

AMENDED IN SENATE JUNE 21, 2010

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN ASSEMBLY MAY 18, 2010

AMENDED IN ASSEMBLY APRIL 20, 2010

AMENDED IN ASSEMBLY APRIL 13, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2362

Introduced by Assembly Members Skinner and Blakeslee

February 19, 2010

~~An act to amend Sections 33020 and 33021 of, and to add Section 33137 to, the Health and Safety Code, relating to redevelopment.~~ *An act to amend Section 33420.1 of the Health and Safety Code, relating to redevelopment.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2362, as amended, Skinner. Redevelopment funds: soft-story building improvement assistance: *seismic retrofits*.

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 project area. That law authorizes the agencies ~~to use tax increment financing for redevelopment projects and repayment of redevelopment debts, within a project area and for any project undertaken for building rehabilitation or alternation in construction,~~

to take those actions deemed necessary and that are consistent with existing law to provide for seismic retrofits, as specified.

~~This bill would redefine the term “redevelopment” to include the provision of loan assistance to qualified homeowners, until January 1, 2016, as determined by the agency. The bill would authorize a redevelopment agency to use redevelopment funds to issue a loan limited to qualified homeowners for seismic retrofitting improvements to a soft-story building, as prescribed, who reside in or within one mile of the project area. The bill would authorize the use of funds outside the project area only upon a specified resolution of the agency and the legislative body. The bill would make this authorization inoperative on January 1, 2016.~~

This bill would specifically include soft-story buildings, as defined, as a type of building eligible for seismic retrofits provided by an 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. Section 33420.1 of the Health and Safety Code
- 2 is amended to read:
- 3 33420.1. Within a project area, for any project undertaken by
- 4 an agency for building rehabilitation or alteration in construction,
- 5 an agency may take those actions which the agency determines
- 6 necessary and which is consistent with local, state, and federal
- 7 law, to provide for seismic retrofits as follows:
- 8 (a) For unreinforced masonry buildings, to meet the
- 9 requirements of Chapter 1 of the Appendix of the Uniform Code
- 10 for Building Conservation of the International Conference of
- 11 Building Officials.
- 12 (b) For any buildings that qualify as “historical property” under
- 13 Section 37602, to meet the requirements of the State Historical
- 14 Building Code (Part 2.7 (commencing with Section 18950) of
- 15 Division 13).
- 16 (c) For buildings other than unreinforced masonry buildings
- 17 and historical properties, *including, but not limited to, soft-story*
- 18 *buildings*, to meet the requirements of the most current edition of
- 19 the Uniform Building Code of the International Conference of
- 20 Building Officials. *For purposes of this section, a “soft-story*
- 21 *building” means a wood frame, multiunit residential building*

1 *constructed before January 1, 1978, where the ground floor of the*
2 *portion of the structure contains parking or other similar open*
3 *floor space that causes soft, weak, or open-front wall lines.*

4 If an agency undertakes seismic retrofits and proposes to add
5 new territory to the project area, to increase either the limitation
6 on the number of dollars to be allocated to the redevelopment
7 agency or the time limit on the establishing of loans, advances,
8 and indebtedness established pursuant to paragraphs (1) and (2)
9 of Section 33333.2, to lengthen the period during which the
10 redevelopment plan is effective, to merge project areas, or to add
11 significant additional capital improvement projects, as determined
12 by the agency, the agency shall amend its redevelopment plan and
13 follow the same procedure, and the legislative body is subject to
14 the same restrictions, as provided for in Article 4 (commencing
15 with Section 33330) for the adoption of a plan.

16 ~~SECTION 1. Section 33020 of the Health and Safety Code is~~
17 ~~amended to read:~~

18 ~~33020. "Redevelopment" means the planning, development,~~
19 ~~replanning, redesign, clearance, reconstruction, or rehabilitation,~~
20 ~~or any combination of these, of all or part of a survey area; the~~
21 ~~provision of those residential, commercial, industrial, public, or~~
22 ~~other structures or spaces as may be appropriate or necessary in~~
23 ~~the interest of the general welfare, including recreational and other~~
24 ~~facilities incidental or appurtenant to them; assistance to qualified~~
25 ~~homeowners under Section 33137 until January 1, 2016; and~~
26 ~~payments to school and community college districts in the fiscal~~
27 ~~years specified in Sections 33681, 33681.5, 33681.7, 33681.9, and~~
28 ~~33681.12.~~

29 ~~SEC. 2. Section 33021 of the Health and Safety Code is~~
30 ~~amended to read:~~

31 ~~33021. Redevelopment includes:~~

32 ~~(a) The alteration, improvement, modernization, reconstruction,~~
33 ~~or rehabilitation, or any combination of these, of existing structures~~
34 ~~in a project area.~~

35 ~~(b) Provision for open-space types of use, such as streets and~~
36 ~~other public grounds and space around buildings, and public or~~
37 ~~private buildings, structures and improvements, and improvements~~
38 ~~of public or private recreation areas and other public grounds.~~

1 (e) ~~The replanning or redesign or original development of~~
2 ~~undeveloped areas as to which either of the following conditions~~
3 ~~exist.~~

4 (1) ~~The areas are stagnant or improperly utilized because of~~
5 ~~defective or inadequate street layout, faulty lot layout in relation~~
6 ~~to size, shape, accessibility, or usefulness, or for other causes.~~

7 (2) ~~The areas require replanning and land assembly for~~
8 ~~reclamation or development in the interest of the general welfare~~
9 ~~because of widely scattered ownership, tax delinquency, or other~~
10 ~~reasons.~~

11 (d) ~~Issuance of loans to qualified homeowners for seismic~~
12 ~~retrofitting improvements to a soft-story building under Section~~
13 ~~33137 until January 1, 2016.~~

14 SEC. 3. ~~Section 33137 is added to the Health and Safety Code,~~
15 ~~to read:~~

16 33137. (a) ~~An agency may use redevelopment funds to issue~~
17 ~~loans to qualified homeowners, who reside in or within one mile~~
18 ~~of the project area, to make seismic retrofitting improvements to~~
19 ~~a soft-story building, as specified in subdivision (c) and determined~~
20 ~~by the local agency. The agency may use these funds outside the~~
21 ~~project area only upon a resolution of the agency and the legislative~~
22 ~~body that the use will be of benefit to the project area.~~

23 (b) ~~The funds authorized by this section shall not include the~~
24 ~~20-percent set aside funds for the construction of low- and~~
25 ~~moderate-income housing required under Section 33334.2.~~

26 (c) ~~For purposes of this section, both of the following shall~~
27 ~~apply:~~

28 (1) ~~“Seismic retrofitting improvements” has the same meaning~~
29 ~~as defined in Section 74.5 of the Revenue and Taxation Code.~~

30 (2) ~~“Soft-story building” means a wood frame, multiunit~~
31 ~~residential building constructed before January 1, 1978, where the~~
32 ~~ground floor of the portion of the structure contains parking or~~
33 ~~other similar open floor space that causes soft, weak, or open-front~~
34 ~~wall lines.~~

35 (d) ~~The authorization provided in subdivision (a) shall remain~~
36 ~~operative only until January 1, 2016.~~

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