

Introduced by Senator Hancock

February 21, 2013

An act to amend Section 65470 of the Government Code, relating to local development.

LEGISLATIVE COUNSEL'S DIGEST

SB 513, as introduced, Hancock. Local development.

Existing law authorizes a city or a county to participate in the Transit Priority Project Program by adopting an ordinance to that effect and forming an infrastructure finance district. Existing law requires a development project located within a district that participates in the program to meet certain requirements, including the requirement that the project provides 20% affordable units in rental or owner-occupied housing for low- or moderate-income persons and families, or pays a fee in an amount equivalent to the cost to provide affordable units elsewhere within the city's or county's jurisdiction, as determined by the city or county.

This bill would revise that percentage requirement to 10%.

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 65470 of the Government Code is
2 amended to read:
3 65470. (a) (1) It is the intent of the Legislature to provide a
4 process for cities and counties to create development patterns in
5 the form of transit priority projects that comply with Chapter 4.2
6 (commencing with Section 21155) of Division 13 of the Public

1 Resources Code, create jobs, reduce vehicle miles traveled, expand
2 the availability of accessible open-space, build the density needed
3 for transit viability, and meet regional housing targets.

4 (2) It is the intent of the Legislature that, when implemented, a
5 Transit Priority Project Program will help a development project
6 in meeting the standards for expedited review under paragraph (2)
7 of subdivision (a) of Section 65950.

8 (b) (1) A city or county may participate in the Transit Priority
9 Project Program by adopting an ordinance indicating its intent to
10 participate in the program and by forming an infrastructure
11 financing district pursuant to Article 1 (commencing with Section
12 53395) of Chapter 2.8 of Part 1 of Title 5.

13 (2) Nothing in this article shall be construed to add to the
14 definitions of or to the requirements to implement Chapter 4.2
15 (commencing with Section 21155) of Division 13 of the Public
16 Resources Code.

17 (c) If a city or county elects to participate in the program by
18 adopting the ordinance described in subdivision (b) and forms an
19 infrastructure financing district, the city or county shall amend, if
20 necessary, the general plan and any related specific plan to
21 authorize participating developers to build at an increased height
22 of a minimum of three stories within the boundaries of the
23 infrastructure financing district created pursuant to subdivision
24 (b).

25 (d) A Transit Priority Project Program development project
26 shall meet all of the following requirements:

27 (1) Is located in a designated transit priority project and within
28 one-half of one mile of a transit station, pursuant to Section 21155
29 of the Public Resources Code.

30 (2) Is located within a zone in which buildings of three stories
31 or more are authorized.

32 (3) Meets State Air Resources Board land use guidelines with
33 respect to distance from major emitters.

34 (4) Provides onsite bicycle parking.

35 (5) Provides for car sharing if a car sharing program is available
36 in the city or county. The car sharing area may be onsite, or the
37 developer may pay a fee to the city or county to cover the cost of
38 providing for car sharing at an offsite location near the project.
39 The developer shall provide one car share for the first 20 units and
40 one car share for every 50 units thereafter.

1 (6) Provides unbundled parking.

2 (7) Provides to all units transit passes for 10 years as part of the
3 rent or condo fees if transit passes are available from local
4 providers.

5 (8) Provides to tenants recycling for bottles, cans, paper, and
6 plastic containers.

7 (9) Provides open space onsite, including, but not limited to,
8 accessible roof gardens, or pays a fee into a fund established for
9 local open space. The fee shall not exceed 10 cents (\$0.10) per
10 square foot.

11 (10) Provides ~~20~~ 10 percent affordable units in rental or owner
12 occupied housing for low- or moderate-income persons and
13 families, or pays a fee in an amount equivalent to the cost to
14 provide affordable units elsewhere within the city's or county's
15 jurisdiction, as determined by the city or county. The developer
16 shall require, by covenants or restrictions, that the housing units
17 built pursuant to this paragraph shall remain available at affordable
18 housing cost to, and occupied by, persons and families of low- or
19 moderate-income households for the longest feasible time, but for
20 not less than 55 years for rental units and 45 years for
21 owner-occupied units.

22 (11) Pays prevailing wages to construction workers for
23 residential projects over 100 units pursuant to Sections 1770, 1773,
24 and 1773.1 of the Labor Code.

25 (12) For purposes of this subdivision, "unbundled parking"
26 means renting a parking space for the residential units separately
27 from the residential units, or pays a fee to the appropriate local
28 transit management fund to cover one-half of the cost to provide
29 a parking space.

30 (e) (1) A development project that meets the criteria established
31 in subdivision (d) shall comply with any local design guidelines
32 that were adopted prior to the submission of the project application.

33 (2) The infrastructure financing district formed pursuant to
34 subdivision (b) may reimburse a developer of a project that is
35 consistent with the requirements established in subdivision (d) for
36 any permit costs, or costs associated with the construction of the
37 affordable housing units required pursuant to paragraph (10) of
38 subdivision (d).

1 (f) This article shall not apply to a city or county that has
2 adopted language in its charter or by ordinance or resolution that
3 does either of the following:
4 (1) Provides that the requirements of Chapter 1 (commencing
5 with Section 1720) of Part 7 of Division 2 of the Labor Code do
6 not apply to some or all work awarded or funded by the city or
7 county that would otherwise be subject to those requirements.
8 (2) Prohibits a contractor, subcontractor, or other person or firm
9 engaged in the construction, rehabilitation, alteration, conversion,
10 extension, maintenance, repair, or improvement of public works,
11 from executing or otherwise becoming a party to any prehire,
12 collective bargaining, or similar agreement entered into with one
13 or more labor organizations, employees, or employee
14 representatives that establishes the terms and conditions of
15 employment on a construction project, or the city or county from
16 incorporating such an agreement into the bid specifications or
17 contract for a construction project, or the governing body of the
18 city or county from deciding that the city or county should enter
19 into such an agreement for a particular construction project or
20 projects.