

Introduced by Senator Umberg

January 17, 2023

An act to amend Section 21080.50 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 91, as introduced, Umberg. California Environmental Quality Act: exemption: supportive and transitional housing: motel conversion.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

Existing law, until January 1, 2025, exempts from CEQA projects related to the conversion of a structure with a certificate of occupancy as a motel, hotel, residential hotel, or hostel to supportive or transitional housing, as defined, that meet certain conditions.

This bill would extend indefinitely the above exemption.

Because the bill would extend the duties of lead agencies to determine the applicability of the above exemption, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21080.50 of the Public Resources Code
2 is amended to read:

3 21080.50. (a) For purposes of this section, the following
4 definitions apply:

5 (1) “Interim motel housing project” or “project” means the
6 conversion of a structure with a certificate of occupancy as a motel,
7 hotel, residential hotel, or hostel to supportive or transitional
8 housing, and the conversion meets one or both of the following
9 conditions:

10 (A) It does not result in the expansion of more than 10 percent
11 of the floor area of any individual living unit in the structure.

12 (B) It does not result in any significant effects relating to traffic,
13 noise, air quality, or water quality.

14 (2) “Residential hotel” has the same meaning as defined in
15 Section 50519 of the Health and Safety Code.

16 (3) “Supportive housing” means housing linked to onsite or
17 offsite supportive services and with no limit on length of stay for
18 persons with low incomes who have one or more disabilities and
19 may include, among other populations, adults, emancipated minors,
20 families with children, elderly persons, young adults aging out of
21 the foster care system, individuals exiting from institutional
22 settings, veterans, and homeless people.

23 (4) “Supportive services” means services that are provided on
24 a voluntary basis to residents of supportive or transitional housing,
25 including, but not limited to, a combination of subsidized and
26 permanent housing services, intensive case management, medical
27 and mental health care, substance abuse treatment, employment
28 services, benefits advocacy, and other services or service referrals
29 necessary to obtain and maintain housing.

1 (5) “Transitional housing” means temporary housing linked to
2 supportive services that is offered, usually for a period of up to 24
3 months, to facilitate movement to permanent housing for persons
4 with low incomes who may have one or more disabilities, and may
5 include, among other populations, adults, emancipated minors,
6 families with children, elderly persons, young adults aging out of
7 the foster care system, individuals exiting from institutional
8 settings, veterans, and homeless people.

9 (b) This division does not apply to an interim motel housing
10 project.

11 (c) A lead agency that determines an interim motel housing
12 project is exempt pursuant to this section shall file a notice of
13 exemption in accordance with subdivision (b) of Section 21152
14 with the Office of Planning and Research.

15 ~~(d) This section shall remain in effect only until January 1, 2025,~~
16 ~~and as of that date is repealed.~~

17 SEC. 2. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 a local agency or school district has the authority to levy service
20 charges, fees, or assessments sufficient to pay for the program or
21 level of service mandated by this act, within the meaning of Section
22 17556 of the Government Code.