

Introduced by Senator Pavley

February 24, 2012

An act to add Section 34177.1 to the Health and Safety Code, relating to redevelopment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1335, as introduced, Pavley. Redevelopment: brownfield sites.

Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law imposes various requirements on successor agencies and subjects successor agency actions to the review of oversight boards. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, dispose of assets and properties of the former redevelopment agencies, as directed by the oversight board. Existing law requires proceeds from the sale of assets that are no longer needed to be transferred to the county auditor-controller for distribution as property tax proceeds to taxing entities, as prescribed.

This bill would, notwithstanding the above provisions, authorize a successor agency to retain land of the former redevelopment agency that is a brownfield site, as defined, and is either on or immediately adjacent to land previously developed for qualified urban uses, as defined. The bill would, upon appropriation by the Legislature, authorize the successor agency to develop the land if the associated development project meets specified requirements.

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 34177.1 is added to the Health and Safety
2 Code, to read:

3 34177.1. (a) Notwithstanding Section 34177, a successor
4 agency may retain land of the former redevelopment agency that
5 is a brownfield site, as defined in Section 9601 of Title 42 of the
6 United States Code, and is either on or immediately adjacent to
7 land previously developed for qualified urban uses as defined in
8 Section 21072 of the Public Resources Code.

9 (b) Upon appropriation by the Legislature, notwithstanding
10 Section 34164, a successor agency may develop the land if the
11 associated development project meets one or more of the following
12 requirements:

13 (1) The project has been declared a sustainable communities
14 project, pursuant to Section 21155.1 of the Public Resources Code.

15 (2) The project is consistent with a transit village plan, as
16 described in Section 65460.2 of the Government Code.

17 (3) The project shall be located in an infill opportunity zone, as
18 defined in Section 65088.1 of the Government Code.

19 (4) The project meets the requirements of Section 21159.21,
20 21159.23, or 21159.24 of the Public Resources Code.

21 (5) The project promotes higher density infill housing. A project
22 with a density of at least 20 units per acre shall be conclusively
23 presumed to promote higher density infill housing. A project with
24 a density of at least 10 units per acre and a density greater than the
25 average density of the residential properties within 1,500 feet shall
26 be presumed to promote higher density housing unless the
27 preponderance of the evidence demonstrates otherwise.

28 (6) The project is within one-half mile of a major transit stop,
29 as defined in Section 21064.3 of the Public Resources Code.