

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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July 24, 2025

Lisa Webber, Deputy Director of Project Planning  
Los Angeles City Planning  
200 North Spring Street, Suite 525  
Los Angeles, CA 90012

Dear Lisa Webber:

**RE: City of Los Angeles – State Density Bonus Law (SDBL) and Base Density  
Determination – Letter of Technical Assistance**

This letter provides technical assistance to the City of Los Angeles (City) regarding the interpretation of maximum allowable residential density (base density) to determine project eligibility under the State Density Bonus Law (SDBL).<sup>1</sup>

The California Department of Housing and Community Development (HCD) has previously issued multiple technical assistance letters to the City related to this matter. However, upon receiving additional requests for assistance, and following further conversations with the City, HCD wishes to provide clarification on this topic. The additional requests stem from ongoing confusion about how density provisions across competing City documents (including the zoning code, community plans, and SDBL implementation memos) should be interpreted for the purposes of determining base density.

**Background**

**AB 2334 and the SDBL**

AB 2334 (Chapter 651, Statutes of 2022, effective January 1, 2023) clarified the definition of base density under the SDBL to mean: “[T]he maximum 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, it means the maximum number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project.”<sup>2</sup>

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<sup>1</sup> Gov. Code, § 65915.

<sup>2</sup> Gov. Code, § 65915, subd. (o)(6).

In addition, AB 2334 expanded the definition of “development standard” to include “a minimum lot area per unit requirement.”<sup>3</sup> Under the SDBL, a city and/or county cannot apply any development standard that will “have the effect of physically precluding the construction of a development” that meets the eligibility criteria under Government Code section 65915, subdivision (b) at the densities allowed under the statute.<sup>4</sup> Furthermore, to be a development that qualifies for the SDBL under subdivision (b), a project must propose at least five residential units in its base density.<sup>5</sup>

### General Plan Land Use Element

HCD understands that the City’s General Plan is comprised of 34 individual Community Plan Areas, and each Community Plan consists of a policy document and a land use map.<sup>6</sup> Each Community Plan includes various density-related components, summarized below:

- **Plan Population and Dwelling Unit Capacity Table.** Some, but not all, Community Plans include a table titled “Plan Population and Dwelling Unit Capacity” that lists each available residential land use designation in the Community Plan Area and identifies a corresponding “dwelling units per net acre” density range and midpoint for each land use designation. The table identifies the reasonable expected population and dwelling unit count for a future planned year, using the midpoint value. City Planning staff informed HCD that the table is referenced for purposes of environmental impact analysis and the City does not consider the range nor the midpoint identified in the “dwelling units per net acre” column to indicate the base density for the purposes of the SDBL. Furthermore, it is HCD’s understanding that the City has been phasing out this table as Community Plans are updated to avoid confusion with the SDBL.
- **General Plan Land Use Map Corresponding Zones.** In the general plan land use map, the legend identifies each available land use designation within the Community Plan Area and its corresponding zone(s). Notably, the corresponding zone(s) may not match all of the actual zoning districts represented within the land use designation. For example, a parcel with a land use designation of Low Medium II in the Wilshire Community Plan may be zoned RD3, although RD3 is not listed in the range of corresponding zones for that land use designation.

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<sup>3</sup> Gov. Code, § 65915, subd. (o)(2).

<sup>4</sup> Gov. Code, § 65915, subd. (e).

<sup>5</sup> Gov. Code, § 65915, subd. (i).

<sup>6</sup> City of Los Angeles, Existing Community Plans. Available at: <https://planning.lacity.gov/plans-policies/community-plans>.

Since 2017, the City has published several implementation memos related to the SDBL and the City's Affordable Housing Incentive Program (AHIP).<sup>7</sup> In the implementation memo dated January 31, 2023 regarding "Implementation of 2022 State Density Bonus Laws – AB 2334, AB 1551, AB 682," the memo states: "If the [General Plan Land Use] designation allows for greater density through one of the corresponding zones in the permitted range, then it shall be used to calculate maximum allowable residential density for density bonus projects. This definition applies to properties that may have zoning limitations or prohibitions on residential use."<sup>8</sup>

### Zoning - Residential Density

HCD understands that the City's zoning "typically determines density using the minimum lot area per dwelling unit, which can be converted to a units per acre standard,"<sup>9</sup> or—where no "minimum lot area per dwelling unit" standard exists—a combination of the minimum lot area and the allowable residential use(s) as a proxy for residential density. For example:

- The RD2 zone requires a minimum lot area per unit of 2,000 square feet,<sup>10</sup> or approximately 21.8 units per acre.
- The RZ2.5 zone does not contain a "minimum lot area per unit" standard but has a minimum lot area standard of 2,500 square feet and permits only one-family uses.<sup>11</sup> Therefore, the base density is 1 unit per 2,500 square feet, or approximately 17.4 units per acre.

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<sup>7</sup> City of Los Angeles, Citywide Housing Incentive Program. Available at: <https://planning.lacity.gov/plans-policies/citywide-housing-incentive-program>.

<sup>8</sup> City of Los Angeles, "Implementation of 2022 State Density Bonus Laws – AB 2334, AB 1551, AB 682," p. 2. January 31, 2023. Available at: [https://planning.lacity.gov/odocument/ce5fae12-a3da-4046-a8b8-2ceb858cbb40/AB%202334,%201551,%20682%20\(2022\)%20Density%20Bonus%20Memo.pdf](https://planning.lacity.gov/odocument/ce5fae12-a3da-4046-a8b8-2ceb858cbb40/AB%202334,%201551,%20682%20(2022)%20Density%20Bonus%20Memo.pdf).

<sup>9</sup> *Id.*

<sup>10</sup> RD Restricted Density Multiple Dwelling Zone. Available at: [https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lamc/0-0-0-109838](https://codelibrary.amlegal.com/codes/los_angeles/latest/lamc/0-0-0-109838).

<sup>11</sup> RZ Residential Zero Side Yard Zone. Available at: [https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lamc/0-0-0-109659](https://codelibrary.amlegal.com/codes/los_angeles/latest/lamc/0-0-0-109659).

## Analysis

### ***How is a project's base density calculated for the purposes of determining SDBL eligibility and density bonus in the City of Los Angeles?***

The base density depends on the available density standards in the applicable zoning ordinance, specific plan, general plan land use element, and corresponding zones in the general plan land use map, with consideration for the uses permitted in the underlying zoning ordinance and each corresponding zone. See Figure 1: City of Los Angeles Base Density Calculation Methodology, which generally describes the following order of operations in determining the base density:

- Step 1.** If the underlying zone, general plan land use or corresponding zone(s), or specific plan provide a density standard expressed in “dwelling units per acre,” excluding the “Plan Population and Dwelling Unit Capacity” table, then the base density is the greatest number of units allowed among the three planning documents applicable to the project.<sup>12</sup>
- Step 2.** If there is no “dwelling units per acre” standard available, the City may determine the base density as the greatest number of units allowed as derived from the “minimum lot area per unit” standard for either the underlying zone, or a corresponding zone if the corresponding zone allows for a greater density. Where a zone does not specify a “minimum lot area per unit” standard, the density may be derived from a combination of the “minimum lot area” standard and the highest density residential use permitted in the zoning district.

While HCD encourages the City to use a “dwelling units per acre” standard to establish residential density, and the SDBL does not specifically contemplate the use of “minimum lot area per unit” or “minimum lot area” standards as a proxy for residential density, HCD understands that such practice currently exists in the City.

- Step 3.** Where the zoning, general plan land use and corresponding zones, and specific plan all lack a “dwelling units per acre,” “minimum lot area per unit,” and “minimum lot area” standard, then the base density is calculated by “[e]stimating the realistic development capacity of the site based on the objective development standards applicable to the project” while “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....”<sup>13</sup>

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<sup>12</sup> Gov. Code, § 65915, subd. (o)(6).

<sup>13</sup> Gov. Code, § 65915, subd. (o)(6)(A).

***Can an applicant “mix and match” a residential use that is permitted in an underlying or corresponding zone with a base density from a separate corresponding zone?***

Generally, no. The permitted uses of the corresponding zone may differ from the permitted uses in the underlying zone, and the City is not required to approve a permitted use from one zone and a base density from another.<sup>14</sup>

For example, in the Wilshire Community Plan, a project zoned RD3 has a land use designation of Low Medium II, which corresponds to RW2 and RD1.5 zones.<sup>15</sup>

- RW2 contains a minimum lot area per unit of 1,150 square feet (or 37.9 units per acre) and permits one- and two-family residential uses.
- RD1.5 contains a minimum lot area per unit of 1,500 square feet (or 29.04 units per acre) and permits one- and two-family residential and multiple dwelling uses.

Therefore, for the purposes of the SDBL, the City is not required to allow a multiple dwelling use development utilizing the RW2 density, since multiple dwelling uses are not permitted in RW2.

***Can an applicant apply a waiver through the SDBL to reduce or eliminate the “minimum lot area per unit” or “minimum lot area” standard (minimum lot area standards)?***

It depends.

Government Code section 65915, subdivision (e)(1) provides that an applicant may propose a waiver of a development standard that would otherwise physically preclude a development that utilizes the SDBL by including the relevant percentage of affordable or senior housing in the project. Subdivision (o)(1) specifically lists “minimum lot area per unit” as an example of a development standard that may be waived. Therefore, an applicant *can* request a waiver of the minimum lot area standards for the purpose of accommodating the units permitted by the density bonus.

However, a housing development project must first be determined eligible for the SDBL (i.e., at least five residential units in its base density). In other words, an applicant *cannot* increase a housing project’s base density by waiving the minimum lot area standards (or

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<sup>14</sup> With the exception that the SDBL requires the City to grant a concession or incentive to approve a compatible “mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development.” See Gov. Code, § 65915, subds. (d)(1) and (k)(2).

<sup>15</sup> Wilshire General Plan Land Use Map. Available at:  
<https://planning.lacity.gov/odocument/2ec22248-3c1e-4354-b5d1-096cdf9845ab/wilplanmap.pdf>.

any other development standards) used for the purpose of deriving its base density, but *can* request a waiver of the minimum lot area standards to facilitate the density bonus project once the base density has been established and the project has qualified for the SDBL.

## Conclusion

For the purposes of the SDBL, the applicable base density for a project depends on the available density standards in the applicable zoning ordinance, specific plan, and general plan land use element and the corresponding zones in the General Plan land use designation. In addition, the City is generally not required to approve a permitted use and a base density from different underlying or corresponding zones. Finally, while a “minimum lot area per unit” or “minimum lot area” standard may be waived for a qualifying SDBL project, the standard cannot be waived for the purpose of deriving the base density.

HCD continues to be responsible for enforcing and providing guidance on state housing laws in California, including the SDBL. HCD may review local government actions for consistency with these laws and may notify the California Office of the Attorney General if a local government is in violation of state law.<sup>16</sup>

Please respond by August 22, 2025, to indicate actions and timelines that the City will take to implement HCD’s technical guidance on this matter. If you have any questions or need additional information, please contact Grace Wu at [grace.wu@hcd.ca.gov](mailto:grace.wu@hcd.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Zisser', with a stylized flourish extending to the right.

David Zisser  
Assistant Deputy Director  
Local Government Relations and Accountability

Attachment

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<sup>16</sup> Gov. Code, § 65585, subd. (j).

**Figure 1: City of Los Angeles Base Density Calculation Methodology**

