

Assembly Bill 2011 (AB 2011) Checklist for the City of Corona

Affordable Housing & High Road Jobs Act of 2022

AB 2011 became effective on July 1, 2023, and was adopted in California Government Code 65912.100 et seq. The regulations enacted by AB 2011 will end on January 1, 2033, unless amended by subsequent state legislation. The following checklist is intended to assist in the review of a housing development that is submitted to the City of Corona pursuant to Cal Gov't Code 65912.100 et seq. A housing development project can be a 100% affordable housing project or a mixed-income housing project.

100% Affordable Housing Project	Meet criteria ✓	Mixed-Income Housing Project	Meet criteria ✓
APPLICABLE ZONES		APPLICABLE ZONES	
Is the site in a zone where office, retail, or parking are principally permitted use ¹ ?		Is the site in a zone where office, retail, or parking are principally permitted use ¹ ?	
SITE AND PROJECT CRITERIA		SITE AND PROJECT CRITERIA	
Does the project propose a multifamily housing development project ^{3,4} ?		Does the project site abut a commercial corridor ² and have frontage along the commercial corridor that is a minimum of 50 feet?	
Is the site located in an urban area?		Is the site 20 acres or less?	
At least 75 percent of the site adjoin parcels developed with urban uses ^{5,6} .		Does the project propose a multifamily, housing development project ^{3,4} ?	
The site is not on or adjoined to a site where more than one-third is dedicated to industrial uses ⁷ .		Is the project site located in an urban area?	
Does the site satisfy the SB 35 environmental criteria found in Gov. Code Section 65913.4(a)(6)(B)-(K) (site is not considered farmland, wetlands, and conservation; sites in fire hazard zones, hazardous waste sites, earthquake fault zones and flood areas meet certain restrictions)?		At least 75 percent of the site adjoin parcels developed with urban uses ^{5,6} .	
For a vacant site, the site satisfies the following: <ul style="list-style-type: none"> 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? 		The site is not on or adjoined to a site where more than one-third is dedicated to industrial uses ⁷ .	
For a vacant site: The site is not located in a very high fire severity zone.		Does the site satisfy SB 35 environmental criteria found in Gov. Code Section 65913.4(a)(6)(B)-(K) (site is not considered farmland, wetlands, and conservation; sites in fire hazard zones, hazardous waste sites, earthquake fault zones and flood areas meet certain restrictions)?	

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The site is not located on a site governed by the Mobilehome Residency Law, the Recreational Vehicle Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.		For a vacant site, the site satisfies the following: <ul style="list-style-type: none"> 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? 	
The housing on the site is not located within 500 feet of a freeway ⁸ .		For a vacant site: The site is not located in a very high fire severity zone.	
The housing on the site is not located within 3,200 feet of an oil or natural gas extraction or refinery.		The site is not located on a site governed by the Mobilehome Residency Law, the Recreational Vehicle Occupancy Law, the Mobilehome Parks Act, or the Special Occupancy Parks Act.	
Has the applicant completed a Phase I environmental assessment and mitigated any health hazards to a level of insignificance?		The housing on the site is not located within 500 feet of a freeway ⁸ .	
		The housing on the site is not located within 3,200 feet of an oil or natural gas extraction or refinery.	
		Has the applicant completed a Phase I environmental assessment and mitigated any health hazards to a level of insignificance?	
		The project does not require the demolition of a historic Structure.	
		The project does not require the demolition of housing subject to rent price control.	
		The project does not require the demolition of housing occupied by tenants in the last 10 years, excluding the manager's units.	
		The project does not require the demolition of housing subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to moderate, low, or very low-income households.	
		The project is not located on a site where a prior residential use was not demolished in the last 10 years.	
		The project is not on a site that contains one to four dwelling units.	

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		The site is not zoned for housing ¹⁰ .	
		Has the applicant provided notice to commercial tenants and relocation assistance to certain qualifying independently-owned commercial tenants?	
AFFORDABLE HOUSING REQUIREMENT¹⁹		AFFORDABLE HOUSING REQUIREMENT¹⁹	
Is 100 percent of the units, excluding managers' Units, dedicated to lower-income households at an affordable cost ⁹ or affordable CTCAC rent?		For Rental Projects: Does the project provide 8% of the total units at very low income and 5% of the total units at extremely low income; or is 15% of the total units at low income at affordable rent as defined in Health & Safety Code §50053?	
Has the applicant submitted a draft "deed restriction" that indicates either of the following: a) Rental units will be deed restricted to lower-income households for a period of 55 years; or b) Owner-occupied units will be restricted to lower-income households for a period of 45 years. (Deed restriction shall be recorded prior to the issuance of a building permit)		For Owner-Occupied Projects: Does the project provide 30% of the total units at moderate income; or 15% of the total units at low income at an affordable rent as defined in Health & Safety Code §50052.5?	
		Has the applicant submitted a draft "deed restriction" that indicates either of the following: a) Rental units will be deed restricted to lower-income households for a period of 55 years; or b) Owner-occupied units will be restricted to lower-income households for a period of 45 years. (Deed restriction shall be recorded prior to the issuance of a building permit)	
		Are the affordable units equitably distributed, have the same bedroom/bathroom count ratios, and the same quality appliances, fixtures and finishes as market-rate units?	
DEVELOPMENT STANDARDS		DEVELOPMENT STANDARDS	
Does the project meet the density, objective zoning, subdivision and design review standards for the zone that allows greater residential density between the following ¹² :		Does the project's residential density, pursuant to a metropolitan jurisdiction ¹¹ , meet or exceed the greater of the following: <ul style="list-style-type: none"> • The existing residential density permitted; • For sites of less than one acre, 30 units/acre; 	

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<ul style="list-style-type: none"> Existing zoning for the parcel if it allows multifamily residential¹⁰; or Zoning designation for the closest parcel that allows multifamily residential at a density that is at least 30 du/ac¹¹. 		<ul style="list-style-type: none"> For sites of one acre or greater located on a commercial corridor with a right-of-way width < 100 ft, 40 units/acre; For sites of one acre or greater located on a commercial corridor with a right-of-way width of ≥ 100 ft, 60 units/acre; For sites within one-half mile of a major transit stop¹³, 80 units/acre. 	
Does the project meet the city's parking requirement for multifamily residential?		<p>Does the height of the project meet or exceed the greater of the following:</p> <ul style="list-style-type: none"> Height currently permitted on the site; For sites on a commercial corridor with a right-of-way width < 100 ft, 35 feet; For sites on a commercial corridor with a right-of-way width of ≥ 100 ft, 45 feet; For sites within one-half mile of a major transit stop, 65 feet. 	
		<p>Do the setbacks of the project adhere to the following:</p> <p>a) For the portion of the property that fronts a commercial corridor, setbacks are not required except as follows:</p> <ul style="list-style-type: none"> Parking shall be set back at least 25 feet, Ground floor of building must abut within 10 feet of property line for at least 80% of the frontage. <p>b) For the portion of the property that fronts a side street¹⁵, building must abut within 10 feet of property line for at least 60% of the frontage.</p> <p>c) For the portion of the property that abuts adjoining property that also abuts the same commercial corridor, setbacks are not required unless the adjoining property contains residential constructed prior to AB 2011.</p> <p>d) For the portion of property that does not abut commercial corridor, side street, or adjoining property that abuts the same commercial corridor, the setback along the property line that abuts a residential use shall be:</p>	

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		<ul style="list-style-type: none"> 10 feet on the ground floor. Second floor and above, each floor shall be stepped back in an amount equal to 7 feet multiplied by the floor number¹⁶. <p>e) For portions of the property along property lines that abut a non-residential use, the development shall be setback 15 feet¹⁶.</p>	
		Does the project provide parking for bicycles, electric vehicle supply equipment, and accessible parking for persons with disabilities ¹⁴ ?	
APPROVAL PROCESS ²⁰		APPROVAL PROCESS ²⁰	
Does the project meet all the above criteria to qualify for streamlined, ministerial review?		Does the project meet all the above criteria to qualify for streamlined, ministerial review?	
Has the project completed the city's Development Plan Review pursuant to CMC Chapter 17.102, prior to applying for a building permit ¹⁷ ?		Has the project completed the city's Development Plan Review pursuant to CMC Chapter 17.102, prior to applying for a building permit ¹⁷ ?	
LABOR REQUIREMENTS		LABOR REQUIREMENTS	
Prevailing wage required ¹⁸ .		Prevailing wage required ¹⁸ .	
<p>In addition to paying prevailing wage, the following is required for projects with more than 50 units:</p> <ul style="list-style-type: none"> Must require contractors to employ construction craft employees or let subcontracts for at least 1,000 hours participate in an apprenticeship program and make specified health care contributions. Developer must require these standards to be included in all construction contracts. Developer must certify to the local government that the labor requirements will be met in the project construction. Developer must provide the city with monthly compliance reports. 		<p>In addition to paying prevailing wage, the following is required for projects with more than 50 units:</p> <ul style="list-style-type: none"> Must require contractors to employ construction craft employees or let subcontracts for at least 1,000 hours participate in an apprenticeship program and make specified health care contributions. Developer must require these standards to be included in all construction contracts. Developer must certify to the local government that the labor requirements will be met in the project construction. Developer must provide the city with monthly compliance reports. 	

Notes

¹ "Principally permitted use" means use that may occupy more than one-third of the square footage of designated use on the site and does not require a conditional use permit.

² "Commercial corridor" means a highway, as defined in Vehicle Code Section 360, that is not a freeway, as defined in Vehicle Code Section 332, and that has a right-of-way, as defined in Vehicle Code Section 525, of at least 70 feet but not greater than 150 feet.

³ "Multifamily" means a property with five or more housing units for sale or for rent. There is no requirement that the housing units be attached.

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⁴"Housing development project" has the same definition as in Government Code Section 65589.5(h)(2) and means a use consisting of any of the following: (A) residential uses only; (2) mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use; or (3) transitional or supportive housing.

⁵Parcels separated only by a street or highway are considered adjoined.

⁶"Urban uses means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

⁷"Dedicated to industrial use" means any of the following: (1) square footage is currently being used for industrial use; (2) more recently permitted use of the square footage is an industrial use; or (3) the site was designated for industrial use in local government's latest general plan adopted before January 1, 2022.

⁸"Freeway" has the same definition as in Vehicle Code Section 332.

⁹"Affordable cost" is defined by Health and Safety Code Section 50052.5.

¹⁰The zoning can allow multifamily residential use, such as mixed-use zoning, but the site cannot be zoned for single-family residential development.

¹¹Per Gov't Code Section 65583.2(d)-(e), Corona is a metropolitan jurisdiction and to accommodate housing for lower-income households pursuant to housing element law, a housing development shall be at least 30 du/ac.

¹²The project shall be deemed consistent with objective zoning standards related to housing density if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

¹³"Major transit stop" has the same definition as in Public Resources Code Section 21155(b).

¹⁴Per Gov't Code Section 65912.123(e), parking is not required except for the parking imposed on a new multifamily residential or nonresidential development to provide bicycle parking, electric vehicle supply equipment installed in parking spaces, or parking spaces that are accessible to persons with disabilities.

¹⁵"Side street" means a highway, as defined in Vehicle Code Section 360, that is not a freeway, as defined in Vehicle Code Section 332, and that has a right-of-way, as defined in Vehicle Code Section 525, of at least 25 and fewer than 70 feet.

¹⁶The amount required to be stepped back may be decreased by the local government.

¹⁷If the city determines that the development is in conflict with the objective development standards being applied, the city shall provide the applicant written documentation of the standard or standards the development conflicts with, and an explanation for the reason or reason the development conflicts with that standard or standards within the following timeframes: a) within 60 days of submittal of the development proposal to the city if the development contains 150 or fewer housing units; or b) within 90 days of submittal of the development proposal to the city if the development contains more than 150 housing units.

¹⁸"Prevailing wage" means at least the general prevailing rate or per diem wages for the type of work and the geographic area as determined by the Director of Industrial Relations pursuant to Labor Code Sections 1773 and 1773.9, except apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

¹⁹A housing development is eligible for a density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios pursuant to Section 65915.

²⁰An application for a subdivision pursuant to the Subdivision Map Act is subject to discretionary review but shall be exempt from the requirements of the California Environmental Quality Act (Gov't Code Sections 65912.114 (h) and 65912.124(h)) if the development is consistent with all objective subdivision standards pursuant to the city's ordinance.