# Sample Ordinance: Supportive Housing

### Section xx.xx.010: Purpose

The purpose of this chapter is to establish development standards for supportive housing and to ensure the supportive housing is constructed and operated in a manner that is consistent with the requirements and allowances of state law, specifically Article 11 of Chapter 3 of Division 1 of Planning and Zoning Law commencing with Government Code Section 65650.

**Note to user:** Jurisdictions should specify which of their permit types would be required (e.g., zone clearance, site plan review – as long as it is ministerial) and may refer to their own applicable procedures already established elsewhere in the code.

### Section xx.xx.020: Applicability

The provisions of this chapter shall apply to all supportive housing projects.

### Section xx.xx.030: Permit Required

A planning permit is required prior to establishment of any supportive housing project meeting either of the following criteria. The permit shall be a ministerial action without discretionary review or a hearing. Action shall be taken within 60 days of a complete application being filed.

**Note to user:** Jurisdictions have the option to allow supportive housing without discretionary review in more zones beyond what is required by state law as written here.

**Note to user:** For projects with more than 50 units the 60 days increases to 120 days.

* 1. Supportive housing projects in all zones where multifamily and mixed uses are permitted.
  2. Supportive housing projects in non-residential zones where all the following requirements are met:

**Note to user:** 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).

For supportive housing projects that do not meet these criteria, the jurisdiction can elect to provide for discretionary approvals.

* + 1. Units within the development are subject to a recorded affordability restriction for 55 years.
    2. One hundred percent of the units, excluding the manager unit(s), within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income Californians.
    3. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding manager unit(s), in the development shall be restricted to residents in supportive housing.
    4. Non-residential floor area shall be used for on-site supportive services in the following amounts:
       1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
       2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
    5. The developer replaces any dwelling units on the site of the supportive housing development to ensure that 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 any supportive housing units.
    6. Units within the development, excluding manager unit(s), include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

### Section xx.xx.040: Development and Operational Standards

Supportive housing projects shall comply with all the following standards:

* 1. The project may be required to comply with any written objective standards or policies also required of multifamily developments in the same zone.
  2. The applicant shall submit a plan for providing supportive services, to include all the following items:
     1. Documentation that supportive services will be provided on-site.
     2. The name of the proposed entities that will provide supportive services.
     3. The proposed funding sources for the services provided.
     4. Proposed staffing levels
  3. No minimum parking requirements shall be required for the units occupied by supportive housing residents for projects located within one-half mile of a public transit stop.

### Section xx.xx.050: Definitions

This section includes the definition of terms and phrases used in this chapter that are technical or specialized, or that may not reflect common usage. If any of the definitions in this chapter conflict with definitions in other provisions of the Municipal Code, these definitions shall control for the purposes of this chapter. If a word is not defined in this chapter or is defined and conflicts with another definition of the Municipal Code, the Director shall determine the most appropriate definition.

**Lower Income Households.** This term shall have the same meaning as defined in Section 50079.5 of the Health and Safety Code.

**Supportive Housing.** Housing with no limit on length of stay, that is occupied by the target population, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

**Supportive Services.** Services would include, but are not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

**Target Population.** Persons, including persons with disabilities, and families who are homeless, as that term is defined by Section 11302 of Title 42 of the United States Code, or who are homeless youth, as that term is defined by paragraph (2) of subdivision (e) of Section 11139.3 of the Government Code.