



American Planning Association  
**California Chapter**

*Making Great Communities Happen*

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March 28, 2017

Assembly Member Marc Berman  
Room 6011  
State Capitol  
Sacramento, California 95814

SUBJECT: **AB 1404 (Berman) – Notice of Support** – In Assembly  
Natural Resources Committee – Monday, April 3rd

Dear Assembly Member Berman:

APA California supports AB 1404, your measure that would allow urbanized counties to use the existing categorical infill exemption for projects that meet the existing conditions that qualify for the exemption.

There is no reason that urbanized counties should not be able to take advantage of the Class 32 exemption to encourage infill projects in largely developed portions of the county over greenfield development. These county infill projects will have to meet the same requirements that city infill projects must meet to be eligible for this exemption: the project has to be consistent with the general plan and zoning; the project site can be no more than five acres substantially surrounded by urban uses; the site has no value as habitat; the project would not pose a significant effect on traffic, noise, air or water quality; the site can be adequately served by all required utilities and public services; and are subject to the CEQA exceptions for specific environmental impacts. This is also consistent with the goals of SB 375.

For these reasons, APA supports this measure. For information, please contact Sande George, Stefan/George Associates, APA California's lobbyist, at 443-5301, [sgeorge@stefangeorge.com](mailto:sgeorge@stefangeorge.com).

Sincerely,

*John Terell*

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cc: Members of the Assembly Natural Resources Committee  
The Governor  
OPR  
Republican Caucus

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