

Supportive Housing Updates Checklist

State Planning and Zoning Law was updated in September of 2018 with the passing of **AB 2162 (Chiu, 2018)**.

AB 2162 added Article 11 (commencing with Section 65650 of the Government Code) pertaining to supportive housing regulations and prescribes the following:

- Provides a “by right” process and expedited review for supportive housing
- Prohibits local governments from requiring a conditional use permit or other discretionary approval of 100 percent affordable developments that include a percentage of supportive housing units (either 25 percent or 12 units whichever is greater)
- Applies to sites that are zoned for residential use in zones where multifamily and mixed uses are permitted, including in non-residential zones permitting multifamily uses
- Requires developers to include facilities and on-site supportive services for residents of the supportive housing units
- Requires developers to provide the local government the name of the service provider, staffing levels, and funding sources for the supportive services

The set of questions below will allow jurisdictions to determine whether updates to their zoning regulations are needed for consistency with current state regulations.

QUESTION	YES	NO	UPDATES NEEDED?
1. Does the current ordinance allow supportive housing as a by right use ¹ in all zones where multifamily and mixed uses are permitted?			If no is checked
2. Does the current ordinance allow supportive housing as a by right use ¹ in non-residential zones where all the following requirements are met? <ul style="list-style-type: none">- Units are subject to a recorded affordability restriction for 55 years.- 100 percent of the units (except manager units) are dedicated to lower income households and are receiving public funding to ensure affordability.- At least 25 percent of the units or 12 units, which is more, are restricted to residents in supportive housing. If development is less than			If no is checked <i>Note: See detailed requirements in Government Code Section 65651(a)</i>

¹ For jurisdictions with a population of fewer than 200,000 and a population of persons experiencing homelessness of 1,500 or fewer, the by right provision shall apply to projects of 50 or fewer units. However, a jurisdiction may elect to allow projects greater than 50 units as by right uses in accordance with Government Code Section 65651(d).

QUESTION	YES	NO	UPDATES NEEDED?
<p>12 units then 100 percent of units (except manager units) are restricted to residents in supportive housing.</p> <ul style="list-style-type: none"> - Non-residential floor area shall be provided in the development for on-site supportive services in the following amounts: <ul style="list-style-type: none"> • A minimum of 90 square feet for developments that are 20 or fewer units. • At least 3 percent of the total non-residential floor area for developments that are greater than 20 units. - Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of the supportive housing units. - The units (except manager units) includes at least one bathroom and a kitchen or other cooking facilities. 			
3. Does the current ordinance require supportive housing developments to comply only with those written objective standards or policies required of other multifamily developments in the same zone?			If no is checked
4. Does the current ordinance require the developer to provide a plan for providing supportive services, including all the following information? <ul style="list-style-type: none"> - Documentation that supportive services will be provided on-site. - The name of the proposed entities that will provide supportive services. - The proposed funding sources for the services provided. - Proposed staffing levels. 			If no is checked
5. Does the current ordinance waive minimum parking requirements for supportive housing developments located within one-half mile of a public transit stop?			If no is checked