

AMENDED IN ASSEMBLY JULY 17, 2025

AMENDED IN SENATE APRIL 21, 2025

AMENDED IN SENATE MARCH 25, 2025

SENATE BILL

No. 489

Introduced by Senator Arreguín

February 19, 2025

An act to amend Sections 56300, 65928, and 65940 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 489, as amended, Arreguín. Local agency formation commissions: written policies and procedures: Permit Streamlining Act: housing development projects.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts and establishes a local agency formation commission in each county consisting of members appointed as provided. The act expresses the intent of the Legislature that each local agency formation commission, by January 1, 2002, establish written policies and procedures and exercise its powers in a way that encourages and provides planned, well-ordered, efficient urban development patterns, as specified. The act requires these written policies and procedures to include forms to be used for various submittals to the commission, as provided. The act requires each commission to provide access to notices and other information to the public on an internet website, as specified, including notice of all public hearings and commission meetings.

This bill would require that each local agency formation commission establish the written policies and procedures described above. The bill would require that the written policies and procedures include any forms necessary for a complete application to the commission concerning a proposed change of organization or reorganization. The bill would require each commission to provide access to its written policies and procedures to the public, including any forms necessary for a complete application for a change of organization or reorganization, through its internet website.

(2) The Permit Streamlining Act requires a public agency to compile a list of the information required from an applicant for a development project, ~~as provided, and, until January 1, 2030, specifies that a development project for purposes of this requirement includes a housing development project, as defined.~~ *provided.* The act defines various terms for its purposes, including, among others, a “development project,” which is generally defined as any project undertaken for the purpose of development, excluding ministerial projects proposed to be carried out or approved by public ~~agencies.~~ *agencies, except that the act includes in the definition of “development project” projects that require an entitlement from a local agency, regardless of whether the process for permitting that entitlement is discretionary or ministerial.*

This bill would revise the definition of “development project” for purposes of the act to *instead* include a housing development project, as defined by specified other law that includes in that definition, notwithstanding the above-described exclusion for ministerial projects, projects that involve no discretionary approvals and projects that involve both discretionary and nondiscretionary approvals. ~~The bill would make a conforming change in the above-described requirement to compile the above-described list by deleting the specification that a development project includes a housing development project. The bill, until January 1, 2030,~~ *The bill* would also require a public agency, for each approval issued in connection with a housing development project, to publish online the above-described list, including the criteria that the public agency will apply in order to determine the completeness of the development application and the name of the approval, as provided.

(3) By increasing the duties of local agency formation commissions in establishing and publishing written policies and procedures and of local planning officials in reviewing permit applications for housing development projects, this bill would impose a state-mandated local program.

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.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 56300 of the Government Code is
2 amended to read:

3 56300. (a) Each commission shall establish written policies
4 and procedures and exercise its powers pursuant to this part in a
5 manner consistent with those policies and procedures and that
6 encourages and provides planned, well-ordered, efficient urban
7 development patterns with appropriate consideration of preserving
8 open-space and agricultural lands within those patterns.

9 (b) Each commission with a proposal pending on January 1,
10 2001, shall, by March 31, 2001, hold a public hearing to discuss
11 the adoption of policies and procedures to require the disclosure
12 of contributions, expenditures, and independent expenditures
13 authorized by Section 56100.1. Reporting requirements adopted
14 pursuant to this section shall be effective upon the date of adoption
15 or a later date specified in the resolution. Any commission that
16 does not have a proposal pending on January 1, 2001, shall hold
17 a public hearing to discuss the adoption of those policies and
18 procedures within 90 days of submission of a proposal or at any
19 time prior to submission of a proposal. Once a hearing has taken
20 place under this subdivision, no subsequent hearing shall be
21 required except by petition of 100 or more registered voters
22 residing in the county in which the commission is located.

23 (c) A commission may require, through the adoption of written
24 policies and procedures, lobbying disclosure and reporting
25 requirements for persons who attempt to influence pending
26 decisions by commission members, staff, or consultants. Disclosure
27 shall be made either to the commission's executive officer, in
28 which case it shall be posted on the commission's internet website,
29 if applicable, or to the recorder, registrar of voters, or clerk of the
30 board of supervisors of the county in which the commission is

1 located. Each commission that on January 1, 2001, has a pending
2 proposal, as defined in Section 56069 shall, by March 31, 2001,
3 hold a public hearing to discuss the adoption of policies and
4 procedures governing lobbying disclosure authorized by this
5 subdivision. Reporting requirements adopted pursuant to this
6 section shall be effective upon the date of adoption or on a later
7 date specified in the resolution. Any commission that does not
8 have a proposal pending on January 1, 2001, shall hold a public
9 hearing to discuss the adoption of those policies and procedures
10 within 90 days of submission of a proposal, or at any time prior
11 to submission of a proposal.

12 (d) Any public hearings required by this section may be held
13 concurrently.

14 (e) The written policies and procedures adopted by the
15 commission shall include forms to be used for various submittals
16 to the commission including at a minimum a form for any protests
17 to be filed with the commission and any forms necessary for a
18 complete application to the commission concerning any proposed
19 change of organization or reorganization.

20 (f) (1) Each commission shall establish and maintain, or
21 otherwise provide access to notices, written policies and
22 procedures, and other commission information for the public
23 through an internet website.

24 (2) The written policies and procedures adopted by the
25 commission shall require that notice of all public hearings,
26 commission meetings, and any forms necessary for a complete
27 application for a change of organization or reorganization shall be
28 made available in electronic format on the commission's internet
29 website.

30 ~~SEC. 2. Section 65928 of the Government Code is amended~~
31 ~~to read:~~

32 ~~65928. —(a) “Development project” means any project~~
33 ~~undertaken for the purpose of development.~~

34 ~~(b) “Development project” includes a project involving the~~
35 ~~issuance of a permit for construction or reconstruction but not a~~
36 ~~permit to operate.~~

37 ~~(c) Except as provided in subdivision (d), “development project”~~
38 ~~does not include any ministerial projects proposed to be carried~~
39 ~~out or approved by public agencies.~~

1 ~~(d) “Development project” includes a housing development~~
2 ~~project, as that term is defined in paragraph (3) of subdivision (b)~~
3 ~~of Section 65905.5.~~

4 ~~SEC. 3. Section 65940 of the Government Code, as amended~~
5 ~~by Section 3 of Chapter 754 of the Statutes of 2023, is amended~~
6 ~~to read:~~

7 ~~65940. (a) (1) Each public agency shall compile one or more~~
8 ~~lists that shall specify in detail the information that will be required~~
9 ~~from any applicant for a development project. Each public agency~~
10 ~~shall revise the list of information required from an applicant to~~
11 ~~include a certification of compliance with Section 65962.5, and~~
12 ~~the statement of application required by Section 65943. Copies of~~
13 ~~the information, including the statement of application required~~
14 ~~by Section 65943, shall be made available to all applicants for~~
15 ~~development projects and to any person who requests the~~
16 ~~information.~~

17 ~~(2) An affected city or affected county, as defined in Section~~
18 ~~66300, shall include the information necessary to determine~~
19 ~~compliance with the requirements of Article 2 (commencing with~~
20 ~~Section 66300.5) of Chapter 12 in the list compiled pursuant to~~
21 ~~paragraph (1).~~

22 ~~(b) The list of information required from any applicant shall~~
23 ~~include, where applicable, identification of whether the proposed~~
24 ~~project is located within 1,000 feet of a military installation,~~
25 ~~beneath a low-level flight path or within special use airspace as~~
26 ~~defined in Section 21098 of the Public Resources Code, and within~~
27 ~~an urbanized area as defined in Section 65944.~~

28 ~~(c) (1) A public agency that is not beneath a low-level flight~~
29 ~~path or not within special use airspace and does not contain a~~
30 ~~military installation is not required to change its list of information~~
31 ~~required from applicants to comply with subdivision (b).~~

32 ~~(2) A public agency that is entirely urbanized, as defined in~~
33 ~~subdivision (c) of Section 65944, with the exception of a~~
34 ~~jurisdiction that contains a military installation, is not required to~~
35 ~~change its list of information required from applicants to comply~~
36 ~~with subdivision (b).~~

37 ~~(d) For each approval issued by a public agency in connection~~
38 ~~with a housing development project, the list required to be~~
39 ~~compiled by this section, including the criteria which the public~~
40 ~~agency will apply in order to determine the completeness of an~~

1 application described in Section 65941, and the name of the
2 approval, shall be published online.

3 (e) ~~This section shall remain in effect only until January 1, 2030,~~
4 ~~and as of that date is repealed.~~

5 SEC. 2. Section 65928 of the Government Code is amended to
6 read:

7 65928. (a) “Development project” means any project
8 undertaken for the purpose of development. ~~“Development~~

9 (b) “Development project” includes a project involving the
10 issuance of a permit for construction or reconstruction but not a
11 permit to operate.

12 ~~(b) (1) (A)~~

13 (c) Except as otherwise provided in ~~subparagraph (B);~~
14 ~~subdivision (d)~~, “development project” does not include any
15 ministerial projects proposed to be carried out or approved by
16 public agencies.

17 ~~(B)~~

18 (d) Notwithstanding ~~subparagraph (A)~~, ~~subdivision (c)~~,
19 “development project” includes a housing development ~~project~~
20 ~~that requires an entitlement from a local agency, regardless of~~
21 ~~whether the process for permitting that entitlement is discretionary~~
22 ~~or ministerial project, as that term is defined in paragraph (3) of~~
23 ~~subdivision (b) of Section 65905.5.~~

24 ~~(2)~~

25 (e) “Development project” does not include a postentitlement
26 phase permit, as that term is defined in Section 65913.3.

27 SEC. 3. Section 65940 of the Government Code is amended to
28 read:

29 65940. (a) (1) Each public agency shall compile one or more
30 lists that shall specify in detail the information that will be required
31 from any applicant for a development project. Each public agency
32 shall revise the list of information required from an applicant to
33 include a certification of compliance with Section 65962.5, and
34 the statement of application required by Section 65943. Copies of
35 the information, including the statement of application required
36 by Section 65943, shall be made available to all applicants for
37 development projects and to any person who requests the
38 information.

39 (2) An affected city or affected county, as defined in Section
40 66300, shall include the information necessary to determine

1 compliance with the requirements of Article 2 (commencing with
2 Section 66300.5) of Chapter 12 in the list compiled pursuant to
3 paragraph (1).

4 (b) The list of information required from any applicant shall
5 include, where applicable, identification of whether the proposed
6 project is located within 1,000 feet of a military installation,
7 beneath a low-level flight path or within special use airspace as
8 defined in Section 21098 of the Public Resources Code, and within
9 an urbanized area as defined in Section 65944.

10 (c) (1) A public agency that is not beneath a low-level flight
11 path or not within special use airspace and does not contain a
12 military installation is not required to change its list of information
13 required from applicants to comply with subdivision (b).

14 (2) A public agency that is entirely urbanized, as defined in
15 subdivision (e) of Section 65944, with the exception of a
16 jurisdiction that contains a military installation, is not required to
17 change its list of information required from applicants to comply
18 with subdivision (b).

19 (d) *For each approval issued by a public agency in connection*
20 *with a housing development project, the list required to be*
21 *compiled by this section, including the criteria the public agency*
22 *will apply in order to determine the completeness of an application*
23 *described in Section 65941, and the name of the approval, shall*
24 *be published online.*

25 ~~(d)~~

26 (e) For purposes of this section, “development project” includes
27 a housing development project as defined in paragraph (3) of
28 subdivision (b) of Section 65905.5.

29 SEC. 4. No reimbursement is required by this act pursuant to
30 Section 6 of Article XIII B of the California Constitution because
31 a local agency or school district has the authority to levy service
32 charges, fees, or assessments sufficient to pay for the program or
33 level of service mandated by this act, within the meaning of Section
34 17556 of the Government Code.