

EXHIBIT B:
**REVISIONS TO S-13 AFFORDABLE HOUSING COMBINING ZONE
REGULATIONS**

The Oakland Planning Code (Title 17 of the Oakland Municipal Code) is proposed to be amended as follows. Additions are shown in underline and deletions are shown in ~~strikethrough~~. Note that only the relevant code subsections being amended are included and unamended portions of tables are omitted.

Chapter 17.95 S-13 AFFORDABLE HOUSING COMBINING ZONE REGULATIONS

17.95.020 Affordability Thresholds

By Right Residential Approval as defined in Oakland Planning Code Section 17.09.040 under the S-13 Combining Zone shall apply to either of the following:

(A) Developments that include one hundred percent (100%) affordable housing units, other than manager's units, (as defined in Oakland Planning Code Section 17.09.040), restricted to extremely low-, very low-, low-, and/or moderate-income households (as defined in California Health and Safety Code Sections 50093, 50105, and 50106, and in Oakland Planning Code Section 17.09.040); ~~or~~

(B) Projects proposing to utilize the By Right Residential Approval provisions in this chapter on a parcel less than fifteen thousand (15,000) square feet must provide affordable housing units that meet the following criteria:

- (A) (1) At least twenty percent (20%) of the housing units are restricted to very low-income or lower ~~er~~-income households; and
- (B) (2) At least twenty percent (20%) of the housing units are restricted to moderate-income households.

17.95.070 Additional Incentives.

In addition to the automatic relaxation of property development standards as described in Section 17.95.060, an applicant utilizing the By Right Residential Approval provisions under this chapter for a qualifying affordable housing project may submit to the city a proposal for up to three additional development incentives that contribute significantly to the economic feasibility of the construction of affordable housing. The requested incentive(s) shall not pertain to the allowable height or setbacks of the proposal but may otherwise pertain to any applicable objective development standard in the Planning Code. The applicant must include in the incentive proposal documentation that the granting of the incentive provides identifiable and actual cost reductions to the project. Incentive requests complying with the requirements of this section shall be granted unless the City establishes

that the incentive would have a specific adverse impact on public health and safety or would be contrary to state or federal law.