



AB 2011 ELIGIBILITY CHECKLIST

This checklist provides an overview of Assembly Bill No. 2011's requirements which provides for a streamlined and ministerial approval process for certain housing projects. If the answers to all of the statements below are "yes," then your project is eligible for consideration. If any of these responses are "no," then the project is not eligible.

PROJECT TYPE (CHECK ONE)	
Mixed-Income Housing Project Along Commercial Corridor that meets the following: <ul style="list-style-type: none"> • Zone where office, retail, or parking are principally permitted use; and • Project abuts a commercial corridor (highway as defined in Vehicle Code Section 360, with a public right-of-way between 70 and 150 feet) and has frontage along the commercial corridor of a minimum of 50 feet; or 	<input type="checkbox"/>
100% Affordable Housing Project that meets the following: <ul style="list-style-type: none"> • Zone where office, retail, or parking are a principally permitted use. 	<input type="checkbox"/>

For any statement with a response of "yes," the applicant must demonstrate (providing supplemental exhibits as appropriate) how that determination was rendered or the application will not be accepted. Projects must comply with **ALL** the following criteria to qualify for AB 2011 review:

CRITERIA FOR ALL PROJECT TYPES	YES	NO
Type		
The development is a housing development per Gov. Code Section 65589.5(h)(2) and proposes either of the following: <ul style="list-style-type: none"> • Residential units only; • Mixed-use development consisting of residential and nonresidential uses with at least two-thirds (2/3) of the square footage designated for residential use; or • Transitional or supportive housing 	<input type="checkbox"/>	<input type="checkbox"/>
Minimum Units		
The development is a multifamily housing project that proposes five (5) or more units	<input type="checkbox"/>	<input type="checkbox"/>
Urban Area		
Project is within an urbanized area or urban cluster (now designated "urban areas" by the US Census Bureau).	<input type="checkbox"/>	<input type="checkbox"/>
Adjacent Urban Uses		
At least 75 percent of the site perimeter adjoins parcels with urban uses (inclusive of parcels that are only separated by a street or highway).	<input type="checkbox"/>	<input type="checkbox"/>
Adjacent Industrial Use		
Not on or adjoined to any site where more than one-third of the site is industrial use (inclusive of parcels that are only separated by a street or highway).	<input type="checkbox"/>	<input type="checkbox"/>
Adjacent to a Freeway		
If within 500 feet of a freeway, the development would meet the following requirements:	<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA FOR ALL PROJECT TYPES	YES	NO
<ul style="list-style-type: none"> • The building would have a centralized heating, ventilation, and air-conditioning system; • The outdoor air intakes for the heating, ventilation, and air-conditioning system would face away from the freeway; • The building would provide air filtration media for outside and return air with a minimum efficiency reporting value of 16; • The air filtration media will be replaced at the manufacturer’s designated interval; and • The building would not have any balconies facing the freeway. 		
Adjacent Oil or Gas Uses		
None of the housing on the site will be located within 3,200 feet of a facility that actively extracts or refines oil or natural gas.	<input type="checkbox"/>	<input type="checkbox"/>
Mobilehome Law		
Not governed under the Mobilehome Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Plan		
For a site within a neighborhood plan (e.g. specific plan, area plan, or master plan), the neighborhood plan permits multifamily housing development on the site.	<input type="checkbox"/>	<input type="checkbox"/>
Location		
<p>Satisfies environmental criteria found in Gov. Code Section 65913.4(a)(6)(B)(K) where the project site is NOT within any of these areas:</p> <ul style="list-style-type: none"> • Prime farmland or farmland of statewide importance • Wetlands • Hazardous waste site • Delineated earthquake fault zone • 100-year Flood Zone • Regulatory Floodway • Lands identified in an adopted natural resources protection plan • Protected Habitat • Conservation easement 	<input type="checkbox"/>	<input type="checkbox"/>
Vacant Sites		
<p>If a vacant site, satisfies both of the following:</p> <ul style="list-style-type: none"> • It does not contain any tribal resources that could be affected by the development, and the effects of which cannot be mitigated pursuant to Public Resources Code Section 21080.3.2; and • Not within a very high fire hazard severity zone 	<input type="checkbox"/>	<input type="checkbox"/>
Phase I		
The development proponent has completed a phase I environmental assessment and mitigated any health hazards to a level of insignificance (provide documentation as an attachment).	<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA FOR ALL PROJECT TYPES	YES	NO
Prevailing Wage		
The project will pay prevailing wage under Government Code Section 65913.4(a)(8)(A).	<input type="checkbox"/>	<input type="checkbox"/>
Labor Standards		
For projects with more than 50 units: The project will require contractors to employ construction craft employees or let subcontracts for at least 1,000 hours to participate in an apprenticeship program and make specified health care contributions. <ul style="list-style-type: none"> • Developer shall require these standards be included in all construction contracts • Developer shall certify to the local government that the labor requirements will be met in the project construction • Developer shall provide local agency with monthly compliance reports 	<input type="checkbox"/>	<input type="checkbox"/>

ADDITIONAL CRITERIA FOR MIXED-INCOME HOUSING PROJECTS	YES	NO
Lot Size		
The site is 20 acres or less, or is up to 100 acres for “regional malls”	<input type="checkbox"/>	<input type="checkbox"/>
Demolition of Housing		
The development would not require the demolition of: <ul style="list-style-type: none"> • Housing subject to recorded covenant, ordinance or law that restricts rents to levels of affordable to moderate, low, or very-low income households • Housing subject to rent price control • Housing occupied by tenants in the last ten (10) years, excluding managers units 	<input type="checkbox"/>	<input type="checkbox"/>
Historic Structure		
The development would not require the demolition of a historic structure that was placed on a national, state, or local historic register	<input type="checkbox"/>	<input type="checkbox"/>
Prior Residential Use		
A prior residential use was not demolished on the site in the last 10 years	<input type="checkbox"/>	<input type="checkbox"/>
Existing Housing		
The property does not contain one (1) to four (4) dwelling units	<input type="checkbox"/>	<input type="checkbox"/>
Zoning		
The site cannot be zoned for housing, unless zoned for multifamily residential use (e.g., the site cannot be zoned for single-family residential development)	<input type="checkbox"/>	<input type="checkbox"/>
Affordability		
The project meets or exceeds the following affordable housing requirements. <ul style="list-style-type: none"> • For Rental Projects (deed restricted units for 55 years) <ul style="list-style-type: none"> ➤ 8% very-low income and 5% extremely-low income; OR ➤ 15% low-income • For Owner Occupied Projects (deed restricted units for 45 years) <ul style="list-style-type: none"> ➤ 30% moderate income; OR ➤ 15% low-income 	<input type="checkbox"/>	<input type="checkbox"/>

ADDITIONAL CRITERIA FOR MIXED-INCOME HOUSING PROJECTS	YES	NO
<p>Affordable units must be equitably distributed, have the same bedroom/ bathroom count ratios, and the same quality appliances, fixtures and finished as market-rate units. Note: Local inclusionary requirements prevail if greater affordability required.</p>		
Tenant Relocation		
<p>Notice to commercial tenants and relocation assistance to certain qualifying independently owned commercial tenants will be provided.</p>	<input type="checkbox"/>	<input type="checkbox"/>
Density		
<p>The proposed residential density for the development would be greater than the following:</p> <ul style="list-style-type: none"> • The residential density allowed on the parcel by the local government. • 30 units per acre for sites less than one acre • 40 units per acre for sites of one acre or greater and located on a commercial corridor of less than 100 feet in width. • 60 units per acre for sites of one acre or greater and located on a commercial corridor of 100 feet in width or greater. • 80 units per acre for sites within a very low vehicle travel area or one-half mile of a major transit stop. 	<input type="checkbox"/>	<input type="checkbox"/>
Height		
<p>The proposed height is less than the greater of the following:</p> <ul style="list-style-type: none"> • Height currently permitted on the parcel • 35 feet for sites on a commercial corridor of less than 100 feet in width • 45 feet for sites on a commercial corridor of 100 feet in width or greater 	<input type="checkbox"/>	<input type="checkbox"/>
Setback Standards		
<p>The project meets following setback standards:</p> <ul style="list-style-type: none"> • For portion of property that fronts on a commercial corridor, no setbacks may be required. <ul style="list-style-type: none"> ➢ All parking must be set back at least 25 feet ➢ On ground floor, building must abut within 10 feet of the property line for at least 80% of frontage • For portion of property that fronts side street, building must abut within 10 feet of property line for at least 60% of frontage • For portion of property that abuts adjoining property that also abuts same commercial corridor, no setbacks may be required UNLESS adjoining property contains residential use that was constructed prior to enactment of AB 2011 • For portion of property that does not abut commercial corridor, side street or adjoining property that abuts same commercial corridor <ul style="list-style-type: none"> ➢ Along property lines that abut residential use: <ul style="list-style-type: none"> ○ Ground floor shall be set back 10 feet ○ Starting with second floor, each floor shall be stepped back in amount equal to 7 feet multiplied by the floor number • Along property lines that abut non-residential use, the development shall be set back 15 ft. 	<input type="checkbox"/>	<input type="checkbox"/>

ADDITIONAL CRITERIA FOR MIXED-INCOME HOUSING PROJECTS	YES	NO
Parking		
The project meets all requirements related to bicycle parking, electric vehicle parking spaces, and parking spaces accessible to persons with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Objective Standards		
Proposal is consistent with other objective zoning standards, objective subdivision standards, and objective design review standards from the closest zone.	<input type="checkbox"/>	<input type="checkbox"/>

ADDITIONAL CRITERIA FOR 100% AFFORDABLE HOUSING PROJECTS	YES	NO
Density		
The density of the project must meet or exceed the default density under housing element law. (30 du/acre)	<input type="checkbox"/>	<input type="checkbox"/>
Objective Standards		
Project meets objective zoning, subdivision, and objective design review standards for the zone that allows residential use at a greater density between: <ul style="list-style-type: none"> • The existing zoning designation for the parcel if existing zoning allows multifamily residential use • The zoning designation for the closest parcel that allows residential use at the default density 	<input type="checkbox"/>	<input type="checkbox"/>
Affordability		
The project meets or exceeds the following affordable housing requirements: <ul style="list-style-type: none"> • 100% of the units, excluding the managers’ units, are dedicated to lower-income households at an affordable cost or affordable rent • Units are subject to recorded deed restriction <ul style="list-style-type: none"> ➤ 55 years for rental units ➤ 45 years for owner-occupied units 	<input type="checkbox"/>	<input type="checkbox"/>

PROCESS FOR ALL PROJECT TYPES	
CEQA	
Because the Government Code section 65912.124(c) process is ministerial, eligible projects are exempt from CEQA.	
Timing (Check One)	
Depending on the project size the following deadlines shall be observed:	
Small projects (≤ 150 units) <ul style="list-style-type: none"> • 60 days from submittal – the City is required to provide a list of all inconsistencies with “objective planning standards” and design review standards in effect, otherwise the project is deemed to satisfy the standards (subd. (b)). • 60 days from date that the development is determined to be consistent with the objective planning standards – the City is required to complete a “design review or public oversight”. The review or oversight “shall be objective and be strictly focused on 	<input type="checkbox"/>

PROCESS FOR ALL PROJECT TYPES

assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards” (subd. (a)(c)).



Large projects (>150 units)

- 90 days from submittal – the City is required to provide a list of all inconsistencies with “objective planning standards” and design review standards in effect, otherwise the project is deemed to satisfy the standards (subd.(b)).
- 90 days from date that the development is determined to be consistent with the objective planning standards - the City is required to complete a “design review or public oversight”. The review or oversight “shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards” (subd. (a)(c)).



**AB 2011 CERTIFICATE FOR COMPLIANCE WITH ELIGIBILITY REQUIREMENTS
FOR ALL PROJECT TYPES**

**Certificate for Compliance with Eligibility Requirements (AB 2011) I, _____,
do hereby certify and declare as follows:**

(a) **Project Address.** The subject property is located at (address and assessor's parcel number):

Address

_____-_____-_____
Assessor's Parcel Number

(b) **Owner Authorization.** I am a duly authorized officer or owner of the subject property.

(c) **Public Record.** I understand that any information provided becomes part of the public record and can be made available to the public for review and posted to the city website.

(d) **Affordable Housing.** I agree to comply with the applicable affordable housing dedication requirements established under Government Code section 65913.4(a)(3).

(e) **Prevailing Wage.** I agree to comply with the applicable prevailing **wage** requirements established under Government Code section 65913.4(a)(8)(A).

(f) **Tenant-Occupied Housing.** I certify that the project site has not contained any housing occupied by tenants within 10 years prior to the date written below, excluding manager's units.

(g) **Verification.** I certify that the responses provided in the AB 2011 (2022) Eligibility Checklist are true and correct.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this day in:

Location

Date

Name (Print), Title

Signature

"Affordable cost" is defined by Health and Safety Code Section 50052.5.