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**TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]** ( *Heading of Title 7 amended by Stats. 1974, Ch. 1536. )*

**DIVISION 1. PLANNING AND ZONING [65000 - 66342]** ( *Heading of Division 1 added by Stats. 1974, Ch. 1536. )*

**CHAPTER 3. Local Planning [65100 - 65763]** ( *Chapter 3 repealed and added by Stats. 1965, Ch. 1880. )*

**ARTICLE 11. Supportive Housing [65650 - 65656]** ( *Article 11 added by Stats. 2018, Ch. 753, Sec. 3. )*

**65650.** For purposes of this article, the following definitions shall apply:

(a) "Administrative office space" means an organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purpose of providing onsite supportive services at a supportive housing development authorized pursuant to this Article and includes other nonprofit operations beyond the scope of the corresponding supportive housing development. "Administrative office space" includes parking necessary to serve the office space.

(b) "Supportive housing" shall have the same meaning as defined in Section 50675.2 of the Health and Safety Code, and includes nonresidential uses and administrative office space as provided in paragraph (5) of subdivision (a) of Section 65651. "Supportive housing" specifically includes transitional housing for youth and young adults.

(c) "Supportive services" shall have the same meaning as defined in Section 65582.

(d) "Target population" shall have the same meaning as defined in Section 50675.14 of the Health and Safety Code.

(e) "Use by right" shall have the same meaning as defined in subdivision (i) of Section 65583.2.

(*Amended by Stats. 2024, Ch. 683, Sec. 1. (AB 1801) Effective January 1, 2025.*)

**65651.** (a) Supportive housing shall be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development satisfies all of the following requirements:

(1) Units within the development are subject to a recorded affordability restriction for 55 years.

(2) One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.

(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 managers' units, in the development shall be restricted to residents in supportive housing.

(4) The developer provides the planning agency with the information required by Section 65652.

(5) Nonresidential floor area shall be used for onsite supportive services and administrative office space in the following amounts:

(A) For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.

(B) For a development with more than 20 units, at least 3 percent of the total 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.

(C) The total floor area dedicated to administrative office space shall not exceed 25 percent of the total floor area.

(6) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.

(7) Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

(b) (1) The local government may require a supportive housing development subject to this article to comply with written, objective development standards and policies. However, the local government shall only require the development to comply with the objective development standards and policies that apply to other multifamily development within the same zone.

(2) The local government's review of a supportive housing development to determine whether the development complies with objective development standards, including objective design review standards, pursuant to this subdivision shall be conducted consistent with the requirements of subdivision (f) of Section 65589.5, and shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(3) Any discretion exercised by a local government in determining whether a project qualifies as a use by right pursuant to this article or discretion otherwise exercised pursuant to this section does not affect that local government's determination that a supportive housing development qualifies as a use by right pursuant to this article.

(c) Notwithstanding any other provision of this section to the contrary, the local government shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:

(1) The owner demonstrates that it has made good faith efforts to find other sources of financial support.

(2) Any change in the number of supportive housing units is restricted to the minimum necessary to maintain the project's financial feasibility.

(3) 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.

(d) If the proposed housing development is located within a city with a population of fewer than 200,000 or the unincorporated area of a county with a population of fewer than 200,000, and the city or the unincorporated area of the county has a population of persons experiencing homelessness of 1,500 or fewer, according to the most recently published homeless point-in-time count, the development, in addition to the requirements of subdivision (a), shall consist of 50 units or fewer to be a use by right pursuant to this article. A city or county described in this subdivision may develop a policy to approve as a use by right proposed housing developments with a limit higher than 50 units. A policy by a city or county to approve as a use by right proposed housing developments with a limit higher than 50 units does not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(e) This article does not prohibit a local government from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to housing developments. However, a local government shall not adopt any requirement, including, but not limited to, increased fees or other exactions, that applies to a project solely or partially on the basis that the project constitutes a permanent supportive housing development or based on the development's eligibility to receive ministerial approval pursuant to this article.

*(Amended by Stats. 2024, Ch. 683, Sec. 2. (AB 1801) Effective January 1, 2025.)*

**65652.** A developer of supportive housing subject to this article shall provide the planning agency with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, as required by Section 65651, and describing those services, which shall include all of the following:

(a) The name of the proposed entity or entities that will provide supportive services.

(b) The proposed funding source or sources for the provided onsite supportive services.

(c) Proposed staffing levels.

*(Added by Stats. 2018, Ch. 753, Sec. 3. (AB 2162) Effective January 1, 2019.)*

**65653.** (a) The local government shall approve a supportive housing development that complies with the applicable requirements of this article.

(b) The local government shall notify the developer whether the application is complete within 30 days of receipt of an application to develop supportive housing in accordance with this article. The local government shall complete its review of the application within

60 days after the application is complete for a project with 50 or fewer units, or within 120 days after the application is complete for a project with more than 50 units.

*(Added by Stats. 2018, Ch. 753, Sec. 3. (AB 2162) Effective January 1, 2019.)*

**65654.** If the supportive housing development is located within one-half mile of a public transit stop, the local government shall not impose any minimum parking requirements for the units occupied by supportive housing residents.

*(Added by Stats. 2018, Ch. 753, Sec. 3. (AB 2162) Effective January 1, 2019.)*

**65655.** This article shall not be construed to do either of the following:

(a) Preclude or limit the ability of a developer to seek a density bonus, including any concessions, incentives, or waivers of development standards, from the local government pursuant to Section 65915 or any other local program that offers additional density or other development bonuses when affordable housing is provided.

(b) Expand or contract the authority of a local government to adopt or amend an ordinance, charter, general plan, specific plan, resolution, or other land use policy or regulation that promotes the development of supportive housing.

*(Amended by Stats. 2020, Ch. 165, Sec. 6. (SB 1030) Effective September 25, 2020.)*

**65656.** The Legislature finds and declares that, by adoption of Proposition 2 at the November 6, 2018, statewide general election, the voters expressly approved of the development of permanent supportive housing pursuant to the No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code). The Legislature further finds and declares that the provision of adequate supportive housing to help alleviate the severe shortage of housing opportunities for people experiencing homelessness in this state and of necessary services to the target population described in Section 50675.14 of the Health and Safety Code, and that ensuring the development of permanent supportive housing in accordance with programs such as the No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code) by removing zoning barriers that would otherwise inhibit that development, are matters of statewide concern and are not municipal affairs as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this article applies to all cities, including charter cities.

*(Amended by Stats. 2019, Ch. 346, Sec. 4. (SB 744) Effective January 1, 2020.)*