

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1252

Introduced by Assembly Member Caballero

February 23, 2007

An act ~~relating to housing~~ to add Chapter 14 (commencing with Section 5875) to Division 5 of the Public Resources Code, relating to parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1252, as amended, Caballero. Housing Urban-Suburban-and-Rural Parks Account.

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 \$200,000,000 to be deposited in the Housing Urban-Suburban-and-Rural Parks Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for housing-related parks grants in urban, suburban, and rural areas, subject to the conditions and criteria that the Legislature may provide in statute.

~~This bill would set forth the intent of the Legislature to enact legislation governing project eligibility and the application process for projects funded with funds from the Housing Urban-Suburban-and-Rural Parks Account.~~

The bill would create the Housing-Related Parks Program within the Department of Parks and Recreation using funds allocated, upon appropriation by the Legislature, from the Housing Urban-Suburban-and-Rural Parks Account, to provide grants to cities and counties for the creation or rehabilitation of parks in conjunction with eligible housing projects.

The department would be required to provide grants, to the extent that funds are appropriated, to cities and counties that meet certain criteria, including the development of a housing element and the issuance of a building permit for a housing project that meets specified affordability conditions. The bill would specify criteria for the awarding of grants and would provide that if eligibility for the funds exceeds the amount of funding available, the department would be required to assign priority based on the extent to which a park project meets certain characteristics.

The department would be required, with the assistance of the Department of Housing and Community Development, to adopt guidelines for the program, which would be exempt from the procedural requirements for the adoption of regulations. The department would be authorized to enter into an interagency agreement with the Department of Housing and Community Development to assist in the administration of the program.

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. Chapter 14 (commencing with Section 5875) is
 2 added to Division 5 of the Public Resources Code, to read:

3

4 CHAPTER 14. HOUSING-RELATED PARKS PROGRAM

5

6 5875. (a) For purposes of this chapter, the following definitions
 7 shall apply:

8 (1) "Department" means the Department of Parks and
 9 Recreation.

10 (2) "Program" means the Housing-Related Parks Program
 11 established by this chapter for the purpose of providing grants to
 12 cities and counties for the creation or rehabilitation of parks in
 13 conjunction with eligible housing projects.

1 (b) *The Housing-Related Parks Program is hereby created*
2 *within the department using funds allocated, upon appropriation*
3 *by the Legislature, from the Housing Urban-Suburban-and-Rural*
4 *Parks Account pursuant to subdivision (d) of Section 53545 of the*
5 *Health and Safety Code, for the purpose of providing grants to*
6 *cities and counties for the creation or rehabilitation of parks in*
7 *conjunction with housing projects with an affordable component,*
8 *as provided in this chapter.*

9 5875.1. *To the extent that funds are appropriated for this*
10 *purpose, the department shall provide grants under this chapter*
11 *only to cities and counties that meet all of the following criteria:*

12 (a) *The jurisdiction has a demonstrated deficit in parks or park*
13 *acreage, as determined by the department.*

14 (b) *The jurisdiction has adopted a housing element that the*
15 *Department of Housing and Community Development, pursuant*
16 *to Section 65585 of the Government Code, has found to be in*
17 *substantial compliance with the requirements of Article 10.6*
18 *(commencing with Section 65580) of Chapter 3 of Division 1 of*
19 *Title 7 of the Government Code.*

20 (c) *The jurisdiction has met or exceeded housing production*
21 *thresholds established by the Department of Housing and*
22 *Community Development in consultation with the Department of*
23 *Finance.*

24 (d) *The jurisdiction has issued a building permit for a housing*
25 *project in which at least 25 percent of the units will be affordable*
26 *to very low or low-income households.*

27 5875.2. *The department shall provide grants to qualified*
28 *jurisdictions pursuant to this chapter, for the creation or*
29 *rehabilitation of a park in conjunction with a housing development*
30 *project, in compliance with all of the following:*

31 (a) *The grants shall be awarded on a per-bedroom basis for*
32 *each unit affordable to very low or low-income households.*

33 (b) *The grant amount for very low income units shall be greater*
34 *than the grant amount for low-income units.*

35 (c) *If eligibility for funds exceeds the amount of funding*
36 *available, the department shall assign priority based on the extent*
37 *to which a park project meets the following characteristics:*

38 (1) *The project will recycle property or will replace a*
39 *brownfield, as defined in Section 25395.20 of the Health and Safety*
40 *Code.*

1 (2) *The project creates a new park in a location where none*
2 *currently exists.*

3 (3) *The project’s service area has significant deficiencies in*
4 *park access and facilities relative to other areas of the applicant’s*
5 *jurisdiction.*

6 (4) *The development phase of the project was planned with*
7 *public input from the affected community.*

8 (5) *The project is part of an infill or transit-oriented*
9 *development.*

10 (6) *The project is located in an area with a high concentration*
11 *of low-income households.*

12 (7) *The project is located in an area with a disproportionately*
13 *high population density, compared to other areas of the applicant’s*
14 *jurisdiction.*

15 (8) *The project is easily accessible to pedestrians, bicycles, and*
16 *public transit.*

17 (9) *The project encourages use by local residents.*

18 5875.3. (a) *The department shall, with the assistance of the*
19 *Department of Housing and Community Development, adopt*
20 *guidelines for the program.*

21 (b) *The guidelines adopted pursuant to this section are not*
22 *subject to Chapter 3.5 (commencing with Section 11340) of Part*
23 *1 of Division 3 of Title 2 of the Government Code.*

24 5875.4. *The department may deny funding pursuant to this*
25 *chapter to a jurisdiction that the department determines, in*
26 *consultation with the Department of Housing and Community*
27 *Development, based on reasonable evidence, fails to issue permits*
28 *for qualifying residential units on a timely basis, as set forth in*
29 *the guidelines adopted pursuant to Section 5875.3.*

30 5875.5. *The department may enter into an interagency*
31 *agreement with the Department of Housing and Community*
32 *Development to assist in the administration of the program*
33 *established by this chapter.*

34 ~~SECTION 1. It is the intent of the Legislature to enact~~
35 ~~legislation governing project eligibility and the application process~~
36 ~~for projects funded with funds derived from the bonds issued under~~
37 ~~the Housing and Emergency Shelter Trust Fund Act of 2006,~~
38 ~~deposited in the Housing Urban-Suburban and Rural Parks~~
39 ~~Account in the Housing and Emergency Shelter Trust Fund of~~
40 ~~2006, and made available, upon appropriation, pursuant to~~

- 1 ~~subdivision (d) of Section 53545 of the Health and Safety Code,~~
- 2 ~~for expenditure for housing-related parks grants in urban, suburban,~~
- 3 ~~and rural areas.~~

O