

AMENDED IN SENATE APRIL 21, 2003

SENATE BILL

No. 952

Introduced by Senator Perata

February 21, 2003

An act to ~~amend Section 65048 of~~ *add Section 65852.12* to the Government Code, relating to ~~state planning~~ *local agencies*.

LEGISLATIVE COUNSEL'S DIGEST

SB 952, as amended, Perata. ~~State Environmental Goals and Policy Report~~ *Zoning: tax exempt organizations.*

The Planning and Zoning Law authorizes the legislative body of a city or county to adopt zoning ordinances or regulations that regulate the use of land as between, among other things, business, residences, open space, recreation, and other purposes.

This bill would prohibit a local agency from enacting or enforcing any ordinance, regulation, or resolution that would prohibit the conduct of, or require a use permit for, events held on property zoned for residential use by specified tax exempt organizations that charge admission or ask a donation.

~~Existing law requires the Governor to prepare and cause to be maintained, regularly reviewed, and revised a comprehensive State Environmental Goals and Policy Report and to transmit the report to the Legislature every 4 years. In the preparation of the report, priority is to be given to the development of statewide land use policy. Existing law also requires the Office of Planning and Research to constitute the comprehensive state planning agency and to develop a land use policy for the state.~~

~~This bill would require the Office of Planning and Research to report to the Governor and the Legislature annually, on or before January 1,~~

regarding the implementation of that report, and would require that the preparation of the report be given priority and funded out of the office's existing resources.

Vote: majority. Appropriation: no. Fiscal committee: yes *no*. State-mandated local program: no.

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

- 1 ~~SECTION 1. Section 65048 of the Government Code is~~
 2 ~~SECTION 1. Section 65852.12 is added to the Government~~
 3 ~~Code, to read:~~
 4 ~~65852.12. No local agency may enact or enforce any~~
 5 ~~ordinance, regulation, or resolution that would prohibit the~~
 6 ~~conduct of, or require a use permit for, an event for which~~
 7 ~~admission is charged or donations accepted to raise funds for a~~
 8 ~~private, nonprofit organization that is exempt from taxation~~
 9 ~~pursuant to Section 501(c)(3) or Section 501(c)(4) of the United~~
 10 ~~States Internal Revenue Code, on property that is zoned for~~
 11 ~~residential use.~~
 12 ~~amended to read:~~
 13 ~~65048. (a) The State Environmental Goals and Policy Report~~
 14 ~~shall be revised, updated, and transmitted by the Governor to the~~
 15 ~~Legislature every four years. Any revision on and after January 1,~~
 16 ~~2004, shall be consistent with the state planning priorities~~
 17 ~~specified pursuant to Section 65041.1. The Governor, may at any~~
 18 ~~time, inform and seek advice of the Legislature on proposed~~
 19 ~~changes in state environmental goals, objectives, and policies.~~
 20 ~~(b) On or before January 1, 2005, and each year thereafter, the~~
 21 ~~office shall report to the Governor and the Legislature regarding~~
 22 ~~the implementation of the State Environmental Goals and Policy~~
 23 ~~Report. The office shall give priority to the preparation of this~~
 24 ~~report, but shall fund the report only out of its existing resources.~~
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