



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**AB-1197 California Environmental Quality Act: exemption: City of Los Angeles: supportive housing and emergency shelters. (2019-2020)**

SHARE THIS:  

Date Published: 09/27/2019 02:00 PM

**Assembly Bill No. 1197**

**CHAPTER 340**

An act to add and repeal Section 21080.27 of the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

[ Approved by Governor September 26, 2019. Filed with Secretary of State September 26, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1197, Santiago. California Environmental Quality Act: exemption: City of Los Angeles: supportive housing and emergency shelters.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

This bill would, until January 1, 2025, exempt from the requirements of CEQA certain activities approved or carried out by the City of Los Angeles and other eligible public agencies, as defined, related to supportive housing and emergency shelters, as defined. The bill would require the lead agency, if it determines that an activity is not subject to CEQA and approves or carries out that activity, to file a notice of exemption with the Office of Planning and Research and the county clerk for the County of Los Angeles. Because the bill would impose additional duties on the City of Los Angeles, this bill would impose a state-mandated local program.

The bill would exempt from the requirements of CEQA the adoption of Ordinance Nos. 185,489 and 185,492 by the City of Los Angeles in 2018.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Los Angeles.

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.

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

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** (a) It is the intent of the Legislature to facilitate local initiatives that promote high-quality, low-barrier shelters and supportive housing.

(b) It is the intent of the Legislature to help the City of Los Angeles address its homeless crisis by facilitating the construction of high-quality permanent supportive housing that adopt the core component of the Housing First Model and develop crisis and bridge housing that are low barrier.

**SEC. 2.** Section 21080.27 is added to the Public Resources Code, to read:

**21080.27.** (a) For purposes of this section, the following definitions apply:

(1) "Eligible public agency" means any of the following:

- (A) The County of Los Angeles.
- (B) The Los Angeles Unified School District.
- (C) The Los Angeles County Metropolitan Transportation Authority.
- (D) The Housing Authority of the City of Los Angeles.
- (E) The Los Angeles Homeless Services Authority.
- (F) The Los Angeles Community College District.
- (G) The successor agency for the former Community Redevelopment Agency of the City of Los Angeles.
- (H) The Department of Transportation.
- (I) The Department of Parks and Recreation.

(2) "Emergency shelters" mean shelters, during a declaration of a shelter crisis described in Section 8698.2 of the Government Code, that meet the definition of low barrier navigation center set forth in Section 65660 of the Government Code and meet the requirements of Section 65662 of the Government Code, that is located in either a mixed-use or nonresidential zone permitting multifamily uses or infill site, and that is funded, in whole or in part, by any of the following:

- (A) The Homeless Emergency Aid program established pursuant to Section 50211 of the Health and Safety Code.
- (B) The Homeless Housing, Assistance, and Prevention program established pursuant to Section 50217 of the Health and Safety Code.
- (C) Measure H sales tax proceeds approved by the voters on the March 7, 2017, special election in the County of Los Angeles.
- (D) General bond obligations issued pursuant to Proposition HHH, approved by the voters of the City of Los Angeles at the November 8, 2016, statewide general election.

(3) "Supportive housing" means supportive housing, as defined in Section 50675.14 of the Health and Safety Code, that meets the eligibility requirements of Article 11 (commencing with Section 65650) of Chapter 3 of Division 1 of Title 7 of the Government Code or the eligibility requirements for qualified supportive housing or qualified permanent supportive housing set forth in Ordinance No. 185,489 or 185,492, and is funded, in whole or in part, by any of the following:

- (A) The No Place Like Home Program (Part 3.9 (commencing with Section 5849.1) of Division 5 of the Welfare and Institutions Code).
- (B) The Building Homes and Jobs Trust Fund established pursuant to Section 50470 of the Health and Safety Code.
- (C) Measure H sales tax proceeds approved by the voters on the March 7, 2017, special election in the County of Los Angeles.
- (D) General bond obligations issued pursuant to Proposition HHH, approved by the voters of the City of Los Angeles at the November 8, 2016, statewide general election.
- (E) The City of Los Angeles Housing Impact Trust Fund.

(b) (1) This division does not apply to any activity approved by or carried out by the City of Los Angeles in furtherance of providing emergency shelters or supportive housing in the City of Los Angeles.

(2) This division does not apply to any action taken by an eligible public agency to lease, convey, or encumber land owned by that agency, or to any action taken by an eligible public agency to facilitate the lease, conveyance, or encumbrance of land owned by that agency, or to any action taken by an eligible public agency in providing financial assistance, in furtherance of providing emergency shelters or supportive housing in the City of Los Angeles.

(3) This division does not apply to the adoption of Ordinance Nos. 185,489 and 185,492 by the City of Los Angeles in 2018.

(c) If a lead agency determines that an activity is not subject to this division pursuant to paragraph (1) or (2) of subdivision (b) and determines to approve or carry out the activity, the lead agency shall file a notice of exemption with the Office of Planning and Research and the county clerk in the manner specified in subdivisions (b) and (c) of Section 21108 or subdivisions (b) and (c) of Section 21152.

(d) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

**SEC. 3.** The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances faced by the City of Los Angeles.

**SEC. 4.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

**SEC. 5.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To address the unique circumstances faced by the City of Los Angeles by developing emergency shelters and supportive housing in an expeditious manner, it is necessary for this measure to take effect immediately.