

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1051

Introduced by Assembly Member Bocanegra

February 22, 2013

An act to add Part 14 (commencing with Section 53570) to Division 31 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1051, as amended, Bocanegra. Housing.

The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to adopt a program pursuant to the act to cap greenhouse gas emissions and provide for market-based compliance mechanisms, including the auction of allowances (cap-and-trade program). Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available, upon appropriation by the Legislature.

Existing law provides that, to the extent that funds are available, the Department of Housing and Community Development shall make loans for the development and construction of a housing development project within close proximity to a transit station, as specified.

~~This bill would state the intent of the Legislature to appropriate funds from the Greenhouse Gas Reduction Fund to the Department of Housing and Community Development to be expended for loans for the development and construction of housing development projects within close proximity to transit stations.~~

This bill would state findings and declarations of the Legislature relating to transportation and residential housing development, as specified. The bill would create the Sustainable Communities for All program, which shall begin operations on January 1, 2015, to fund transit-related projects through competitive grants and loans, as specified.

This bill would appropriate an unspecified sum from the Greenhouse Gas Reduction Fund to be allocated to the Department of Housing and Community Development to provide loans for the development and construction of housing development projects within close proximity to transit stations, and to other projects and programs that show greenhouse gas reductions, as specified.

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

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

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *Chapter 728 of the Statutes of 2008 created a regional*
- 4 *transportation and land use planning framework to reduce*
- 5 *greenhouse gas emissions attributable to driving. Two approaches*
- 6 *that allow Californians to drive less, and that and have a myriad*
- 7 *of other benefits for communities and individuals, are building*
- 8 *homes affordable to everyone near frequently used public transit*
- 9 *and improving public and active transportation choices.*
- 10 (b) *While demand for more transportation and housing options*
- 11 *is high, court action in California Redevelopment Association v.*
- 12 *Matosantos (2011) 53 Cal.4th 231 eliminated more than*
- 13 *\$1,000,000,000 annually that was available for housing*
- 14 *development. Additionally, funds from successful state housing*
- 15 *bonds are virtually exhausted. Funding for transit in California*
- 16 *was cut by more than \$4,000,000,000 over the last decade, leading*
- 17 *to massive service cuts at transit agencies even as transit ridership*
- 18 *soared.*
- 19 (c) *According to the California Air Pollution Control Officers*
- 20 *Association, living in an affordable, transit-oriented development*
- 21 *can reduce a low-income household's greenhouse gas emissions*
- 22 *from driving by up to 65 percent.*

1 (d) Access to public transportation reduces greenhouse gas
2 emissions. Compared to the 20 percent of households with the best
3 transportation access, typical households in each of the four most
4 populous regions emitted from 27 percent to 42 percent more
5 transportation-related greenhouse gasses.

6 (e) Because transit, transit-oriented residential development,
7 and bicycle and pedestrian networks are significantly underbuilt
8 in California, investments in their expanded production will have
9 real, lasting impacts on greenhouse gas emissions.

10 (f) Those investments will also create and sustain well-paying
11 jobs at a time of high unemployment and generate myriad other
12 local, regional and statewide economic benefits. Every
13 \$1,000,000,000 invested in public transit creates and supports
14 36,000 jobs and generates nearly \$500,000,000 in tax revenues.
15 Similarly, every \$1,000,000,000 invested in apartments leverages
16 \$3,600,000,000 in private and federal investment and creates
17 34,500 construction and permanent jobs.

18 (g) Revenues from the state's cap-and-trade program provide
19 a timely opportunity to generate short-term and long-term
20 environmental and economic benefits for California communities,
21 while meeting high demand for transit-oriented residential
22 development, expanded transit, and active transportation
23 opportunities.

24 (h) Therefore, it is the intent of the Legislature to fund existing
25 programs in the short term and create new programs in the long
26 term to achieve these goals.

27 SEC. 2. Part 14 (commencing with Section 53570) is added to
28 Division 31 of the Health and Safety Code, to read:

29
30 **PART 14. SUSTAINABLE COMMUNITIES FOR ALL**

31
32 53570. (a) The Sustainable Communities for All program,
33 which is hereby established, shall begin operations on January 1,
34 2015, with the goal of equitably implementing Chapter 728 of the
35 Statutes of 2008 by providing transportation and housing choices
36 that allow lower income Californians to drive less and reduce
37 household costs.

38 (b) The program shall fund all of the following through
39 competitive grants and loans:

1 (1) Expanded or improved public transit service, including
2 operations to quickly expand service and increase ridership.

3 (2) Transit capital maintenance.

4 (3) Development and rehabilitation of transit-oriented
5 residential development that is affordable to low-income
6 households and provides trip reduction strategies including transit
7 passes and car share.

8 (4) Expanded bicycle and pedestrian networks, facilities, and
9 programs that promote additional use and safety, and that provide
10 access to transit, schools, colleges, shopping, and other
11 destinations.

12 (5) Expanded vanpool, car share, and carpool promotion
13 programs.

14 (6) Transportation demand management strategies and
15 incentives that reduce both vehicle travel and ownership, including
16 discounted transit passes in transit priority zones.

17 (7) Invest in energy efficiency improvement in existing
18 multifamily rental homes affordable to lower income households.

19 SEC. 3. There is hereby appropriated ____ dollars (\$____)
20 from the Greenhouse Gas Reduction Fund to be allocated, as
21 follows:

22 (a) To the Department of Housing and Community Development
23 ____ dollars (\$____) to be expended to provide loans for the
24 development and construction of housing development projects
25 within close proximity to transit stations, as specified in subdivision
26 (b) of Section 53562 of the Health and Safety Code, in accordance
27 with all of the following:

28 (1) These funds shall only finance housing units that will be
29 available at an affordable rent to persons of very low or
30 low-income for at least 55 years. The units may be located in
31 mixed-income developments.

32 (2) The department shall use density as a scoring criterion in
33 place of project size.

34 (3) The department shall give priority to developments that
35 achieve additional greenhouse gas emissions reductions or energy
36 conservation through onsite renewable energy, energy efficiency,
37 discount transit passes, car sharing, or other similar features.

38 (b) To the projects and programs that are eligible to receive
39 funds through the State Transit Assistance program and that show
40 greenhouse gas reductions ____ dollars (\$____).

1 (c) To the projects and programs that are eligible to receive
2 funds through the Bicycle Transportation Account and that show
3 greenhouse gas reductions ____ dollars (\$____).

4 (d) To the projects and programs that are eligible to receive
5 funds through the Safe Routes to Schools program and that show
6 greenhouse gas reductions ____ dollars (\$____).

7 (e) To the projects and programs that are eligible to receive
8 funds through the federal Transportation Alternative Program (23
9 U.S.C. Sec. 213) and that show greenhouse gas reductions ____
10 dollars (\$____).

11 (f) To the Energy Savings Assistance Program and the
12 Weatherization Assistance Program ____ dollars (\$____).

13 SECTION 1. ~~(a) It is the intent of the Legislature to increase~~
14 ~~funding for equitable transit-oriented development that is affordable~~
15 ~~to core transit riders and other low-income households with a~~
16 ~~decreased propensity to drive when transit options are available.~~

17 ~~(b) It is the intent of the Legislature to appropriate funds from~~
18 ~~the Greenhouse Gas Reduction Fund to the Department of Housing~~
19 ~~and Community Development to be expended for loans for the~~
20 ~~development and construction of housing development projects~~
21 ~~within close proximity to transit stations, as specified in subdivision~~
22 ~~(b) of Section 53562 of the Health and Safety Code, in accordance~~
23 ~~with the following:~~

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25 ~~available at an affordable rent to persons of very low or low income~~
26 ~~for at least 55 years. The units may be located in mixed-income~~
27 ~~developments.~~

28 ~~(2) The department shall use density as a scoring criterion in~~
29 ~~place of project size.~~

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31 ~~achieve additional greenhouse gas emission reductions or energy~~
32 ~~conservation through onsite renewable energy, energy efficiency,~~
33 ~~discount transit passes, car sharing, or other similar features.~~