

AMENDED IN SENATE JUNE 20, 2012
AMENDED IN ASSEMBLY MAY 17, 2012
AMENDED IN ASSEMBLY MAY 2, 2012
AMENDED IN ASSEMBLY APRIL 30, 2012
AMENDED IN ASSEMBLY APRIL 16, 2012
AMENDED IN ASSEMBLY MARCH 12, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1897

Introduced by Assembly Member Campos

February 22, 2012

An act to amend Section 65040.2 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 1897, as amended, Campos. Land use: general plan: access to healthy food.

Existing law requires the Office of Planning and Research to implement various long-range planning and research policies and goals that are intended to shape statewide development patterns and significantly influence the quality of the state's environment and, in connection with those responsibilities, to adopt guidelines for the preparation and content of the mandatory elements required in city and county general plans.

This bill would ~~authorize~~ *require* the office to prepare and amend the guidelines to contain advice, developed in consultation with the

Department of Food and Agriculture, for improving the health of Californians by increasing access to healthy affordable food.

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 65040.2 of the Government Code is
2 amended to read:

3 65040.2. (a) In connection with its responsibilities under
4 subdivision (l) of Section 65040, the office shall develop and adopt
5 guidelines for the preparation of and the content of the mandatory
6 elements required in city and county general plans by Article 5
7 (commencing with Section 65300) of Chapter 3. For purposes of
8 this section, the guidelines prepared pursuant to Section 50459 of
9 the Health and Safety Code shall be the guidelines for the housing
10 element required by Section 65302. In the event that additional
11 elements are hereafter required in city and county general plans
12 by Article 5 (commencing with Section 65300) of Chapter 3, the
13 office shall adopt guidelines for those elements within six months
14 of the effective date of the legislation requiring those additional
15 elements.

16 (b) The office may request from each state department and
17 agency, as it deems appropriate, and the department or agency
18 shall provide, technical assistance in readopting, amending, or
19 repealing the guidelines.

20 (c) The guidelines shall be advisory to each city and county in
21 order to provide assistance in preparing and maintaining their
22 respective general plans.

23 (d) The guidelines shall contain the guidelines for addressing
24 environmental justice matters developed pursuant to Section
25 65040.12.

26 (e) The guidelines shall contain advice including
27 recommendations for best practices to allow for collaborative land
28 use planning of adjacent civilian and military lands and facilities.
29 The guidelines shall encourage enhanced land use compatibility
30 between civilian lands and any adjacent or nearby military facilities
31 through the examination of potential impacts upon one another.

1 (f) The guidelines shall contain advice for addressing the effects
2 of civilian development on military readiness activities carried out
3 on all of the following:

- 4 (1) Military installations.
- 5 (2) Military operating areas.
- 6 (3) Military training areas.
- 7 (4) Military training routes.
- 8 (5) Military airspace.
- 9 (6) Other territory adjacent to those installations and areas.

10 (g) By March 1, 2005, the guidelines shall contain advice,
11 developed in consultation with the Native American Heritage
12 Commission, for consulting with California Native American tribes
13 for all of the following:

14 (1) The preservation of, or the mitigation of impacts to, places,
15 features, and objects described in Sections 5097.9 and 5097.993
16 of the Public Resources Code.

17 (2) Procedures for identifying through the Native American
18 Heritage Commission the appropriate California Native American
19 tribes.

20 (3) Procedures for continuing to protect the confidentiality of
21 information concerning the specific identity, location, character,
22 and use of those places, features, and objects.

23 (4) Procedures to facilitate voluntary landowner participation
24 to preserve and protect the specific identity, location, character,
25 and use of those places, features, and objects.

26 (h) Commencing January 1, 2009, but no later than January 1,
27 2014, upon the next revision of the guidelines pursuant to
28 subdivision (i), the office shall prepare or amend guidelines for a
29 legislative body to accommodate the safe and convenient travel
30 of users of streets, roads, and highways in a manner that is suitable
31 to the rural, suburban, or urban context of the general plan, pursuant
32 to subdivision (b) of Section 65302.

33 (1) In developing guidelines, the office shall consider how
34 appropriate accommodation varies depending on its transportation
35 and land use context, including urban, suburban, or rural
36 environments.

37 (2) The office may consult with leading transportation experts
38 including, but not limited to, bicycle transportation planners,
39 pedestrian planners, public transportation planners, local air quality
40 management districts, and disability and senior mobility planners.

(i) (1) Upon the next revision of the guidelines pursuant to subdivision (j), the office ~~may~~ *shall* prepare and amend the guidelines to contain advice, developed in consultation with the Department of Food and Agriculture, for improving the health of Californians by increasing access to healthy affordable food. This advice may include, but is not limited to, information on how a city or county may choose, if relevant, to address the following issues:

(A) Access to full and discount grocery stores.

(B) Access to urban farming.

(C) Access to community or school gardens.

(D) Access to farmers' markets.

(E) Access to affordable food, including food retail spaces that accept CalFresh benefits received under the federal Supplemental Nutrition Assistance Program of the federal Food and Nutrition Act of 2008 pursuant to Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code, or benefits received under the California Special Supplemental Food Program for Women, Infants, and Children, as provided for in Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code.

(F) Access to transportation near grocery stores, including, but not limited to, bus stops or other mass transportation stops near the grocery store, free or low-cost shuttles to and from the grocery store, taxi vouchers, and carpool programs.

(2) The information included in the next revision of the guidelines pursuant to this subdivision shall be made applicable to a city or county only at the discretion of its legislative body.

(j) The office shall provide for regular review and revision of the guidelines established pursuant to this section.