



DISCLAIMER: This document is intended solely as a technical overview of the provisions of AB 2011 (2022). It is not intended to serve as legal advice regarding any jurisdiction's specific policies or any proposed housing development project. Local staff should consult with their city attorney or county counsel when determining the applicability of these provisions to any proposed housing development project in their jurisdiction. Because the laws are so new, the legislative intent of major provisions is still being discussed, and this memo may change significantly.

AB 2011 Staff Work Plan

Instructions

This document is meant to help staff implement AB 2011 (2022) and prepare for project applications and review. This law is complicated, and many of the components of the law have been simplified to lay out a straightforward implementation process. Additional review of the legal requirements to gain a deeper understanding of the process for completing these steps and confirming criteria, zoning requirements and development standards will be necessary. This guide serves as an overview of the steps to take to implement the law. Consult with your city attorney or county counsel to ensure your plans and process align with the components of the law.

Prepare for Implementation

- Pass an implementing ordinance**
Jurisdictions may want to pass a local ordinance to implement AB 2011 and provide guidance. See the [AB 2011 SB 6 Model Ordinance](#) to learn the details and understand how AB 2011 can be shaped. Jurisdictions may choose to do one ordinance to implement both AB 2011 and SB 6 or two separate ordinances.
- Determine eligible sites**
It is helpful for jurisdictions to know which sites may be eligible for AB 2011 projects and what affordability levels are required based on the project and site criteria.
- Exempt sites**
Jurisdictions may choose to identify sites that will be exempt from AB 2011. If any sites are chosen to be exempt, jurisdictions must make required written findings for exempting sites and designate “substitute” parcels to reallocate lost density from exempted sites. In some cases, jurisdictions can exempt sites if they complete a specific plan or similar plan (called a neighborhood area plan) by January 2024. See the [AB 2011 SB 6 Summary of Key Details](#) for more information.
- Prepare tracking system for Annual Progress Reports (APR)**
AB 2011 projects must be tracked in APRs. Jurisdictions should make a plan for tracking and reporting.



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- **Enforce relocation requirements**
AB 2011 requires relocation assistance for both qualified commercial tenants and for displaced residents. Jurisdictions should determine how to enforce relocation assistance.
- **Monitor labor requirements**
Jurisdictions should decide if and how to monitor labor requirements, including who will be responsible for reviewing reports from developers.¹
- **Prepare for development proposal/project applications**
Jurisdictions should create a development project application and an internal review process. It is recommended that staff use the ABAG templates and instructional guides to develop application and processing materials. Recommended materials include:
 - a. **Development proposal/project application checklists** – jurisdictions should create application checklists for development proponents to apply for projects and for staff to review and confirm that project proposals meet all the requirements and criteria. See ABAG’s [AB 2011 Affordable Project Application Checklist](#) and [AB 2011 Mixed Income Project Application Checklist](#).
 - b. **Internal review procedures** – jurisdictions should create documentation for staff to process and review development project proposals to ensure that they are meeting required timelines and that projects adhere to development standards. See ABAG’s [How to Review AB 2011 Development Proposals](#) as a basis for developing internal review documentation.
 - c. **Fact Sheets/Handouts on the local ordinance, procedures and/or objective standards** – jurisdictions should consider developing general guidance for developers. See [AB 2011 SB 6 Model Ordinance](#)

Accept and Review Applications

Step 1: Review Project Application

1. Determine applicable project review timeline:
 - a. Projects with 150 units or less:
 - i. Inform development proponent of inconsistencies with criteria within 60 days, and
 - ii. Complete processing, ministerial review and objective design standards review within 90 days (30 more days).
 - b. Projects with more than 150 units:
 - i. Inform development proponent of inconsistencies with criteria within 90 days, and
 - ii. Complete processing, ministerial review and objective design standards review within 180 days (90 more days).
2. Check that project meets qualifying criteria:
 - a. Follow jurisdiction’s internal procedures document (based on ABAG’s [How to Review Development Proposals](#)).
 - b. Review development project application (based on ABAG’s Application Checklists).

¹ To qualify as eligible, the project must meet the state law labor requirements. However, state law is silent as to the local jurisdiction’s role in enforcing those standards, except to receive labor compliance reports. Some jurisdictions may prefer to address labor requirements through an administrative policy, instead of through an implementing ordinance.



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3. Inform developers of inconsistencies with qualifying criteria:
 - a. If project proposal can be changed in order to adhere to criteria, developer may resubmit.
 - b. **(Optional)** Developer resubmits project proposal.
4. Review for consistency with applicable objective standards:
 - a. Follow internal procedures document(s).
 - b. Review project application and development proposal.
5. **(Optional)** Conduct informational public meeting:
This step cannot be used to delay or deny a project, and only printed objective standards can be used; however, it may be helpful to have a forum to notify officials or to gather optional feedback for developer to consider.
6. Complete project review:
 - a. Finish processing and reviewing standards within specified timeframe (90 or 180 days).
 - b. Issue entitlements or conduct other needed tasks before issuing building permits.

Associated Resources

These additional products can help clarify rules, assist with implementation, and develop application and processing materials.

- [AB 2011 SB 6 Presentation for Elected Officials](#)
- [AB 2011 How to Review Development Proposals](#)
- [AB 2011 Affordable Project Application Checklist](#)
- [AB 2011 Mixed Income Project Application Checklist](#)
- [AB 2011 SB 6 Model Ordinance](#)
- [Understanding AB 2011 and SB 6](#)
- [AB 2011 SB 6 Summary of Key Details](#)
- [Webinar: Overview of AB 2011 and SB 6](#)
- [Guide to California State Replacement Housing Requirements](#)