An act to amend Section 75215 of the Public Resources Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL’S DIGEST

AB 2783, as introduced, Eduardo Garcia. Affordable Housing and Sustainable Communities Program.

Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources 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 continuously appropriates 20% of the annual proceeds of the fund to the Affordable Housing and Sustainable Communities Program, administered by the Strategic Growth Council, to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives. Existing law requires the council to develop guidelines and selection criteria for the program.

This bill would require the Strategic Growth Council to revise the guidelines and selection criteria with respect to density requirements, as specified, and to include specified factors, including energy efficiency, in its greenhouse gas quantification methodology.
The people of the State of California do enact as follows:

SECTION 1. Section 75215 of the Public Resources Code is amended to read:

75215. (a) Prior to awarding funds under the program, the council, in coordination with the member agencies and departments of the council, the State Air Resources Board, and other state entities, as needed, shall develop guidelines and selection criteria for the implementation of the program.

(b) Prior to adoption of the guidelines and the selection criteria, the council shall conduct at least two public workshops to receive and consider public comments. One workshop shall be held at a location in northern California and one workshop shall be held at a location in southern California.

(c) The council shall publish the draft guidelines and selection criteria on its Internet Web site at least 30 days prior to the public meetings.

(d) In adopting the guidelines and selection criteria, the council shall consider the comments from local governments, regional agencies, and other stakeholders. The council shall conduct outreach to disadvantaged communities to encourage comments on the draft guidelines from those communities.

(e) (1) Program guidelines may be revised by the council to reflect changes in program focus or need. Outreach to stakeholders shall be conducted, pursuant to subdivisions (a), (b), and (c), (and (d), before the council adopts changes to guidelines.

(2) The council shall revise the guidelines and selection criteria initially adopted to include all of the following:

(A) Projects that qualify under the program’s rural innovation project area shall be allowed to build at nonmetropolitan density requirements.

(B) The definition of “net density” shall be revised to mean the total number of dwelling units per acre of land to be developed for residential or mixed use, excluding permanent streets, required drainage facilities, sidewalks, parks, public rights-of-way, easements, encroachments, and dedicated open space.
(C) Urban greening, green building, energy efficiency, and renewable energy shall be counted in the greenhouse gas quantification methodology in addition to the selection criteria.

(f) Upon the adoption of the guidelines and selection criteria, the council shall, pursuant to Section 9795 of the Government Code, submit copies of the guidelines to the fiscal and appropriate policy committees of the Legislature.

(g) Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to the development and adoption of the guidelines and selection criteria pursuant to this section.