

AMENDED IN SENATE JUNE 23, 2016

AMENDED IN ASSEMBLY APRIL 25, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2783**

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**Introduced by Assembly Members Eduardo Garcia, Eggman,  
Cristina Garcia, Gomez, and Steinorth**

February 19, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2783, as amended, 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 consider revisions to the guidelines and selection criteria with respect to affordable housing projects that qualify under the program’s rural innovation project area, as specified, and to provide a written explanation to the ~~Assembly Committee on Housing and Community Development~~ *Legislature* by March 1, 2017, if the council determines that it will not make the revisions.

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

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

1 SECTION 1. Section 75215 of the Public Resources Code is  
 2 amended to read:  
 3 75215. (a) Prior to awarding funds under the program, the  
 4 council, in coordination with the member agencies and departments  
 5 of the council, the State Air Resources Board, and other state  
 6 entities, as needed, shall develop guidelines and selection criteria  
 7 for the implementation of the program.  
 8 (b) Prior to adoption of the guidelines and the selection criteria,  
 9 the council shall conduct at least two public workshops to receive  
 10 and consider public comments. One workshop shall be held at a  
 11 location in northern California and one workshop shall be held at  
 12 a location in southern California.  
 13 (c) The council shall publish the draft guidelines and selection  
 14 criteria on its Internet Web site at least 30 days prior to the public  
 15 meetings.  
 16 (d) In adopting the guidelines and selection criteria, the council  
 17 shall consider the comments from local governments, regional  
 18 agencies, and other stakeholders. The council shall conduct  
 19 outreach to disadvantaged communities to encourage comments  
 20 on the draft guidelines from those communities.  
 21 (e) (1) Program guidelines may be revised by the council to  
 22 reflect changes in program focus or need. Outreach to stakeholders  
 23 shall be conducted, pursuant to subdivisions (a), (b), (c), and (d),  
 24 before the council adopts changes to guidelines.  
 25 (2) The council shall consider all of the following changes to  
 26 the guidelines and selection criteria with respect to affordable  
 27 housing projects that qualify under the program’s rural innovation  
 28 project area:

1 (A) ~~Projects shall be allowed to build~~ *Allow projects to be built*  
2 at nonmetropolitan density requirements based on net density. ~~The~~

3 (B) *Revise the* definition of “net density” ~~shall be revised to~~  
4 mean the total number of dwelling units per acre of land to be  
5 developed for residential or mixed use, excluding permanent  
6 streets, required drainage facilities, sidewalks, parks, public  
7 rights-of-way, easements, encroachments, and dedicated open  
8 space.

9 ~~(B)~~

10 (C) For projects that receive 4 percent low-income housing tax  
11 credits, *require* one hundred thousand dollars (\$100,000) per  
12 restricted unit ~~shall to be added to the base amount for loan limit~~  
13 calculation purposes.

14 ~~(C) Scoring shall~~

15 (D) *Require scoring to be awarded based on the extent to which*  
16 an application demonstrates walkable corridors and incorporates  
17 features that encourage bicycling, which will exist upon completion  
18 of the project.

19 (3) If the council determines that it will not revise the guidelines  
20 and selection criteria consistent with paragraph (2), the council  
21 shall provide a written explanation on or before March 1, 2017,  
22 to the ~~Assembly Committee on Housing and Community~~  
23 ~~Development~~ *Legislature, pursuant to Section 9795 of the*  
24 *Government Code*, as to why the revisions will not be adopted.

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

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