

ASSEMBLY BILL

No. 1500

Introduced by Assembly Member Maienschein

February 27, 2015

An act to add Section 21080.40 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1500, as introduced, Maienschein. California Environmental Quality Act: homeless complex projects: exemption.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) 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. CEQA 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. CEQA exempts specified projects from its requirements.

This bill would exempt from the requirements of CEQA homeless complex projects, as defined. Because a lead agency would be required to determine the applicability of this exemption, 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. State-mandated local program: yes.

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

1 SECTION 1. Section 21080.40 is added to the Public Resources
2 Code, to read:

3 21080.40. (a) For purposes of this section, the following terms
4 mean the following:

5 (1) “Emergency shelter” has the same meaning as set forth in
6 Section 50801 of the Health and Safety Code.

7 (2) “Homeless complex project” means an activity or approval
8 necessary for, or incidental to, the development, planning, design
9 site acquisition, subdivision, financing, leasing, construction,
10 operation, or maintenance of an emergency shelter, temporary or
11 transitional housing, supportive housing, low-income housing, or
12 building that provides services for the homeless, and associated
13 development, including any accessory roadway, utility, or other
14 improvement to that shelter, housing, building, or associated
15 development.

16 (3) “Low-income housing” means housing with affordable
17 housing cost to extremely low households, very low income
18 households, or lower income households, as those terms are defined
19 in Section 50052.5 of the Health and Safety Code.

20 (4) “Supportive housing” has the same meaning as set forth in
21 paragraph (2) of subdivision (b) of Section 50675.14 of the Health
22 and Safety Code.

23 (5) “Transitional housing” has the same meaning as set forth in
24 Section 50801 of the Health and Safety Code.

25 (b) This division does not apply to a homeless complex project.

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

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