

AMENDED IN SENATE MARCH 22, 2010

SENATE BILL

No. 976

Introduced by Senator Hollingsworth

February 8, 2010

~~An act to amend Section 65000 of the Government Code, relating to land use.~~ *An act to add Section 21080.20 to the Public Resources Code, relating to environmental quality and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 976, as amended, Hollingsworth. ~~Land use: Planning and Zoning Law.~~ *California Environmental Quality Act: exemption.*

(1) *The existing California Environmental Quality Act requires a lead agency to prepare an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, as defined, unless the project is exempt from the act.*

This bill would exempt from those CEQA requirements the expansion of an existing overpass, onramp, or offramp that is built on an easement or right-of-way under the control of a state or local transportation agency, or a city, county, or city and county. By imposing new duties on local governments with respect to determining whether that exemption is applicable to specified highway expansion projects, the bill would impose a state-mandated local program.

(2) *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.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

~~The Planning and Zoning Law, among other things, authorizes the legislative body of a city or county to adopt zoning ordinances regulating, among other things, the use of buildings, structures, and land as between industry, business, residences, open space, and other uses.~~

~~This bill would make a technical, nonsubstantive change to the Planning and Zoning Law.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section 21080.20 is added to the Public Resources
2 Code, to read:

3 21080.20. This division does not apply to the expansion of an
4 existing overpass, onramp, or offramp that is built on an easement
5 or right-of-way under the control of a state or local transportation
6 agency, a city, or county.

7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 a local agency or school district has the authority to levy service
10 charges, fees, or assessments sufficient to pay for the program or
11 level of service mandated by this act, within the meaning of Section
12 17556 of the Government Code.

13 SEC. 3. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or safety within
15 the meaning of Article IV of the Constitution and shall go into
16 immediate effect. The facts constituting the necessity are:

17 Due to the existing state of the economy and the need to spur
18 job creation, it is necessary that this act take effect immediately
19 as an urgency statute.

20 ~~SECTION 1. Section 65000 of the Government Code is~~
21 ~~amended to read:~~

1 ~~65000. This title shall be known and may be cited as the~~
2 ~~Planning and Zoning Law.~~

O