

AMENDED IN ASSEMBLY MAY 7, 2014
AMENDED IN ASSEMBLY MARCH 28, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2008

Introduced by Assembly Member Quirk

February 20, 2014

~~An act to amend Section 21094.5.5 of the Public Resources Code, relating to the environment. An act to amend Section 65460.2 of the Government Code, relating to local planning.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2008, as amended, Quirk. ~~California Environmental Quality Act: infill projects.~~ *Transit village plans: goods movement.*

Existing law authorizes a city or county to prepare a transit village plan for a transit village development district that addresses specified characteristics, including, among other things, demonstrable public benefits beyond the increase in transit usage that include any 5 specified benefits.

This bill would require the transit village plan to address demonstrable public benefits beyond the increase in transit usage including any 6 specified benefits. The bill would add as a public benefit the minimization of the impact of goods movement on air quality, traffic, and public safety through the provision of dedicated loading and unloading facilities for commercial space.

~~The California Environmental Quality Act requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment~~

~~or to adopt a negative declaration if it finds that the project will not have that effect. The act also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.~~

~~The act requires the Office of Planning and Research to prepare, develop, and transmit to the Natural Resources Agency, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of the act by public agencies. The act requires the guidelines to include statewide standards for infill projects to promote specified goals and priorities.~~

~~This bill would require the guidelines to be revised to include as a statewide standard for infill projects the goal of minimizing the impacts of goods movement on air quality, traffic, and public safety through the provision of dedicated loading and unloading facilities for commercial space.~~

~~Because a public agency would be required to consider the above goal regarding goods movement for infill projects as required by the guidelines, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

- 1 *SECTION 1. Section 65460.2 of the Government Code is*
- 2 *amended to read:*
- 3 65460.2. A city or county may prepare a transit village plan
- 4 for a transit village development district that addresses the
- 5 following characteristics:
- 6 (a) A neighborhood centered around a transit station that is
- 7 planned and designed so that residents, workers, shoppers, and
- 8 others find it convenient and attractive to patronize transit.
- 9 (b) A mix of housing types, including apartments, within not
- 10 more than one-half mile of the main entrance of the transit station.

1 (c) Other land uses, including a retail district oriented to the
2 transit station and civic uses, including day care centers and
3 libraries.

4 (d) Pedestrian and bicycle access to the transit station, with
5 attractively designed and landscaped pathways.

6 (e) A transit system that should encourage and facilitate
7 intermodal service, and access by modes other than single occupant
8 vehicles.

9 (f) Demonstrable public benefits beyond the increase in transit
10 usage, including any ~~five~~ *six* of the following:

11 (1) Relief of traffic congestion.

12 (2) Improved air quality.

13 (3) Increased transit revenue yields.

14 (4) Increased stock of affordable housing.

15 (5) Redevelopment of depressed and marginal inner-city
16 neighborhoods.

17 (6) Live-travel options for transit-needy groups.

18 (7) Promotion of infill development and preservation of natural
19 resources.

20 (8) Promotion of a safe, attractive, pedestrian-friendly
21 environment around transit stations.

22 (9) Reduction of the need for additional travel by providing for
23 the sale of goods and services at transit stations.

24 (10) Promotion of job opportunities.

25 (11) Improved cost-effectiveness through the use of the existing
26 infrastructure.

27 (12) Increased sales and property tax revenue.

28 (13) Reduction in energy consumption.

29 (14) *Minimization of the impact of goods movement on air*
30 *quality, traffic, and public safety through the provision of dedicated*
31 *loading and unloading facilities for commercial space.*

32 (g) Sites where a density bonus of at least 25 percent may be
33 granted pursuant to specified performance standards.

34 (h) Other provisions that may be necessary, based on the report
35 prepared pursuant to subdivision (b) of former Section 14045, as
36 enacted by Section 3 of Chapter 1304 of the Statutes of 1990.

37 ~~SECTION 1. Section 21094.5.5 of the Public Resources Code~~
38 ~~is amended to read:~~

39 ~~21094.5.5. (a) The Office of Planning and Research shall~~
40 ~~prepare, develop, and transmit to the Natural Resources Agency~~

1 for certification and adoption guidelines for the implementation
2 of Section 21094.5 and the Secretary of the Natural Resources
3 Agency shall certify and adopt the guidelines.

4 (b) The guidelines prepared pursuant to this section shall include
5 statewide standards for infill projects that may be amended from
6 time to time and promote all of the following:

7 (1) The implementation of the land use and transportation
8 policies in the Sustainable Communities and Climate Protection
9 Act of 2008 (Chapter 728 of the Statutes of 2008):

10 (2) The state planning priorities specified in Section 65041.1
11 of the Government Code and in the most recently adopted
12 Environmental Goals and Policy Report issued by the Office of
13 Planning and Research supporting infill development.

14 (3) The reduction of greenhouse gas emissions under the
15 California Global Warming Solutions Act of 2006 (Division 25.5
16 commencing with Section 38500) of the Health and Safety Code).

17 (4) The reduction in per capita water use pursuant to Section
18 10608.16 of the Water Code.

19 (5) The creation of a transit village development district
20 consistent with Section 65460.1 of the Government Code.

21 (6) Substantial energy efficiency improvements, including
22 improvements to projects related to transportation energy.

23 (7) Protection of public health, including the health of vulnerable
24 populations from air or water pollution, or soil contamination.

25 (8) Minimization of the impact of goods movement on air
26 quality, traffic, and public safety through the provision of dedicated
27 loading and unloading facilities for commercial space.

28 (e) The standards for projects on infill sites shall be updated as
29 frequently as necessary to ensure the protection of the environment.

30 SEC. 2. No reimbursement is required by this act pursuant to
31 Section 6 of Article XIII B of the California Constitution because
32 a local agency or school district has the authority to levy service
33 charges, fees, or assessments sufficient to pay for the program or
34 level of service mandated by this act, within the meaning of Section
35 17556 of the Government Code.