

Date of Hearing: June 13, 2018

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

SB 1035 (Jackson) – As Amended April 12, 2018

SENATE VOTE: 30-6

SUBJECT: General plans.

SUMMARY: Requires climate adaptation and resiliency information contained in a general plan to be regularly updated. Specifically, **this bill:**

- 1) Requires the safety element to be revised to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element.
- 2) Requires this revision to occur upon each revision of the housing element or local hazard mitigation plan (LHMP), but not less than once every eight years.

EXISTING LAW:

- 1) Requires every county and city to adopt a general plan with seven mandatory elements, including the safety element.
- 2) Provides that the safety element's purpose is to protect the community from unreasonable risks from geologic hazards, flooding, and wildland and urban fires.
- 3) Requires most cities' and counties' major land use decisions, including subdivisions, zoning, public works projects, and use permits, to be consistent with their general plans.
- 4) Requires the safety element to contain specified information on climate adaptation and resiliency strategies applicable to that city or county, including:
 - a) A vulnerability assessment that identifies the risks that climate change poses to the local jurisdiction and the geographic areas at-risk from climate change impacts, including existing and planned development in identified at-risk areas;
 - b) A set of adaptation and resilience goals, policies, and objectives for the protection of the community based on the identified climate risks; and,
 - c) A set of feasible implementation measures designed to carry out those goals, policies, and objectives.
- 5) Requires cities and counties to revise their safety elements to include this information upon the next update of a city or county's LHMP after January 1, 2017 or by January 1, 2022, if the city or county has not adopted an LHMP.
- 6) Allows a city or county that has adopted an LHMP or other planning document that meets the above requirements to incorporate the LHMP or other plan by reference in the general plan instead of revising the safety element.

FISCAL EFFECT: According to the Senate Appropriations Committee, negligible fiscal costs, pursuant to Rule 28.8.

COMMENTS:

- 1) **Bill Summary.** SB 379 (Jackson), Chapter 608, Statutes of 2015, established a requirement in general plan law that a city or county must address climate adaptation and resiliency strategies upon the next revision of their safety element, and then continue to update the safety element, as needed, for adaptation and resiliency concerns, upon subsequent revisions of the safety element, to occur concurrently with subsequent revisions of the housing element.

In 2016, SB 974 (Committee on Governance and Finance), Chapter 366, Statutes of 2016, deleted the requirement that the safety element be regularly updated as specified in SB 397, upon revisions of the housing element.

This bill reestablishes that update requirement and also requires the safety element to be revised to identify new information on fire hazards, flood hazards, and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element. This revision must occur upon each revision of the housing element or LHMP, but not less than once every eight years. This bill is an author-sponsored measure.

- 2) **Author's Statement.** According to the author, "Local governments are at the forefront of confronting climate change. It is through long-range planning where local governments can most appropriately implement the adaptation and resiliency strategies that will protect their communities from suffering the worst impacts of a changing climate. This planning is essential and therefore must be done regularly in order to keep ahead of the dynamic nature of a changing climate."
- 3) **Arguments in Support.** The California State Association of Counties writes that local governments must continue to learn from and plan for potential environmental impacts to ensure the safety of residents, and for that reason, is supportive of this bill.
- 4) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

American Planning Association, California Chapter
California State Association of Counties
Local Government Commission

Opposition

None on file

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