A deviation from the requirements of the Coastal Height Limit Overlay Zone (Chapter 13, Article 2, Division 5);
 - (3) A waiver of fees or dedication requirements;
 - (4) A direct financial incentive;
 - (5) A deviation from the requirements of the City of San Diego Building Regulations;
 - (6) For projects required to notice the Federal Aviation Administration, an increase in height that has not received a determination of No Hazard to Air Navigation.
- (c) An incentive requested as part of a *development* meeting the requirements of Sections 143.0720 shall be processed according to the following:

- (1) Upon an *applicant's* request, *development* that meets the applicable requirements of Sections 143.0720 and 143.0725 shall be entitled to incentives pursuant to Section 143.0740 unless the City makes a written finding of denial based upon substantial evidence, of any of the following:
 - (A) The incentive is not required in order to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for affordable housing *dwelling units* in accordance with Section 143.0720(c);
 - (B) The incentive would have a specific adverse impact upon public health and safety as defined in Government Code section 65589.5, the physical environment, including *environmentally sensitive lands*, 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 *low income* and *moderate income* households;
 - (C) The incentive would be contrary to state or federal law. Requested incentives shall be analyzed in compliance with the California Environmental Quality Act as set forth in Chapter 12, Article 8, and no incentive shall be granted without such compliance; or
 - (D) Within the Coastal Overlay Zone, the incentive would be inconsistent with the resource protection standards of the City's Local Coastal Program and the *environmentally sensitive lands* regulations, with the exception of *density*.
- (2) Granting an incentive shall not require a General Plan amendment, zoning change, or other discretionary approval.
- (3) The decision process for a *development* requesting an incentive shall be the same decision process that would be required if the incentive were not a part of the *development* proposal.
- (4) The *development permit* requirement for a *development* requesting an incentive shall be the same *development permit* that would be required if the incentive were not a part of the *development* proposal.
- (5) Notwithstanding Sections 143.0740(c)(3) and (4), when a *development permit* is required, the decision to deny a requested

incentive shall be made by the decision maker for the *development permit*.

- (d) The number of incentives available are identified in Table 143-07A for *very low income*, Table 143-07B for ~~very~~ *low income*, and Table 143-07C for *moderate income* households consistent with the percentage of pre-density bonus units identified in column one of each table.

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Table 143-07BA
Very Low Income Density Bonus
Households

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Percent Very Low Income Units	Percent Density Bonus	Number of Incentives
5	20	1
6	22.5	
7	25	
8	27.5	
9	30	
10	32.5	2
11	35	
12	35 37.5	3
13	35 40	
14	35 42.5	
≥15	35 45	
16	35 47.5	
17 - 19	3550	34
20 - 24	3550	
≥25	50	
		35

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Table 143-07AB
Low Income Density Bonus
Households

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Percent Low Income units	Percent Density Bonus	Number of Incentives
10	20	1
11	21.5	
12	23	
13	24.5	
14	26	
15	27.5	
16	29	
17	30.5	
18	32	
19	33.5	
20	35	2
21	35 36.5	
22	35 38	

Percent <i>Low Income</i> units	Percent <i>Density Bonus</i>	Number of Incentives	
23	3549.5		
24	3541		
25	3542.5		
26	3544		
27	3545.5		
28	3547		
29	3548.5		
<u>≥30 - 39</u>	<u>3550</u>		3
<u>40 -49</u>	<u>3550</u>		34
<u>>50</u>	<u>3550</u>	35	

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Table 143-07C
Moderate Income Density Bonus
Households

Percent <i>Moderate Income</i> Units	Percent <i>Density Bonus</i>	Number of Incentives
10	5	1
11	6	
12	7	
13	8	
14	9	
15	10	
16	11	
17	12	
18	13	
19	14	
20	15	2
21	16	
22	17	
23	18	
24	19	
25	20	
26	21	
27	22	
28	23	
29	24	
30	25	3
31	26	
32	27	
33	28	
34	29	
35	30	
36	31	
37	32	

38	33	
39	34	
40	35	
41	36	
42	37	
43	38	
44	39	34
45	40	4
46	41	
47	42	
48	43	
49	44	
50	45	
51	46	
52	47	
53	48	5
54	49	
≥55	50	

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- (e) Child Care Center: *Development* that meets the criteria in Section 143.0720 and includes a child care center as defined in Section 141.0606(a)(2) as part of, or adjacent to, such *development* shall be entitled to an additional *density* bonus or incentive provided that:
- (1) The child care center remains in operation for the greater of 30 years, or the period of time established by Section 143.0720(c)(4);
 - (2) The percentage of children from *low, very low, or moderate income* households attending the child care center is equal to or greater than the percentage of those same households required in the residential *development*;
 - (3) The additional *density* bonus or incentive requested is either:
 - (A) An additional *density* bonus in an amount equal to the amount of square feet in the child care center up to a maximum combined *density* increase of 35 percent; or
 - (B) An additional incentive that contributes significantly to the economic feasibility of the construction of the child care center; and
 - (4) The City finds, based upon substantial evidence, that the community is inadequately served by child care centers.
- (f) Parking: In addition to any other incentive, and upon the request of an *applicant* the City shall apply the following regulations:

- (1) For a *development* that meets the criteria of Section 143.0720(d), the following vehicular parking ratios inclusive of handicapped and guest parking shall apply:
- (A) Zero to one bedroom: one onsite parking space
 - (B) Two to three bedrooms: two onsite parking spaces
 - (C) Four and more bedrooms: two and one-half parking spaces
 - (D) Additional reductions of 0.25 spaces per *dwelling unit* shall be granted for *development* that is at least partially within a *transit area* as described in Chapter 13, Article 2, Division 10 (Transit Area Overlay Zone), or that is subject to Chapter 13, Article 2, Division 11 (Urban Village Overlay Zone).

(2) Table 143-07D provides parking ratios for a *development* in accordance with the criteria for very low income and low income in Sections 142.0720(c) and 142.0720(d), rental housing for senior citizens in accordance with Section 142.0720(d), and the criteria in Table 143-07D.

Commented [dpn3]: This could change based on SDHC response to question on 143.0720(d).

Commented [dpn4]: Section 65915(p)(2) is silent on rental versus for-sale for VLI and LI in a mixed income development... so reduction goes to rental and for sale. Subsection (3) is clearly rental only of 100% VLI and LI. Then (3)(B) applies to senior rental.

Table 143-07D
Parking Reduction for Proximity to Transit

Product	Percent Affordable	Transit Requirement	Parking Ratio for Development
<u>For Sale or Rent Mixed Income</u> <ul style="list-style-type: none"> • <u>Very Low Income</u> • <u>Low Income</u> 	<p>11%</p> <p>20%</p>	<u>Within ½ mile of a rail station, a ferry terminal served by bus or rail service, or the intersection of two or more bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods, or a major transit stop included in the applicable regional transportation plan</u>	<p>0.5 spaces per bedroom</p> <p>0.5 spaces per dwelling unit</p>
<u>Rental Housing</u> <ul style="list-style-type: none"> • <u>Low & Very Low Income</u> 	<p>100%¹</p>		

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¹ Exclusive of manager's unit.

- (23) For a *development* that meets the criteria of Sections 142.0720(c) or (e), the following vehicular parking ratios inclusive of handicapped and guest parking shall apply:
- (A) The parking regulations set forth in Section 142.0527 shall apply for *dwelling units* that meet the criteria of Section

142.0527(a)(3). If these parking ratios are greater than the parking ratios set forth in Section 143.0740(f)(1) or 143.0740(f)(2), then the parking ratios in Section 143.0740(f)(1) or 143.0740(f)(2), whichever is lowest, shall apply.

(B) The parking requirements for all other *dwelling units* within a *development* that do not meet the requirements of Section 142.0527(a)(3) shall be determined in accordance with Section 143.0740(f) ~~(4)~~.

~~(34)~~ For purposes of this division, a *development* may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking or parking within a required front yard setback.

§143.0745 Locating Required Affordable Dwelling Units Off-site

A development employing the Affordable Housing Density Bonus Regulations may provide the required affordable housing *dwelling units* off-site in accordance with the following:

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(a) Off-site affordable housing *dwelling units* shall be located in the same community planning area and City Council District, or within one mile of the premises of the *development* that complies with the requirements of this Division.

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(b) Off-site affordable housing *dwelling units* not meeting the locational criteria in Section 143.0745(a) maybe approved with a Process Four Planned Development Permit in accordance with Section 126.0604(c).

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(c) Off-site affordable housing *dwelling units*, at a minimum, shall be same number of affordable housing *dwelling units*, at the same affordability levels, and the same bedroom mix as the *development*.

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(d) The *applicant* shall enter into an agreement(s) securing the off-site affordable units to the satisfaction of the President and Chief Executive of the San Diego Housing Commission prior to first building permit.

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§143.0750 Deviation to Allow for Additional Development Incentive

An applicant may request a deviation from the applicable development regulations as an additional development incentive for affordable housing pursuant to a Site Development Permit decided in accordance with Process Four provided that the *findings* in Section 126.0504(a) and the supplemental *findings* in Section 126.0504(1) are made.

§151.0201 Processing of Planned District Permits

Planned district permits will be processed in accordance with the Land Development Code as follows:

- (a) and (b) [No change in text.]
- (c) Where a planned district requires a discretionary planned district permit that is identified as a Process Three, Process Four, or Process Five decision, an applicant shall apply for a Site Development Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 5 (Site Development Permit Procedures), except that a *capital improvement program project*, as defined in Section 113.0103, shall be processed in accordance with Process CIP-Five. The findings required for approval will be the general findings for Site Development Permits in Land Development Code Section 126.0504(a), any applicable supplemental findings in Section 126.0504, and any additional findings provided in the planned district.
- (d) A development consistent with Chapter 14, Article 3 Division 7 (Affordable Housing Density Bonus Regulations) located in a planned district that requires a Process Three discretionary planned district permit shall be processed in accordance with Process Two Neighborhood Development Permit. The findings required for approval will be the general findings for Site Development Permits in Land Development Code Section 126.0504(a), any applicable supplemental findings in Section 126.0504, and any additional findings provided in the planned district.
- (~~e~~) Where Section 151.0401 requires a Neighborhood Use Permit, an ~~applicant~~ *applicant* shall apply for a Neighborhood Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 2 (Neighborhood Use Permit Procedures). The findings required for approval will be the general findings for Neighborhood Use Permits in Land Development Code section 126.0205 and any additional findings provided in the planned district.
- (~~e~~f) Where Section 151.0401 or the planned district requires a Conditional Use Permit, an ~~applicant~~ *applicant* shall apply for a Conditional Use Permit in accordance with Land Development Code Chapter 12, Article 6, Division 1 (General Development Permit Procedures) and Division 3 (Conditional Use Permit Procedures). The findings required for approval will be the general findings for Conditional Use Permits in Land Development Code Section 126.0305 and any additional findings provided in the planned district.

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