

AMENDED IN SENATE JUNE 8, 2004

AMENDED IN ASSEMBLY JANUARY 5, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 955**

**Introduced by Assembly Members Wiggins and Steinberg**

February 20, 2003

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~~An act to amend Section 65352 of the Government Code, relating to land use.~~ *An act relating to state property.*

LEGISLATIVE COUNSEL'S DIGEST

AB 955, as amended, Wiggins. ~~General plans: amendment~~ *Surplus state property: Sonoma Development Center: Jack London State Park.*

*Existing law provides for the declaration of surplus property by state agencies and the transfer of those properties to the jurisdiction of the Department of General Services. The department may transfer surplus property to other state agencies under certain circumstances.*

*This bill would require that, on or after January 1, 2005, if property under the jurisdiction of the Sonoma Developmental Center is declared surplus and transferred to the jurisdiction of the Department of General Services pursuant to these provisions, the department shall transfer that property to the Department of Parks and Recreation to be added to Jack London State Park.*

~~The Planning and Zoning Law requires the planning agency prior to action by a legislative body of a city or county to adopt or substantially amend a general plan, to refer the proposed action to specified entities, including, among other entities, any elementary, high school, or unified school district within the area covered by the proposed action and any~~

~~areawide planning agency whose operations may be significantly affected by the proposed action, as determined by the planning agency.~~

~~This bill would clarify that the referral to any elementary, high school, or unified school district within the area covered by the proposed action would be for the purpose of fostering improved communication and coordination, as specified, related to planning for school siting.~~

~~The bill would also make a technical change.~~

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

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

1 ~~SECTION 1.— Section 65352 of the Government Code is~~  
2 *SECTION 1. On or after January 1, 2005, if property under*  
3 *the jurisdiction of the Sonoma Developmental Center is declared*  
4 *surplus and transferred to the jurisdiction of the Department of*  
5 *General Services pursuant to Section 11011 of the Government*  
6 *Code, the Department of General Services shall transfer the*  
7 *property to the Department of Parks and Recreation to be added*  
8 *to Jack London State Park.*

9 ~~amended to read:~~

10 ~~65352.— (a) Prior to action by a legislative body to adopt or~~  
11 ~~substantially amend a general plan, the planning agency shall refer~~  
12 ~~the proposed action to all of the following entities:~~

13 ~~(1) Any city or county, within or abutting the area covered by~~  
14 ~~the proposal, and any special district that may be significantly~~  
15 ~~affected by the proposed action, as determined by the planning~~  
16 ~~agency.~~

17 ~~(2) Any elementary, high school, or unified school district~~  
18 ~~within the area covered by the proposed action in order to foster~~  
19 ~~improved communication and coordination between local~~  
20 ~~planning agencies and school districts related to planning for~~  
21 ~~school siting, including through the coordination process~~  
22 ~~described in Section 65352.2.~~

23 ~~(3) The local agency formation commission.~~

24 ~~(4) Any areawide planning agency whose operations may be~~  
25 ~~significantly affected by the proposed action, as determined by the~~  
26 ~~planning agency.~~



1 ~~(5) Any federal agency if its operations or lands within its~~  
2 ~~jurisdiction may be significantly affected by the proposed action,~~  
3 ~~as determined by the planning agency.~~

4 ~~(6) Any public water system, as defined in Section 116275 of~~  
5 ~~the Health and Safety Code, with 3,000 or more service~~  
6 ~~connections, that serves water to customers within the area~~  
7 ~~covered by the proposal. The public water system shall have at~~  
8 ~~least 45 days to comment on the proposed plan, in accordance with~~  
9 ~~subdivision (b), and to provide the planning agency with the~~  
10 ~~information set forth in Section 65352.5.~~

11 ~~(7) The Bay Area Air Quality Management District for a~~  
12 ~~proposed action within the boundaries of the district.~~

13 ~~(b) Each entity receiving a proposed general plan or~~  
14 ~~amendment of a general plan pursuant to this section shall have 45~~  
15 ~~days from the date the referring agency mails it or delivers it in~~  
16 ~~which to comment unless a longer period is specified by the~~  
17 ~~planning agency.~~

18 ~~(e) (1) This section is directory, not mandatory, and the failure~~  
19 ~~to refer a proposed action to the other entities specified in this~~  
20 ~~section does not affect the validity of the action, if adopted.~~

21 ~~(2) To the extent that the requirements of this section conflict~~  
22 ~~with the requirements of Chapter 4.4 (commencing with Section~~  
23 ~~65919), the requirements of Chapter 4.4 shall prevail.~~

