

1991 Bill Text CA A.B. 3024

Enrolled, February 19, 1992

Reporter

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**THE STATE OF CALIFORNIA BILL TEXT > CALIFORNIA 1991-92 REGULAR SESSION > ASSEMBLY BILL
3024**

Synopsis

An act to add Sections 65944.5 and 65957.2 to the Government Code, relating to development projects.

DIGEST:

LEGISLATIVE COUNSEL'S DIGEST

AB 3024, Roybal-Allard. Developments: project site demographics.

(1) Under existing law, any public agency that is the lead agency for a development project is required to approve or disapprove the project within specified time limits, depending on the required environmental documentation, and is subject to specified requirements for determining the completeness of any application submitted to it for a development project.

This bill would prohibit the approval of a permit for a potentially high-impact development project, as defined, unless the application, if submitted on or after January 1, 1993, includes a description of the project site demographics, as prescribed. By imposing new duties on local agencies, the bill would impose a state-mandated local program.

The bill would prohibit a public agency from accepting as complete an application submitted on or after January 1, 1993, for a potentially high-impact development project unless a description of the project site demographics has been submitted. The bill would prescribe related requirements.

(2) This bill would provide, in order to avoid a duplication of effort, that a separate site demographics statement shall not be required, under specified circumstances.

(3) 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$ 1,000,000 statewide and other procedures for claims whose statewide costs exceed \$ 1,000,000.

This bill would provide that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$ 1,000,000, shall be made from the State Mandates Claims Fund.

Text

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

SECTION 1. Section 65944.5 is added to the Government Code, to read:

65944.5. A public agency shall not accept an application submitted on or after January 1, 1993, as complete for a potentially high-impact development project as defined in subdivision (b) of Section 65957.2, unless a description of the project site demographics has been submitted as required pursuant to subdivision (a) of Section 65957.2.

SEC. 2. Section 65957.2 is added to the Government Code, to read:

65957.2. (a) (1) For an application submitted on or after January 1, 1993, no permit for a potentially high-impact development project may be approved unless a description of the "project site demographics" has been submitted as required by this section. The project site demographics description shall be prepared using only the most recently publicly available data provided by the United States Census Bureau, and shall include, if provided in the data, a breakdown of population by race and ethnicity, percentages of persons under five years of age and over 65 years of age, the percent below the poverty level, and the primary languages spoken by percentage. The project site demographics description may be in the form of a one-page chart and shall include the breakdown for all of the following areas:

- (A) The census tract in which the project is located.
- (B) All contiguous census tracts.
- (C) The municipality, if any, in which the project is located.
- (D) The county in which the project is located.
- (E) The State of California.

(2) A notice issued pursuant to subdivision (a) of Section 21092 of the Public Resources Code, relating to the affected project, shall indicate that a project site demographics statement has been submitted and is available for public review.

(b) For purposes of this section, a "potentially high-impact development project" is a project regulated under any of the following:

- (1) Section 25200 of the Health and Safety Code, where those facilities are defined by Section 25205.1 as a "large treatment facility," "small treatment facility," "large storage facility," "small storage facility," or "disposal facility."
- (2) Part 6 (commencing with Section 44300 of Division 26 of the Health and Safety Code).
- (3) Article 1 (commencing with Section 44001 of Chapter 3 of Part 4 of Division 30 of the Public Resources Code).

(c) For the purposes of Section 65943, no application submitted on or after January 1, 1993, for a permit for a potentially high-impact development project shall be deemed complete unless the project site demographics description required by this section is submitted by the applicant and a copy is filed with the Office of Planning and Research.

(d) In order to avoid duplication of effort, a separate site demographics statement shall not be required if all of the information required to be included in the statement pursuant to this section is contained in another public document that is included with a permit application or in an environmental impact report prepared for a potentially high-impact development project.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500 of Division 4 of Title 2 of the Government Code). If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$ 1,000,000), reimbursement shall be made from the State Mandates Claims Fund. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

Approved _____, 1992

Governor

History

ASSEMBLY BILL NO. 3024

PASSED THE ASSEMBLY AUGUST 28, 1992

CHIEF CLERK OF THE ASSEMBLY

PASSED THE SENATE AUGUST 26, 1992

SECRETARY OF THE SENATE

THIS BILL WAS RECEIVED BY THE GOVERNOR THIS _____
DAY OF _____, 1992, AT _____ O'CLOCK ____ M.

PRIVATE SECRETARY OF THE GOVERNOR

CHAPTER _____

Sponsor(s)

Roybal-Allard

Classification

Subject: CENSUS (90%); MANDATES (90%); ENVIRONMENTAL IMPACT ASSESSMENT (74%); ETHNICITY (73%); ENVIRONMENT (66%)

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