



American Planning Association
California Chapter

Making Great Communities Happen.

APA CALIFORNIA LEGISLATIVE UPDATE

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The 2014 Legislative Session resumed on January 6th. Two-year bills that are moving this year must pass out of their own house by January 31st. The deadline for introducing new bills is February 21st. The APA California Legislative Review Teams will meet in person to review and take positions on bills in early March.

For a full list of hot planning bills with up-to-the minute status, please go to the legislative page on APA California's website at www.apacalifornia.org.

Key two-year planning measures that will return this year include:

AB 52 (Gatto) Impacts of Projects on Tribal Resources Under CEQA

This bill, sponsored by the Native American tribes, is intended to provide a separate statutory process for tribes to engage in the California Environmental Quality Act review process to avoid significant effects on tribal resources. AB 52 as it is currently in print still includes processes, definitions and timelines that are not consistent with CEQA. APA California, as well as the League of Cities, CSAC, RCRC and California Building Industry attorneys, have continued to work on language the last few months that would provide a process to protect tribal resources, but also ensure that changes made to CEQA are feasible within and compatible with the existing CEQA process. The Governor through the Office of Planning and Research is also weighing in on amendments to AB 52. Those negotiations are continuing.

APA California Position: Work with tribes on definitions and process

AB 1331 (Rendon) and SB 42 (848) (Wolk) Water Bond Framework

These bills at the end of session last year were substantially amended to provide a framework for a new water bond to be placed on the ballot. These bills were postponed until 2014, however, to allow the Legislature more time to determine the total amount of the bond, the core purposes and priorities, and allow for more public input this spring. Informational hearings will be held over the next few months. To provide adequate time for negotiations, Senator Wolk decided not to move SB 42 and instead introduce a new 2014

bill, SB 848.

APA California Position: The APA California Board decided to support both AB 1331 and SB 848 and recommended that the bills continue to concentrate the limited \$6 billion in proposed bond funds on the most important water projects: water quality, water supply, watersheds, storage, and flood and storm water management.

Other planning bills expected to be introduced in 2014:

To date, new 2014 legislation is slowly being introduced. However, APA California is anticipating a number of key issues to show up in new bills:

- Limitations on local parking requirements
- Requirements for sustainable farmland strategies
- Authorization for backyard and urban gardens and direct on-site sales
- Reduction to a 55% vote for specific projects to be funded through Infrastructure Financing Districts, and expansion of IFD projects to military base reuse, urban infill, transit priority projects, and affordable housing (Governor's proposal)
- Authorization for other redevelopment alternatives
- Limited changes to CEQA
- Local control over massage parlors
- Streamlining wireless facilities siting
- Local incentives for green projects
- Authorization for "at-risk" building owners (i.e. subject to earthquakes) to retrofit property in exchange for lowered taxes
- Incentives for urban development

Also expected will be the Governor's budget trailer bills to: fund transportation infrastructure including SB 375 implementation; provide a dedicated source of funding for high-speed rail through allocations of AB 32 cap and trade funds; also allocate \$100 million of cap and trade funds to the Strategic Growth Council for SB 375 projects including transit and transit-oriented development, various projects in disadvantaged communities, low-income housing and affordable housing near transit stations, active transportation projects (walking/biking), environmental mitigation and agricultural land preservation and related planning, and local planning that promotes infill development and reduces VMTs; and provide new funding for waste diversion and water projects including wetlands, coastal watershed, flood protection, water storage capacity, groundwater management and drinking water improvement programs.