

## Assembly Bill 2011 Eligibility Checklist

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**This document is intended solely as guidance for development proposal adherence to the provisions of Assembly Bill 2011 (AB 2011).** This material is for general information only and should not be construed as legal advice or legal opinion.

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### General Information

AB 2011 creates a California Environmental Quality Act-exempt, ministerial approval process for qualifying multifamily housing developments on sites within a zone where office, retail or parking are the principally permitted use. In 2025, project eligibility expanded for mixed-income housing projects to include “campus development zones” and “regional malls” through AB 893 and AB 2243, respectively. Proposed projects may be:

- (1) 100-percent affordable housing developments; or
- (2) Mixed-income housing projects located in commercial corridors, campus development zones or regional malls.

This checklist provides project eligibility and requirements for proposed AB 2011 developments for 100 percent Affordable Housing Developments and Mixed-Income Housing Projects.

## Project Type

To be eligible for AB 2011, the project must be one of the following two types of projects. Please check one.

|                          |                                        |
|--------------------------|----------------------------------------|
| <input type="checkbox"/> | 100 percent Affordable Housing Project |
| <input type="checkbox"/> | Mixed-Income Housing Project           |

## Eligibility Requirements

For any statement with a response of “yes,” the applicant must demonstrate (providing supplemental exhibits as appropriate) how that determination was rendered. In order to be eligible for approval of the application, the proposed project must meet all applicable eligibility requirements and objective development standards below.

| GENERAL ELIGIBILITY REQUIREMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Yes                      | No                       | N/A                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| <b>1. Zoning.</b><br>Zone where office, retail, or parking are a principally permitted use with varying eligibility criteria based on the type of project as detailed below.<br><br>Applicable Zones:<br><ul style="list-style-type: none"> <li>• CR (Rural Commercial)</li> <li>• CH (Highway Commercial)</li> <li>• CO (Office Commercial)</li> <li>• SP (Specific Plan)*</li> <li>• CG (General Commercial)</li> <li>• CS (Service Commercial)</li> <li>• CN (Neighborhood Commercial)</li> <li>• SD-COM (Special Development - Commercial)</li> </ul> * If the specific plan allows for office, retail, or parking. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>2. Type.</b><br>The development is a housing development project per Gov. Code Section 65589.5(h)(2) and proposes either of the following: <ul style="list-style-type: none"> <li>• Residential units only;</li> <li>• Mixed-use development consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use; or</li> <li>• Transitional or supportive housing.</li> </ul>                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>3. Minimum Units.</b><br>The development is a multi-family housing development project that proposes five (5) or more units.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>4. Urban Area.</b><br>Located on a legal parcel or parcels wholly within the boundaries of an urbanized area as defined by the U.S. Census Bureau.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>5. Adjacent Urban Uses.</b><br>At least 75 percent of the site perimeter adjoins parcels developed with urban                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| GENERAL ELIGIBILITY REQUIREMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Yes                      | No                       | N/A                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| uses (includes parcels that are only separated by a street, pedestrian path, or bicycle path).                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                          |                          |
| <b>6. Adjacent Industrial Use.</b><br>Not on or adjoined to any site where more than one-third of the square footage on the site is dedicated to industrial use (includes parcels that are only separated by a street).                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>7. Adjacent to a Freeway.</b><br>If the site is located within 500 feet of a freeway, the project shall: <ul style="list-style-type: none"> <li>a) Have a centralized heating, ventilation, and air conditioning system, where the outdoor air intakes face away from the freeway;</li> <li>b) Provide air filtration media for outside and return air that provide a MERV of 16, and the air filtration media shall be replaced at the manufacturer's designated interval; and</li> <li>c) Not have any balconies facing the freeway.</li> </ul> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>8. Adjacent Oil or Gas Uses.</b><br>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"/> | <input type="checkbox"/> |
| <b>9. Mobilehome Law.</b><br>Is <i>not</i> 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"/> | <input type="checkbox"/> |
| <b>10. Historic Structure.</b><br>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"/> | <input type="checkbox"/> |
| <b>11. Neighborhood Plan.</b><br>For a site within a neighborhood plan (e.g. specific plan, area plan, or master plan), the plan allows multifamily housing development on the site.                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>12. Location.</b><br>Satisfies the environmental criteria found in Gov. Code Section 65913.4(a)(6) where the project site is not within any of these areas: <ul style="list-style-type: none"> <li>a) Prime farmland or farmland of statewide importance</li> <li>b) Very high fire hazard severity zone<sup>1</sup></li> <li>c) Wetlands</li> <li>d) Hazardous waste site</li> <li>e) Delineated earthquake fault zone</li> <li>f) 100-year flood zone</li> </ul>                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

<sup>1</sup> This does not apply to sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development, including, but not limited to, standards established under Section 4290 and 4291 of the Public Resources Code and Chapter 7A of the California Building Code.

| GENERAL ELIGIBILITY REQUIREMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Yes                      | No                       | N/A                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| g) Regulatory floodway<br>h) Lands identified in an adopted natural resources protection plan<br>i) Protected habitat<br>j) Conservation easement                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                          |                          |
| <b>13. Vacant Sites.</b><br>If a vacant site, the project satisfies both of the following:<br>a) 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<br>b) Not within a very high fire hazard severity zone.                                                                                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>14. Environmental Assessment.</b><br>The development proponent has completed a Phase I Environmental Assessment (as defined in Section 78090 of the Health and Safety Code).                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>15. Prevailing Wage.</b><br>The project will pay prevailing wage under Gov. Code Section 65913.4(a)(8)(A).                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>16. Labor Standards.</b><br>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.<br>a) Developer shall require these standards be included in all construction contracts.<br>b) Developer shall certify to the local government that the labor requirements will be met in the project construction.<br>c) Developer shall provide local agency with monthly compliance reports. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

## 100 PERCENT AFFORDABLE HOUSING DEVELOPMENTS IN COMMERCIAL ZONES

An affordable housing development in a commercial zone must satisfy all of the following criteria, in addition to the general eligibility requirements, to be subject to the streamlined, ministerial review process provided by Gov. Code Section 65912.114.

| ADDITIONAL CRITERIA FOR 100% AFFORDABLE HOUSING DEVELOPMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Yes                      | No                       | N/A                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| <b>1. Density.</b><br>The project site provides at least 30 units per acre (Gov. Code Section 65583.2.(c)(3)).                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>2. Objective Standards.</b><br>Project meets objective zoning, subdivision and design review standards for the zone that allows greater residential density between the following: <ul style="list-style-type: none"> <li>a) The existing zoning designation for the parcel if existing zoning allows multifamily residential use; or</li> <li>b) The zoning designation for the closest parcel that allows residential use at the default density (30 du/acre).</li> </ul>                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>3. Affordability.</b><br>The project meets or exceeds the following affordable housing requirements: <ul style="list-style-type: none"> <li>a) 100 percent of the units, excluding managers' units are dedicated to lower-income households at an affordable cost<sup>2</sup> or affordable California Tax Credit Allocation Committee rent.</li> <li>b) Units are subject to recorded deed restriction:               <ul style="list-style-type: none"> <li>(1) 55 years for rental units</li> <li>(2) 45 years for owner-occupied units</li> </ul> </li> </ul> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

<sup>2</sup> "Affordable cost" is defined by Health and Safety Code Section 50052.5.

## MIXED-INCOME HOUSING DEVELOPMENTS

A mixed-income housing development in commercial corridors, campus development zones or on a regional mall must meet all of the following criteria, in addition to the general eligibility requirements, to be subject to the streamlined, ministerial review process provided by Section 65912.124

| ADDITIONAL CRITERIA FOR MIXED-INCOME DEVELOPMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Yes                      | No                       | N/A                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| <b>1. Lot Size.</b><br>The site is 20 acres or less.<br><br>If the site is a regional mall, as defined in Gov. Code Section 65912.101(r), the following must be met: <ul style="list-style-type: none"> <li>• Project site is no greater than 100 acres.</li> <li>• The average size of a block<sup>3</sup> shall not exceed three acres.</li> <li>• At least five percent of the site shall be dedicated to open space.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>2. Zoning.</b><br>Zone where office, retail, or parking are a principally permitted use <sup>4</sup> as stated under “General Eligibility Requirements” and <ul style="list-style-type: none"> <li>• Project site abuts a commercial corridor<sup>5</sup> and has a minimum of 50 feet of frontage along the commercial corridor; or</li> <li>• Project site is within a campus development zone; or</li> <li>• Project site contains existing regional mall that is no greater than 100 acres; or</li> <li>• Mixed-income developments that propose the conversion of existing office buildings to residential uses, even if the office building is not along a commercial corridor.</li> </ul> In addition, any property that contains one to four units is precluded from being developed with mixed-income housing using AB 2011, as is any vacant property that is not zoned for multifamily use (defined as five units or more). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>3. Prior Residential Use.</b><br>A prior residential use was not demolished on the site in the last 10 years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>4. Existing Housing.</b><br>The property does not contain one to four dwelling units.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

<sup>3</sup> A “block” means an area fully surrounded by streets, pedestrian paths, or a combination of streets and pedestrian paths that are each at least 40 feet in width.

<sup>4</sup> Principally permitted uses may occupy more than one-third of the square footage on the site and do not require a conditional use permit.

<sup>5</sup> “Commercial corridor” means a highway that is not a freeway, and that has a right-of-way of at least 70 feet but not greater than 150 feet.

| ADDITIONAL CRITERIA FOR MIXED-INCOME DEVELOPMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Yes                      | No                       | N/A                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| <p><b>5. Affordability.</b><br/> The project meets or exceeds the following affordable housing requirements:</p> <p><u>FOR RENTAL PROJECTS:</u><br/> a) 8 percent very-low income and 5 percent extremely low-income; or<br/> b) 15 percent low-income<br/> <b>and</b> deed restriction for these units for 55 years.</p> <p><u>FOR OWNER-OCCUPIED PROJECTS:</u><br/> a) 30 percent moderate income; or<br/> b) 15 percent low-income<br/> <b>and</b> deed restriction for these units for 45 years.</p> <p><b>If within campus development zones, see Gov. Code Sec. 65912.122 (a)(2) and (b)(2) for requirements.</b></p> <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.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p><b>6. Demolition of Housing.</b><br/> The development would not require the demolition of:</p> <p>a) Housing subject to recorded covenant, ordinance or law that restricts rents to levels affordable to moderate, low or very low-income households</p> <p>b) Housing subject to rent price control</p> <p>c) Housing occupied by tenants in the last 10 years, excluding manager's units</p>                                                                                                                                                                                                                                                                                                                                                                                                            |                          |                          |                          |
| <p><b>7. Tenant Relocation and Noticing.</b><br/> Notice to commercial tenants and relocation assistance to certain qualifying independently owned commercial tenants must be provided in accordance with Gov. Code Section 65912.123(h).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p><b>8. Density.</b><br/> The proposed residential density for the development meets or exceeds the greater of the following:</p> <p>a) The residential density allowed on the parcel</p> <p>b) 30 units per acre for sites of less than one acre in size.</p> <p>c) 40 units per acre for sites of one acre or greater and located on a commercial corridor of less than 100 feet in width.</p> <p>d) 60 units per acre for sites of one acre or greater and located on a commercial corridor of 100 feet in width or greater.</p> <p>e) 80 units per acre for sites within one-half mile of a major transit stop, or within a campus development zone.</p>                                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| ADDITIONAL CRITERIA FOR MIXED-INCOME DEVELOPMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Yes                      | No                       | N/A                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| <b>9. Height.</b><br>The proposed height does not exceed the greater of the following: <ul style="list-style-type: none"> <li>a) Height currently permitted on the parcel.</li> <li>b) 35 feet for sites on a commercial corridor of less than 100 feet in width.</li> <li>c) 45 feet for sites on a commercial corridor of 100 feet in width or greater.</li> <li>d) 65 feet for sites within one-half mile of a major transit stop or located in a campus development zone.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>10. Setback Standards.</b><br>The project meets the following setback standards: <ul style="list-style-type: none"> <li>a) For portion of property that fronts a commercial corridor or for a property in a campus development zone, the following shall occur:               <ul style="list-style-type: none"> <li>▪ No setbacks may be required.</li> <li>▪ Aboveground parking must be set back at least 25 feet.</li> <li>▪ On ground floor, building must abut within 10 feet of the property line for at least 80 percent of frontage.</li> </ul> </li> <li>b) For portion of property that fronts side street, building must abut within 10 feet of property line for at least 60 percent of frontage.</li> <li>c) 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.</li> <li>d) 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"> <li>▪ Along property lines that abut residential use:                   <ul style="list-style-type: none"> <li>• Ground floor shall be set back 10 feet.</li> <li>• Starting with second floor, each floor shall be stepped back in amount equal to seven feet multiplied by the floor number.</li> </ul> </li> </ul> </li> <li>e) Along property lines that abut non-residential use, the development shall be set back 15 feet.</li> <li>f) For a development project at a regional mall, the portion of the property that fronts a street that is newly created by the project and is not a commercial corridor, a building shall abut within 10 feet of the street for at least 60 percent of the frontage.</li> </ul> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>11. Parking.</b><br>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"/> | <input type="checkbox"/> |
| <b>12. Objective Standards.</b><br>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"/> | <input type="checkbox"/> |