



SUPPORTIVE HOUSING STREAMLINED APPROVAL PROCESS PURSUANT TO CALIFORNIA STATE ASSEMBLY BILL 2162: Information Handout and Application Checklist

WHAT IS ASSEMBLY BILL 2162?

California Assembly Bill No. 2162 (AB-2162) was signed by Governor Jerry Brown on September 26, 2018 and became effective January 1, 2019. AB-2162 applies statewide and requires that supportive housing be a use that is permitted by right in zones where multifamily and mixed-use development is permitted. AB-2162 amends [Government Code Section 65583](#) (Housing Element Requirements) and adds [Article 11, Sections 65650-65656](#) (Supportive Housing) to require local entities to streamline the approval of housing projects containing a minimum amount of Supportive Housing by providing a ministerial approval process, removing the requirement for CEQA analysis and removing the requirement for Conditional Use Authorization or other similar discretionary entitlements granted by the Planning Commission.

The following is a summary description of the supportive housing streamlined approval process and eligibility criteria.

WHAT IS SUPPORTIVE HOUSING?

Supportive Housing is defined as housing with no limit on the length of stay, that is occupied by the target population, and is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. Target populations include homeless individuals, youth and families, and people with disabilities. ([CA-HSC 50675.14](#)).

WHAT IS SUPPORTIVE HOUSING STREAMLINED APPROVAL?

AB-2162 requires local entities to streamline the approval of eligible housing projects by providing a ministerial approval process and by removing the requirements for CEQA analysis, Conditional Use Permit authorization or other entitlements granted by the City. However, while the process may be streamlined, projects must still comply with all existing zoning and objective design standards adopted in Petaluma. Additionally, this is a voluntary program that a prospective property developer may elect to pursue.

IS MY PROJECT ELIGIBLE FOR MINISTERIAL APPROVALS THROUGH THIS PROGRAM?

California housing law is regularly amended. This application presents information that was current as of the most recent update. Applicants are advised to review the relevant government code sections referenced below to confirm eligibility. In order to be eligible for streamlining, the project must meet all of the following criteria:

1. **Affordability:** The project must comply with required affordability standards as specified in California Government Code 65651. At the time of writing, 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](#). Units within the development are subject to a recorded affordability restriction for 55 years.
2. **Supportive Housing:** 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.

3. **Supportive Services:** A developer of supportive housing 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, and describing those services per Section 65652 as follows:
 - 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.
4. **Nonresidential Floor Area:** Nonresidential floor area shall be used for onsite supportive services 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 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. **No Net Loss:** If the project demolishes any existing residential unit, then the project must include replacement unit(s) in the Supportive Housing Development in the manner described in CA Govt. Code [Section 65915\(c\)\(3\)](#).
6. **Amenities:** 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.
7. **Zoning and Residential Uses:** The project must be in a District that allows for multifamily (2 or more units) or mixed-use zoning.
8. **Consistent with Objective Standards:** The project must meet all objective standards of the City's objective zoning and design review standards at the time of application submittal. Such objective standards are those such as objective dimensional or stylistic requirements that require no personal or subjective (discretionary) judgment to enforce.
9. **Historic Resources:** AB 2162 does not include any specific protections for historic resources that are listed on local, state or national register. However, any objective standards that are indicated in the underlying entitlement process otherwise will apply to the project. For example, the State Density Bonus Law prohibits projects from seeking waivers, incentives or concessions that would have a specific, adverse impact upon any real property listed in the California Register of Historic Resources for which there is no feasible method to mitigate the impact.



STATE DENSITY BONUS PROJECTS

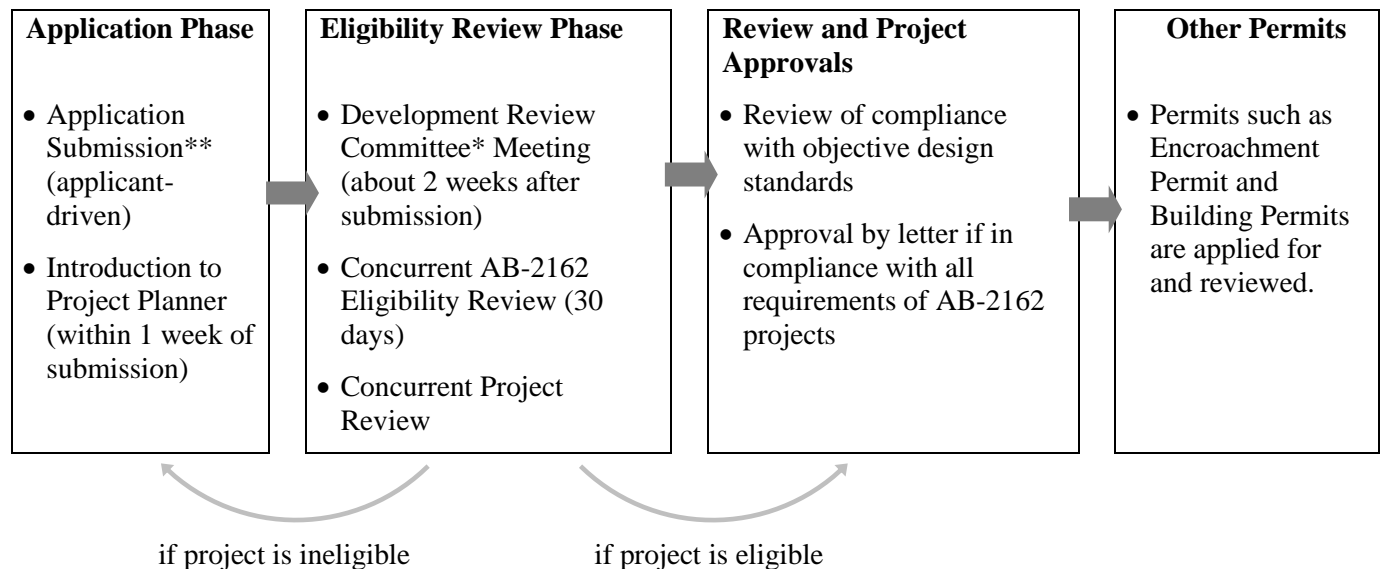
Projects that use the State Density Bonus Program and meet all other eligibility requirements above qualify for streamlining under AB-2162. Any waivers, concessions, or incentives, conferred through the State Density Bonus Law as detailed in Chapter 27 of Petaluma’s Implementing Zoning Ordinance are considered code-complying, and therefore are consistent with the objective standards of the Planning Code. Note that the 50% of sub-80% AMI affordable units that qualify project for AB-2162 streamlining are calculated prior to applying the density bonus.

APPLICATION PROCESS

Prior to submitting an application for the AB-2162 review process applicants are encouraged to schedule a preliminary project discussion with Planning Division Staff to assess eligibility. Projects that elect to apply for streamlined project review as stipulated in AB-2162 must submit the AB-2162 Application included in this document, as well as a General Application. The applications shall be accompanied by any maps and supporting documents, including a site plan, floor plans, elevations, exterior material details and colors, and any other drawings that are required by this application. Documents can be submitted at the Planning Division under the same procedure as other Planning review submittals. When speaking with a planner please indicate that this is an AB-2162 submittal. CEQA review is not required for AB-2162 eligible projects because they are subject to a ministerial approval process and the building permit will not be subject to any applicable neighborhood notice requirements.

In compliance with Section 65653, Petaluma will notify the applicant whether the application is complete within 30 days of receipt of an application to develop supportive housing in accordance with this article. The City shall also complete its review of the application within 60 days after the application is deemed 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.

Any project that has been approved using the AB-2162 review process may then apply for building permits.



* The Development Review Committee (DRC) is made up of representatives from various City departments, who will review your project and identify any issues (but is not the decision-making body for project approval). You will be invited to an internal DRC meeting approximately 2 weeks after project submission, to ask or answer any questions. The DRC meeting is not a public hearing.

** The applicant is responsible for all costs associated with processing the application.



CRITERIA FOR PROJECT REVIEW

The Planning Division will review the exhibits included in the application submittal and based on those documents, evidence submitted, and objective design standards, either approve the project as applied for or disapprove the project on the grounds of violations of established objective standards. In taking action, the Planning Division shall consider the following:

1. The objective standards in the General Plan, Implementing Zoning Ordinance and Petaluma SmartCode.
2. Approved City Landscaping standards. Existing trees shall be preserved wherever possible, removal of trees will be subject to [Chapter 17 of the Implementing Zoning Ordinance](#).
3. Ingress, egress, internal traffic circulation, off-street parking facilities and pedestrian ways designed so as to promote safety and convenience, and shall conform to approved City standards. Per California Government Code Section 65654, if the supportive housing development is located within one-half mile of a public transit stop (SMART Station), there is no minimum parking requirement for any units occupied by supportive housing residents.
4. If applicable per Chapter 18 of the IZO, public art should be integrated into development project planning at the earliest possible stage, and artists selected should become a member of a development project's design team early in the design process. See [Chapter 18 of the Implementing Zoning Ordinance](#).

BUILDING PERMITTING

The Building Permitting process will follow the standard process for project review and approval. If the project submitted for building permitting differs substantially from the original submission, the Planning Division will re-certify the project for eligibility and re-review the project's design using the same timeframe as above.

Prior to issuing a building permit the City of Petaluma may require changes to the development that are necessary to:

- Comply with Petaluma's objective uniform construction codes (including, without limitation building, plumbing, electrical, fire, and grading codes)
- Comply with Federal or state laws
- Mitigate a specific, adverse impact upon the public health or safety when there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without modifying the development.



STREAMLINED SUPPORTIVE HOUSING DEVELOPMENT: AB-2162 APPLICATION

PROPERTY INFORMATION

Address/Location: _____

Assessor's Parcel No.: _____

PROJECT DESCRIPTION

Is this a 100% Affordable Housing Project?: Yes No

Will the Project use AB-2162 in conjunction with the State Density Bonus?: Yes No

Project Narrative: Please provide an attached narrative project description that summarizes the project and its purpose. Please include the AMI levels of the populations to be served in the development and describe the project's intended program. Describe the design program, the designer's approach, and how the architectural, landscape and other elements have been integrated in compliance with the City's objective standards. The relationship of the project to adjacent properties and to the adjacent streets should be expressed in design terms. Define the site, building design, and landscape concepts in terms of site design goals and objectives, pedestrian circulation, outdoor-use areas, visual screening and enhancements, conservation of natural resources, mitigation of negative site characteristics, and off-site influences.

Proposed Unit Count: _____

Proposed Affordable Unit Count and AMI Levels: _____

Proposed Percentage of Supportive Housing Units in the Project: _____

Proposed Residential Square Footage: _____

Proposed Non-Residential Square Footage: _____

Proposed Supportive Services Square Footage: _____

Please describe the project's intended program and supportive services:

Type of Multifamily Housing Development Proposed

- Multifamily rental; residential only with no proposed subdivision.
- Multifamily residential with proposed subdivision (must qualify for exception to subdivision exclusion)
- Mixed-use (at least 2/3 of square footage must be designated for residential. If a subdivision is included, must qualify for exception to subdivision exclusion.)



AB-2162 ELIGIBILITY CHECKLIST

(Include This Checklist with Your Submission)

Applicants intending to invoke AB-2162 streamlining and ministerial approval process must fill out this checklist completely and provide supporting documentation for each question to demonstrate eligibility.

1.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Affordability: Are all of the proposed residential units must be dedicated as affordable to households at 80% AMI or below for a period of at least 55 years?
2.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Supportive Units: Are at least 25 percent of the units in the development or 12 units, whichever is greater, restricted to residents in supportive housing who meet criteria of the target population, or, if the development consists of fewer than 12 units, then are 100 percent of the units, excluding managers' units, in the development restricted to residents in supportive housing?
2.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Zoning, Units and Residential Use: Is the subject property zoned for residential use and does the project propose a multifamily housing development (2 or more units) or a mixed-use project?
3.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Supportive Services: For projects with 20 units or fewer, is at least 90 square feet of space must be dedicated to supportive services, or for projects with more than 20 units, is at least 3% of the non-residential floor area must be dedicated to supportive services? Supportive Services 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.
4.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Demolition of Residential Units: If the project demolishes any existing residential unit, does the project include replacement unit(s) in the Supportive Housing Development in the manner described in CA Govt. Code Section 65915(c)(3)?
5.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Amenities: Does each unit, excluding the manager's unit, must have at least a bathroom, refrigerator, stovetop and sink?
7.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Consistent with Objective Standards: Does the project meet objective standards of the regulations applicable to the subject property/ies, including density and design standards?

Applicants must check the box below if the completed checklist demonstrates eligibility for AB-2162 streamlining:

- As demonstrated by the completed AB-2162 eligibility checklist above, the project is eligible for application streamlining and ministerial approval per Government Code Article 11 and I hereby request that the City of Petaluma utilize the AB-2162 application processing procedures for this application.

Applicant's signature

Date



AB-2162 PROJECT DESIGN SUBMISSION CHECKLIST

(Include This Checklist with Your Submission)

- General Application Form** (available from the City's Planning Division counter or website)
- All applicable fees to be paid:
 - Read and sign the **Cost Recovery Form**
 - Deposit equivalent to a minor or major Site Plan and Architectural Review (SPAR) **See Fee Schedule** (The final fee is dependent on each project application. Please read and sign the Cost Recovery Form.)
- Requirements for all plans:
 - Submit five full-size copies of each plan set, two reduced sets at 11" x 17" and one digital copy in PDF format on compact disc or USB flash drive.
 - Legend on the first sheet identifying each sheet in the plan set.
 - Title for each sheet, scale, north arrow and date.
 - Name and phone number of person preparing plans (licensed architect and landscape architect).
- If your project impacts an historic building, please submit:
 - Historic documentation for the building or site.
 - Historic photographs and current photographs of the building or site.
 - Sonoma County Assessor Parcel Information.
 - Description of changes proposed to major interior and exterior architectural features.
- Site Plan(s), including:
 - Vicinity Map** indicating the site and surrounding streets. Scale: 1" = 200'.
 - Aerial Context Map** showing proposed, existing and surrounding uses.
 - Site plan(s)** with the following features:
 - Property lines and dimensions, all easements, distances between buildings and property lines.
 - Proposed and existing public streets, curbs, sidewalks, and driveways.
 - If grading is proposed, preliminary plan of cut and fill areas including elevation contours and slope percentages.
 - Outlines of proposed structures, including walls, doors, and windows, at a scale determined by staff.
 - Proposed automobile, bicycle and disabled parking spaces, drive aisles, loading areas, curbing, car-stops, direction of traffic flow, electric vehicle charging spaces, etc. Include dimensions and locations. Please refer to **Appendix A** for more information.
 - Proposed landscape areas and pedestrian paths.
 - Proposed retaining walls, fences, electrical transformer boxes, trash enclosures, etc., and screening; including locations, finishes and dimensions. If you are proposing trash enclosures, please refer to **Appendix B**.
 - Note the square footages of existing and proposed buildings, and their percentages of gross lot coverage on plans.
 - Annotate private and common facilities and open space within developments.
 - Minimum Scale 1" = 20'. If necessary, break-up plans for large projects, and submit a master plan at a lesser scale.
 - Existing Site Conditions**. Said plan shall identify existing structures, trees, landscaping paving, drainage courses, and other pertinent man-made and natural features, where applicable.
 - Contextual Elevation Drawings** and **Site Sections**, including the relationship to adjacent properties and structures.
 - Any other items deemed appropriate for review by the Planning Division.
- Architectural Plans, including:
 - Building Elevations** with materials and colors identified. Include **Streetscape Elevations** if applicable.



- Finished Floor Elevations. Please identify the location of all BMR units.
- Section(s) drawing(s) of the building
- Exterior Lighting Plan showing lighting locations and details of fixture types. A Photometric Plan may be required for larger projects. Show all visible accessory fixtures (i.e., gas, meters, mechanical equipment, air conditioners, etc.), including roof mounted equipment, and the proposed method of screening.
- Roof plans. Identify the roof pitch(es).
- Colors and materials board(s). Within the plan set, include a sheet with all information included on the board(s).
- Minimum scale of plans should be 1" = 10'.
- Indicate type of construction and occupancy classification.

- Landscape Plan(s) (if applicable), showing:
 - Outline of the site, building, streets, sidewalks, driveways, parking areas, on-site curbing, storage areas, etc., to be retained and constructed; and proposed grading contours.
 - Location, caliper size and drip-line, canopy size, and species of on-site and immediately adjacent existing trees and large shrubs.
 - Indicate all trees to be removed, to be substantiated by an arborist report (if applicable).
 - Precise location or pattern and spacing of all proposed landscape materials.
 - Schedule of planting (in table format) showing plant sizes at maturity, ground cover spacing, and botanical and common names.
 - Design and location of all fencing, screening, retaining walls, electrical transformers, trash enclosures, street furniture, etc.
 - Irrigation plans. At a minimum, a written description of proposed irrigation should be provided.
 - Water Conservation. Include a preliminary calculation of Maximum Applied Water Allowance (MAWA) and Estimated Applied Water Use (ETWU). See [Municipal Code Chapter 15.17 \(Water Conservation Regulations\)](#).
 - Exterior landscape lighting and details as to the type of fixture. A Photometric Plan may be required.
 - The minimum scale should be 1" = 20' (Plans for large projects landscape projects may be broken up into sections).
 - Please refer to the [Appendix C](#) and [Implementing Zoning Ordinance Chapter 14 \(Landscaping and Screening\)](#) for more information.

- Implementing Zoning Ordinance §17.055 may require an **Arborist Report** for trees that may be impacted by construction.

- Photos of the site** from a variety of angles, showing existing conditions, including buildings and vegetation.