



Permanent Supportive Housing By Right Processing (Chapter 753, Statutes of 2018 (AB 2162))

Fact Sheet

Introduction

AB 2162 (Chapter 753, statutes of 2018) streamlines and expedites the approval of supportive housing to better address the need of Californians experiencing homelessness. Specifically, AB 2162 requires supportive housing to be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria.

Highlights

- Supportive housing shall be a use by right as defined by Government Code Section 65583.2(i).
- A local government is required to notify the developer whether the application is complete within 30 days of receipt of an application to develop supportive housing.
- After the application is complete, local governments shall complete its review of the application within 60 days for smaller projects (50 or fewer units) and 120 days for larger projects (more than 50 units).
- Local governments shall **not** impose any minimum parking requirements for units occupied by supportive housing residents if the development is located within ½ mile of a public transit stop.
- New provisions under AB 2162 are **in addition** to current housing element law that considers transitional and supportive housing a residential use and subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.
- This article applies to all cities and counties, including charter cities and counties.

Excerpt from Government Code Section 65583.2(i)

“use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code

Additional Resources

For the full text and requirements of AB 2162, visit California’s legislative information website at <http://leginfo.legislature.ca.gov/>. If you have any questions or would like additional information or technical assistance, please email Hillary Prasad at Hillary.Prasad@hcd.ca.gov.