

TO: MP&L Committee

DATE: May 26, 2011

FROM: Rick Ramacier
General Manager

SUBJECT: State Legislation, AB147
(Dickinson), AB485 (Ma),
AB710 (Skinner), SB310
(Hancock)

Background

Historically, County Connection has taken positions on a few select pieces of state legislation each year that directly impact on us. Furthermore, County Connection has generally stayed away from taking positions legislation that have a main focus besides transit, yet indirectly impact transit. However, we are seeing more and more bills that could more directly impact transit (and County Connection) eventhough their main focus is not transit. A few County Connection Board members have mentioned a few such bills recently and have asked staff to look at these. These bills include: AB147 (Dickinson), AB485 (Ma), AB710 (Skinner), and SB310 (Hancock). They are each briefly described below.

AB147 (Dickinson)

The Subdivision Map Act authorizes a local agency to require the payment of a fee as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing bridges or major thoroughfares if specified conditions are met. The Mitigation Fee Act authorizes a local agency to charge a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined. This bill would authorize a local ordinance to require payment of a fee subject to the Mitigation Fee Act, as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing transportation facilities, as defined.

Staff Analysis

This bill would increase the opportunities for transit and County Connection to receive developer fees related to new development and new transit services. However, it is not clear if this would ever actually materialize into new revenues for County Connection.

Staff seeks to see if the Board wishes to take a position on AB147.

AB485 (Ma)

The Transit Village Development Planning Act of 1994 authorizes a city or county to create a transit village plan for a transit village development district that addresses specified characteristics. Existing law authorizes the legislative body of the city or county to adopt an infrastructure financing plan, create an infrastructure financing district, and issue bonds for which only the district is liable, to finance specified public facilities, upon voter approval. This bill would eliminate the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit village development district. The bill would require a city or county that uses infrastructure financing district bonds to finance its transit village development district to use at least 20% of the revenue from those bonds for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing; to require that those housing units remain available and occupied by moderate-, low-, very low, and extremely low income households for at least 55 years for rental units and 45 years for owner-occupied units; and to rehabilitate, develop, or construct for rental or sale to persons and families of low or moderate income an equal number of replacement dwellings to those removed or destroyed from the low- and moderate-income segment of the housing market as a result of the development of the district, as specified. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit village development districts be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code.

Staff Analysis

This bill would provide transit (and possibly County Connection) with new revenue tied to certain types of new development through infrastructure financing district bonds. However, it also removes certain voter requirements, and requires related development to meet certain thresholds of low and moderately priced housing.

Staff seeks to see if the Board wishes to take a position on AB485.

AB710 (Skinner)

This bill prohibits a city or county from requiring more than one parking space per residential unit, and more than one parking space per 1,000 square feet of commercial or other non-residential space for a residential or mixed-use project located in a transit intensive area.

Staff Analysis

In theory, this will lead to more transit usage in the affected area(s). Staff does not know how many transit intensive areas may end up being within the County Connection service area. County Connection has not taken positions relative to parking space legislation in the past.

Staff seeks to see if the Board wishes to take a position on AB710.

SB310 (Hancock)

This bill eliminates the requirement of voter approval to create an infrastructure financing district and issue bonds for various capital improvements within said district. This bill would establish the Transit Priority Project Program to encourage developers to meet various environmental and affordable housing requirements. In exchange for this, developers would be allowed an additional three or more stories to each unit in such a development. This would mean three or more stories could be built above current zoning requirements.

Staff Analysis

It is unclear if County Connection would benefit from this bill as it would depend on the creation of Transit Priority Project Programs within our area.

Staff seeks to see if the Board wishes to take a position on SB310.