

AMENDED IN ASSEMBLY APRIL 8, 2013
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 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. *The Sustainable Communities for All program would not be implemented until the Legislature appropriates funds for the program.*

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 *specified* projects and programs ~~that show intended to reduce greenhouse gas reductions, as specified. gas emissions.~~

Vote: majority. Appropriation: yes. Fiscal committee: 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, less~~ 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.
- 23 (d) Access to public transportation reduces greenhouse gas
- 24 emissions. Compared to the 20 percent of households with the best

1 *public* transportation access, typical households in each of the
2 four most populous regions emitted from 27 percent to 42 percent
3 more transportation-related greenhouse gasses.

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

8 (f) *Additional greenhouse gas reductions can be realized by*
9 *incorporating green infrastructure, such as local parks, urban*
10 *forestry, and open space, as a component of the livability of*
11 *transit-oriented development, and transit, bicycle, and pedestrian*
12 *networks. The protection and restoration of these natural resources*
13 *reduces emissions and contributes multiple environmental benefits*
14 *that will help California's communities become climate resilient.*

15 ~~(f)~~

16 (g) Those investments will also create and sustain well-paying
17 jobs at a time of high unemployment and generate myriad other
18 local, regional and statewide economic benefits. Every
19 \$1,000,000,000 invested in public transit creates and supports
20 36,000 jobs and generates nearly \$500,000,000 in tax revenues.
21 Similarly, every \$1,000,000,000 invested in apartments leverages
22 \$3,600,000,000 in private and federal investment and creates
23 34,500 construction and permanent jobs.

24 ~~(g)~~

25 (h) ~~Revenues-Auction proceeds~~ from the state's cap-and-trade
26 program provide a timely opportunity to generate short-term and
27 long-term environmental and economic benefits for California
28 communities, while meeting high demand for transit-oriented
29 residential development, expanded transit, and active transportation
30 opportunities. *opportunities, residential energy efficiency*
31 *improvements, and natural resource conservation and development.*

32 ~~(h)~~

33 (i) Therefore, it is the intent of the Legislature to fund existing
34 programs in the short term and create a new ~~programs~~ program
35 in the long term to achieve these goals.

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

1 PART 14. SUSTAINABLE COMMUNITIES FOR ALL

2
3 53570. (a) The Sustainable Communities for All program,
4 which is hereby established, shall begin operations on January 1,
5 2015, with the goal of equitably implementing Chapter 728 of the
6 Statutes of 2008 by providing transportation and housing choices
7 that allow lower income Californians to drive less and reduce
8 household costs.

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

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

13 (2) Transit capital maintenance.

14 (3) Development and rehabilitation of transit-oriented residential
15 development that is affordable to low-income households and
16 provides trip reduction strategies including transit passes and car
17 share.

18 (4) Expanded bicycle and pedestrian networks, facilities, and
19 programs that promote additional use and safety, and that provide
20 access to transit, schools, colleges, shopping, and other
21 destinations.

22 (5) Expanded vanpool, car share, and carpool promotion
23 programs.

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

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

29 (8) *Open-space protection, local parks, and urban forestry.*

30 53571. *The Legislature intends to appropriate moneys for this*
31 *part in a manner consistent with the requirements of this part,*
32 *Chapter 4.1 (commencing with Section 39710) of Part 2 of Division*
33 *26, and Article 9.7 (commencing with Section 16428.8) of Chapter*
34 *2 of Part 2 of Division 4 of Title 2 of the Government Code.*

35 53572. *Implementation of this part, including development of*
36 *standards and guidelines by the State Air Resources Board and*
37 *provision of financial assistance to eligible recipients, is contingent*
38 *upon appropriation of funds for these purposes by the Legislature.*

39 SEC. 3. ~~There~~ (a) *It is the intent of the Legislature to achieve*
40 *the goals of the Sustainable Communities for All program in the*

1 *short term by funding existing programs in the 2013–14 budget*
2 *year.*

3 (b) There is hereby appropriated ____ dollars (\$____) from the
4 Greenhouse Gas Reduction Fund to be allocated, as follows:

5 ~~(a)~~

6 (1) To the Department of Housing and Community Development
7 ____ dollars (\$____) to be expended to provide loans for the
8 development and construction of housing development projects
9 within close proximity to transit stations, as specified in subdivision
10 (b) of Section 53562 of the Health and Safety Code, in accordance
11 with all of the following:

12 ~~(1)~~

13 (A) These funds shall only finance housing units that will be
14 available at an affordable rent to persons of very low or low-income
15 for at least 55 years. The units may be located in mixed-income
16 developments.

17 ~~(2)~~

18 (B) The department shall use density as a scoring criterion in
19 place of project size.

20 ~~(3)~~

21 (C) The department shall give priority to developments that
22 achieve additional greenhouse gas emissions reductions or energy
23 conservation through onsite renewable energy, energy efficiency,
24 discount transit passes, car sharing, or other similar features.

25 ~~(b)~~

26 (2) To the projects and programs that are eligible to receive
27 funds through the State Transit Assistance program and that show
28 greenhouse gas reductions ____ dollars (\$____).

29 ~~(c)~~

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

33 ~~(d)~~

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

37 ~~(e)~~

38 (5) To the projects and programs that are eligible to receive
39 funds through the federal Transportation Alternative Program (23

1 U.S.C. Sec. 213) and that show greenhouse gas reductions ____
2 dollars (\$____).
3 ~~(f)~~
4 (6) To the Energy Savings Assistance Program and the
5 Weatherization Assistance Program ____ dollars (\$____).
6 (7) *To the California Natural Resources Agency ____ dollars*
7 *(\$____) for allocation to its departments and state conservancies*
8 *for the purposes of funding the following projects that show*
9 *greenhouse gas reductions: urban forestry, local parks, and the*
10 *protection of open space, including wildlife habitats and working*
11 *lands.*

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