

AMENDED IN ASSEMBLY JUNE 3, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1358

Introduced by Assembly Member Simitian

February 21, 2003

An act to add Section 33213.5 to the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1358, as amended, Simitian. Redevelopment: cities: housing.

The Community Redevelopment Law authorizes a redevelopment agency to expend certain tax-increment revenues for low and moderate income inside or outside of a project area. The agency may only use those funds outside the project area upon a resolution of the agency and the legislative body that the use will be of benefit to the project, as prescribed. Also, the legislative body of a community may authorize the redevelopment of an area within its territorial limits by another community, as prescribed, and contiguous agencies within adjoining cities may form a joint powers agency to pool housing funds.

This bill would authorize ~~an~~ a redevelopment agency located in a city with a population of 100,000 persons or less in San Mateo, Santa Clara, or Santa Cruz Counties to expend tax-increment revenues for the construction of housing that is commenced prior to January 1, 2009, and that is located within 5 miles outside of the exterior boundary of a project area. ~~The bill would authorize 2 or more agencies located in adjacent cities to jointly fund the construction of housing that is located~~

~~within 5 miles outside the exterior boundary of a project area established by any participating agency using revenues derived pursuant to the act. Each participating agency would receive credit for providing housing in proportion to the contribution made by the agency. In addition, the bill would authorize a city or a county to jointly fund with an adjacent jurisdiction, including a city, county, or agency, the construction of housing that is located within 5 miles outside of the exterior boundary of the city or county and within 5 miles outside of the exterior boundary of any participating redevelopment agency. Each participating entity and the community in which any participating redevelopment agency is located would receive credit for providing housing in proportion to the contribution made by the entity or agency.~~

~~The bill would authorize a city that is built out, as defined, or an agency in that city, to provide funding to an adjacent city or an agency within that adjacent city for the construction of housing within 5 miles outside the exterior boundary of the built out city, or in the case of an agency, within 5 miles of the exterior boundary of a project area established by that agency.~~

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

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

1 SECTION 1. This act shall be known and may be cited as the
2 Housing Efficiency Act.

3 SEC. 2. Section 33213.5 is added to the Health and Safety
4 Code, to read:

5 33213.5. ~~(a)~~ An agency may expend tax-increment revenues
6 pursuant to this division for the construction of housing that is
7 *commenced prior to January 1, 2009, and that is* located within
8 five miles outside of the exterior boundary of a project area.

9 ~~(b) (1) Two or more agencies located in adjacent cities,~~
10 ~~counties, or a city and an adjacent county may jointly fund the~~
11 ~~construction of housing that is located within five miles outside the~~
12 ~~exterior boundary of a project area established by any participating~~
13 ~~agency using revenues derived pursuant to this division. Each~~
14 ~~participating agency and the community in which the agency is~~
15 ~~located shall receive credit for providing housing in proportion to~~
16 ~~the contribution made by the agency.~~



1 ~~(2) In addition, a city or a county may jointly fund with an~~
2 ~~adjacent jurisdiction, including a city, a county, or an agency, the~~
3 ~~construction of housing that is located within five miles outside of~~
4 ~~the exterior boundary of the city or county and within five miles~~
5 ~~outside of the exterior boundary of any participating~~
6 ~~redevelopment agency. Each participating entity and the~~
7 ~~community in which any participating redevelopment agency is~~
8 ~~located shall receive credit for providing housing in proportion to~~
9 ~~the contribution made by the entity or agency.~~

10 (e) ~~For purposes of this section, a city is “built out” if at least~~
11 ~~85 percent of all residentially zoned parcels within the city contain~~
12 ~~housing at or above the minimum allowed density. A city that is~~
13 ~~built out, or an agency in that city, may provide funding to an~~
14 ~~adjacent city or county or an agency within that adjacent city or~~
15 ~~county for the construction of housing within five miles outside the~~
16 ~~exterior boundary of the built out city, or in the case of an agency,~~
17 ~~within five miles of the exterior boundary of a project area~~
18 ~~established by that agency. if the agency is located in a city that has~~
19 ~~a population of 100,000 or less according to the most recent census~~
20 ~~information, as determined by the Department of Finance, and is~~
21 ~~located within the County of San Mateo, Santa Clara, or Santa~~
22 ~~Cruz, and the housing is located within the same county.~~

23 *SEC. 2. The Legislature finds and declares that, because of the*
24 *unique circumstances applicable only to the Counties of San*
25 *Mateo, Santa Clara, and Santa Cruz, a statute of general*
26 *applicability cannot be enacted within the meaning of subdivision*
27 *(b) of Section 16 of Article IV of the California Constitution.*
28 *Therefore, this special statute is necessary.*

