

AMENDED IN SENATE JUNE 24, 2010
AMENDED IN ASSEMBLY MAY 11, 2010
AMENDED IN ASSEMBLY APRIL 5, 2010
AMENDED IN ASSEMBLY FEBRUARY 24, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1641

Introduced by Assembly Member Hall

January 11, 2010

~~An act to add Sections 33038.5 and 33331.4 to the Health and Safety Code, relating to redevelopment.~~
An act to amend Section 33030 of, and to add Section 33331.4 to, the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1641, as amended, Hall. Redevelopment: blighted areas.

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities in order to address the effects of blight, as defined, in those communities and requires those agencies to prepare, or cause to be prepared, and *to* approve a redevelopment plan for each area. The Legislature has found and declared that blighted areas may include housing areas constructed as temporary government-owned wartime housing projects, which may be characterized by one or more of the physical and economic conditions that cause blight. *Existing law provides that a blighted area containing specified conditions may also be characterized by the existence of inadequate public improvements or inadequate water or sewer utilities.*

~~This bill would make the legislative finding and declaration provide that blighted areas may include~~ *also be characterized by the existence*

of housing areas constructed as government-owned housing projects constructed prior to January 1, 1960. The bill would require a redevelopment agency undertaking activities and funding involving the described housing areas to comply with the Community Redevelopment Law, in addition to new project requirements relating to the inclusion of replacement dwelling units of all existing public housing. The bill would authorize a project in these areas to include the development of other housing, including privately owned housing units available to persons and families of low and moderate income and workforce market-rate housing units.

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. Section 33038.5 is added to the Health and Safety~~
2 ~~Code, to read:~~
3 ~~33038.5. The Legislature finds and declares that blighted areas~~
4 ~~may include housing areas constructed as government-owned~~
5 ~~housing projects constructed prior to January 1, 1960, and that~~
6 ~~these areas may be characterized by one or more of the conditions~~
7 ~~enumerated in Section 33031.~~
8 SECTION 1. Section 33030 of the Health and Safety Code is
9 amended to read:
10 33030. (a) It is found and declared that there exist in many
11 communities blighted areas that constitute physical and economic
12 liabilities, requiring redevelopment in the interest of the health,
13 safety, and general welfare of the people of these communities
14 and of the state.
15 (b) A blighted area is one that contains both of the following:
16 (1) An area that is predominantly urbanized, as that term is
17 defined in Section 33320.1, and is an area in which the combination
18 of conditions set forth in Section 33031 is so prevalent and so
19 substantial that it causes a reduction of, or lack of, proper utilization
20 of the area to such an extent that it constitutes a serious physical
21 and economic burden on the community that cannot reasonably
22 be expected to be reversed or alleviated by private enterprise or
23 governmental action, or both, without redevelopment.
24 (2) An area that is characterized by one or more conditions set
25 forth in any paragraph of subdivision (a) of Section 33031 and one

1 or more conditions set forth in any paragraph of subdivision (b)
2 of Section 33031.

3 (c) A blighted area that contains the conditions described in
4 subdivision (b) may also be characterized by the existence of
5 ~~inadequate public improvements or inadequate water or sewer~~
6 ~~utilities.~~ *any of the following:*

- 7 (1) *Inadequate public improvements.*
- 8 (2) *Inadequate water or sewer utilities.*
- 9 (3) *Housing constructed as a government-owned project that*
10 *was constructed before January 1, 1960.*

11 SEC. 2. Section ~~33331.5~~ 33331.4 is added to the Health and
12 Safety Code, to read:

13 ~~33331.5.~~

14 33331.4. (a) A redevelopment agency undertaking activities
15 and funding involving property described in ~~Section 33038.5~~
16 *paragraph (3) of subdivision (c) of Section 33030* shall comply
17 with all of the requirements of this part, except as specifically
18 modified in subdivision (b).

19 (b) In addition to the requirements specified in subdivision (a),
20 the following apply:

21 (1) The project shall include the replacement, on at least a
22 one-to-one basis, of all existing public housing units. The
23 replacement dwelling units shall be affordable to, and occupied
24 by, extremely low, very low, and lower income households as
25 defined in Sections 50106, 50105, and 50079.5, respectively, at
26 the same or lower income level as the household displaced from
27 the public housing units, for at least 55 years.

28 (2) The replacement dwelling units may be either publicly or
29 privately owned and *shall* meet both of the following requirements:

30 (A) Be located either inside the project area, or within a
31 five-mile radius of the parcel containing the public housing that
32 is being replaced.

33 (B) Shall be, for each income level described in paragraph (1),
34 a unit type as required by the displaced household.

35 (c) No household shall be displaced under this section unless
36 they are given priority for a permanent replacement dwelling unit
37 created pursuant to this section at the initial time of relocation.
38 This subdivision does not apply if the household, having been
39 given priority for a replacement dwelling unit under this part,
40 voluntarily chooses not to accept the replacement dwelling unit.

- 1 (d) The project may include both of the following:
- 2 (1) The development of additional privately owned housing
- 3 units that will be available to and occupied by persons and families
- 4 of low or moderate income, as defined in Section 50093, including
- 5 very low income households, as defined in Section 50105, at an
- 6 affordable housing cost, as defined in Section 50025.5.
- 7 (2) Workforce market-rate housing units, retail services,
- 8 commercial, industrial, educational, recreational, and other uses
- 9 as may be appropriate to serve the residents of the area, and public
- 10 improvements inside or adjacent to the project area.