

AMENDED IN ASSEMBLY APRIL 17, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1091**

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**Introduced by Assembly Member Bass**

February 23, 2007

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An act to ~~add Sections 53545.2, 53545.4, and 53545.6 to amend Section 53562 of, and to add Section 53545.4 to,~~ the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1091, as amended, Bass. ~~Housing and Emergency Shelter Trust Fund Act of 2006.~~*Transit-Oriented Development Implementation Program.*

~~Existing law, the~~

*The Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$300,000,000 to be deposited in the Transit-Oriented Development Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for expenditure under the Transit-Oriented Development Implementation Program, which is established under existing law under the administration of the Department of Housing and Community Development.*

*Existing law requires the department, to the extent that funds are available under the program, to make grants to cities, counties, cities and counties, or transit agencies for the provision of infrastructure necessary for the development of higher density uses within close proximity to a transit station, or to facilitate connections between that development and the station.*

This bill would require the ~~Department of Housing and Community Development~~ department to establish guidelines for the distribution of funds made available to the program under the bond act, based on certain criteria relating to ~~availability of local matching and other funds, community need for the proposed project, meeting, providing multiple benefits, coordinating funding from sources other than bond funds derived under the act, meeting~~ or exceeding certain affordable housing requirements, and other factors.

*The bill would delete the requirement in existing law that the department make grants to cities, counties, cities and counties, or transit agencies for the provision of infrastructure necessary for the development of higher density uses within close proximity to a transit station, or to facilitate connections between that development and the station.*

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

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

- 1 SECTION 1.— Section 53545.2 is added to the Health and Safety
- 2 Code, to read:
- 3 53545.2.— The department shall establish guidelines for the
- 4 distribution of funds made available in the Regional Planning,
- 5 Housing, and Infill Incentive Account established under subdivision
- 6 (b) of Section 53545, based on the following criteria:
- 7 (a) ~~Projects shall include demonstrated local matching funds.~~
- 8 (b) ~~In addition to the ranking criteria set forth in Section 53563,~~
- 9 ~~priority funding shall be given to projects that include one or more~~
- 10 ~~of the following characteristics:~~
- 11 (1) ~~Environmental mitigation effects.~~
- 12 (2) ~~Multiple benefits.~~
- 13 (3) ~~Coordination of investments.~~
- 14 (4) ~~Funding from a local housing trust fund or other local~~
- 15 ~~matching funds.~~

1 ~~(5) Meeting or exceeding the 15 percent affordable housing~~  
2 ~~requirement established under subdivision (b) of Section 53562.~~

3 ~~(e) In evaluating and ranking applications for funds made~~  
4 ~~available under subparagraph (A) of paragraph (1) of subdivision~~  
5 ~~(b) of Section 53545 for infill park creation, development or~~  
6 ~~rehabilitation, the department shall grant bonus points to projects~~  
7 ~~or developments that include one or more of the following~~  
8 ~~characteristics:~~

9 ~~(1) Service of a park-poor area.~~

10 ~~(2) Service of densely populated areas.~~

11 ~~(3) Service of areas with high numbers of youth, particularly~~  
12 ~~youth in poverty.~~

13 ~~(4) Multiple benefits.~~

14 ~~(5) Demonstrated local matching funds for the project.~~

15 ~~SEC. 2.~~

16 ~~SECTION 1.~~ Section 53545.4 is added to the Health and Safety  
17 Code, to read:

18 53545.4. The department shall develop guidelines for the  
19 distribution of funds made available from the Transit-Oriented  
20 Development Implementation Fund established under subdivision  
21 (c) of Section 53545, based on the following criteria:

22 (a) Projects shall include demonstrated local matching funds.

23 (b) In ranking applications for projects pursuant to subdivision  
24 (c) of Section 53545, the department shall grant bonus points to  
25 projects or developments with one or more of the following  
26 characteristics:

27 (1) Multiple benefits.

28 (2) Coordination of funding from one or more sources of state  
29 infrastructure bond funds that do not include funds made available  
30 under Section 53545.

31 (3) Inclusion in a comprehensive community plan.

32 (4) Coordination of investments from one or more sources of  
33 local funding.

34 (5) Meeting or exceeding the 15 percent affordable housing  
35 requirement established under subdivision (b) of Section 53562.

36 ~~SEC. 3.~~ Section 53545.6 is added to the Health and Safety  
37 Code, to read:

38 ~~53545.6.~~ The department shall establish guidelines for the  
39 distribution of funds made available from the Housing  
40 Urban-Suburban-and-Rural Parks Account established under

1 ~~subdivision (d) of Section 53545. The department shall assign a~~  
2 ~~higher priority to projects that contain one or more of the following~~  
3 ~~characteristics:~~

4 ~~(a) The project’s service area has significant deficiencies in park~~  
5 ~~access and facilities.~~

6 ~~(b) The project will recycle property or replace a brownfield.~~

7 ~~(c) The project is a partnership in an infill, transit-oriented, or~~  
8 ~~affordable housing development.~~

9 ~~(d) The project creates a new park in a location where none~~  
10 ~~currently exists.~~

11 ~~(e) The project is located in an area with a high population of~~  
12 ~~low-income families~~

13 ~~(f) The project is easily accessible to pedestrians, bicycles, and~~  
14 ~~public transit.~~

15 ~~(g) The project encourages use by local residents.~~

16 *SEC. 2. Section 53562 of the Health and Safety Code is*  
17 *amended to read:*

18 53562. ~~(a) To the extent that funds are available, the~~  
19 ~~department shall make grants to cities, counties, cities and counties,~~  
20 ~~or transit agencies for the provision of infrastructure necessary for~~  
21 ~~the development of higher density uses within close proximity to~~  
22 ~~a transit station, or to facilitate connections between that~~  
23 ~~development and the station.~~

24 ~~(b) To the extent that funds are available, the department shall~~  
25 ~~make loans for the development and construction of a housing~~  
26 ~~development project within close proximity to a transit station. To~~  
27 ~~be eligible for a loan, at least 15 percent of the units in the proposed~~  
28 ~~development shall be made available at an affordable rent or at an~~  
29 ~~affordable housing cost to persons of very low or low income for~~  
30 ~~at least 55 years. Developments assisted pursuant to this~~  
31 ~~subdivision shall be on parcels at least a portion of which are~~  
32 ~~located within one-quarter mile of a transit station. A housing~~  
33 ~~development project may include a mixed-use development~~  
34 ~~consisting of residential and nonresidential uses.~~

35 ~~(c)~~

36 ~~(b) As used in this part, “transit station” shall have the same~~  
37 ~~meaning as defined in subdivision (b) of Section 65460.1 of the~~  
38 ~~Government Code.~~

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