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Understanding California's Laws on Supportive Housing and Small Care Facilities in Residential Zones

California state law requires that supportive housing and small licensed care facilities (serving six or fewer residents) be a permitted use in all residential zones within California Cities. These laws aim to address medical and supportive needs by ensuring equal access to residential areas without discrimination.

What is Supportive Housing?

Supportive housing combines affordable housing with services designed to help residents with medical needs, disabilities, or those experiencing homelessness maintain stable lives. Key features include:

- Long-term residency without time limits.
- Services such as health care, mental health support, and substance use counseling.
- Integrated into the community, often indistinguishable from other housing.

What are Small Care Facilities?

Small care facilities provide housing and medical or supportive services for six or fewer residents. These facilities often serve individuals with disabilities, chronic illnesses, or other health-related needs. Key features include:

- Being licensed and regulated by the state.
- Offering a range of care services, such as assisted living, rehabilitation, or mental health support.
- Being treated as single-family homes under state law.

State Laws Supporting Supportive Housing and Small Care Facilities

Assembly Bill 2162 (2018)

AB 2162 streamlines the approval process for supportive housing projects by:

- Allowing supportive housing developments of 50 units or fewer to bypass discretionary review in areas zoned for multifamily housing.

- Requiring supportive housing to meet specific zoning, density, and proximity criteria to transit.

Community Care Facilities Act

The Community Care Facilities Act (Health and Safety Code Section 1566.3) ensures that small, licensed care facilities serving six or fewer residents are treated as single-family homes for zoning purposes. Key provisions include:

- Requiring local governments to allow such facilities in all residential zones.
- Prohibiting cities from imposing additional zoning restrictions or use permits that do not apply to other single-family residences.
- Promoting the integration of small care facilities into residential neighborhoods to support inclusive communities.

How Does This Impact Residential Neighborhoods?

State law ensures supportive housing and small care facilities harmoniously blend into residential neighborhoods by:

- Requiring developments to adhere to the same zoning standards as other residential uses.
- Prohibiting cities from imposing additional regulations or restrictions that would not apply to other residential projects.
- Promoting inclusive communities where all individuals have the opportunity for safe, stable housing

Frequently Asked Questions

1. Will this housing change the character of my neighborhood? No. Supportive housing and small care facilities must comply with local building codes and design standards, ensuring they integrate seamlessly into the community.

2. Can the city deny a project? Cities cannot deny supportive housing or small care facilities based solely on their intended use. Projects must meet local zoning and safety requirements.

3. Who funds these housing projects? Funding comes from various sources, including state and federal grants, non-profit organizations, and private investments.

4. Can the League of California Cities do anything to overrule this? No. The League of California Cities cannot override state laws like the Community Care Facilities Act or AB 2162. These laws are established by the California Legislature and must be followed by all local jurisdictions. The League's role is advisory and advocacy-based, but it cannot alter or nullify state statutes.