

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 340 (Laird) – As Amended March 17, 2025

Policy Committee:	Housing and Community Development	Vote:	11 - 0
	Local Government		10 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill revises and expands the definition of “emergency shelter” in provisions of housing element law to specify that all onsite services associated with an emergency shelter subject to by-right approval are included as part of the emergency shelter.

Specifically, this bill:

- 1) Expands the interim interventions under the definition of “emergency shelter” in housing element law to include all services provided onsite, including the addition or expansion of services consistent with any written, objective standards, as specified.
- 2) Strikes the word “minimal” from the definition of “emergency shelter” in the Emergency Housing and Assistance Program (EHAP).

FISCAL EFFECT:

- 1) HCD estimates minor and absorbable costs to edit the definition of emergency shelter in guidance documents and provide corresponding technical assistance to local agencies.
- 2) Local costs of an unknown, but likely minor amount for local agencies to update definitions in housing element requirements regarding emergency shelters. These costs are not reimbursable by the state because local agencies have general authority to charge and adjust planning and permitting fees to cover their administrative expenses associated with new planning mandates.

COMMENTS:

- 1) **Purpose.** According to the author:

[This bill] clarifies that by-right approval for emergency shelters in designated zones includes all services offered by the shelter and any future expansion of wraparound services. These services include essential offerings like meals, shower access, housing navigation, case management, outreach programs, and more. Some emergency shelters located in emergency shelter overlay zones have nevertheless been required to have conditional use permits for wraparound services, or it’s been argued that providing wraparound services disqualifies a shelter from being considered an ‘emergency’ shelter. By removing

this ambiguity, [this bill] ensures that shelters can continue to meet the evolving needs of vulnerable communities without unnecessary delays and denials.

- 2) **Background.** Existing law requires a local government, in its housing element, to identify zones where emergency shelters are permitted as a use by right that does not require a conditional use permit, planned unit development permit, or other discretionary review or approval. If the local government cannot identify a zone or zones with sufficient capacity, it must amend its zoning ordinance to accommodate shelter needs within one year of the adoption of the housing element.

A local government may only impose the same standards on emergency shelters that apply to other residential and commercial development within the same zones, except that it may also apply other specified written, objective standards. AB 2339 (Bloom), Chapter 654, Statutes of 2022, expanded the definition of emergency shelter to include other interim interventions, including navigation centers, bridge housing, and respite or recuperative care.

This bill expands the interim interventions under the definition of “emergency shelter” in housing element law to include all onsite services, including the addition or expansion of services that are consistent with specified written, objective standards.

In addition, several state housing programs – including by-right zones for emergency shelters – reference a now-obsolete program that still exists in statute (the EHAP). EHAP statute defines “emergency shelter” as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.” This bill strikes the limiting word “minimal” from that definition.

Proponents assert these changes will ensure that all shelters offering supportive services are eligible for by-right approvals, and not subject to discretionary or conditional use permits.

Analysis Prepared by: Jennifer Swenson / APPR. / (916) 319-2081