

CURRENT BILL STATUS

MEASURE : A.B. No. 212
AUTHOR(S) : Fuentes.
TOPIC : General plan: zoning ordinances.
HOUSE LOCATION : SEN
+LAST AMENDED DATE : 05/06/2008

TYPE OF BILL :

Active
Urgency
Non-Appropriations
2/3 Vote Required
Non-State-Mandated Local Program
Non-Fiscal
Non-Tax Levy

LAST HIST. ACT. DATE: 06/09/2008
LAST HIST. ACTION : In committee: Set, second hearing. Hearing canceled
at

the request of author.

COMM. LOCATION : SEN LOCAL GOVERNMENT

TITLE : An act to add Section 65860.5 to the Government Code,
relating to local planning, and declaring the urgency
thereof, to take effect immediately.

BILL NUMBER: AB 212 AMENDED
BILL TEXT

AMENDED IN SENATE MAY 6, 2008
AMENDED IN SENATE MARCH 4, 2008
AMENDED IN SENATE AUGUST 29, 2007
AMENDED IN SENATE JULY 17, 2007

INTRODUCED BY Assembly Member Fuentes

JANUARY 25, 2007

An act to add Section 65860.5 to the Government Code, relating to
local planning, and declaring ~~an~~ the
urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 212, as amended, Fuentes. General plan: zoning ordinances.

(1) Existing law requires county and city ordinances to be consistent with the general plan. For a zoning ordinance to be considered consistent with a general plan officially adopted by a city or county, the various land uses authorized by the ordinance are required to be compatible with the objectives, policies, general land uses, and programs specified in the general plan. Existing law also applies these provisions to specified charter cities.

This bill would require specified charter cities, ~~when amending a zoning ordinance to conform with the general plan, to use the general plan designation that applied to the property on the date~~

~~on which the application to amend the zoning ordinance was submitted to the charter city if an application is made for a permit that includes an application to amend a zoning ordinance to conform to the city's general plan , to consider the application based on the general plan as of the date of the application if certain conditions apply.~~

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

Vote: 2/3. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

SECTION 1. Section 65860.5 is added to the Government Code, to read:

~~65860.5. (a) If a charter city of 2,000,000 or more population intends to amend a zoning ordinance to conform with the charter city's general plan, the charter city shall use the general plan designation that applied to the property on the date on which the application to amend the zoning ordinance was submitted to the charter city.~~

65860.5. (a) If an application is made with a charter city of 2,000,000 or more population for a permit that includes an application to amend a zoning ordinance to conform to the city's general plan, the charter city shall consider the application based on the general plan as of the date of the application.

(b) This section shall apply when all of the following conditions exist:

(1) The charter city's general plan designates the property for residential uses.

(2) The charter city's general plan designation of the property for residential uses has applied to the property for a minimum of 15 years before the date on which the application to amend the zoning ordinance was submitted to the charter city.

SEC. 2. 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 Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure proper housing planning and zoning in local communities, it is necessary for this measure to take effect immediately.