

Date of Hearing: April 4, 2022

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 2462 (Valladares) – As Amended March 10, 2022

SUBJECT: Neighborhood electric vehicles: County of Los Angeles: Westside Planned Communities

SUMMARY: Authorizes the County of Los Angeles (LA County) to establish a neighborhood electric vehicle (NEV) transportation plan for the Westside Planned Communities. Specifically, **this bill:**

- 1) Establishes the intent of the Westside Planned Communities NEV plan.
- 2) Authorizes LA County, by ordinance or resolution, to adopt an NEV transportation plan for the Westside Planned Communities.
 - a. Requires the NEV plan be reviewed by the Los Angeles Metropolitan Transportation Agency (LA Metro), and any agency having traffic law enforcement responsibilities in the County of Los Angeles; and,
 - b. Authorizes the NEV plan to include the use of a state highway, or any crossing of the highway, subject to the approval of the California Department of Transportation (Caltrans).
- 3) Requires the NEV plan include:
 - a. Route selection.
 - b. Transportation interfacing with other modes of transportation.
 - c. Provisions for NEV-related facilities with other modes of transportation.
 - d. Provisions for parking facilities.
 - e. Provisions for road markings, signage and striping for NEV travel lanes.
 - f. Provisions for NEV electrical charging stations; and,
 - g. A map showing the NEV route network. NEV routes for the purposes of the transportation plan shall be classified as follows:
 - i. Class I NEV routes provide for a completely separate right-of-way for the use of NEVs.
 - ii. Class II NEV routes provide for a separate striped lane adjacent to roadways with speed limits of 55 miles per hour or less; and,

- iii. Class III NEV routes provide for shared use by NEVs with conventional vehicle traffic on streets with a speed limit of 35 miles per hour or less.
- 4) Should the NEV plan become adopted, requires LA County do the following:
- a. Establish minimum general design criteria for the development, planning, and construction of separated NEV facilities.
 - b. In cooperation with Caltrans, establish uniform specifications and symbols for signs, markers, and traffic control devices to control NEV traffic.
 - c. Require NEVs eligible to use NEV facilities to meet the safety requirements for low-speed vehicles as set forth in federal law.
 - d. Establish safety criteria for NEV operators.
 - e. Restrict the operation of NEVs to separated NEV facilities on those roadways identified in the transportation plan and allowing only NEVs that meet the safety equipment requirements specified in the plan to be operated on separated NEV facilities of approved roadways in the plan area; and,
 - f. Require any person operating a NEV in the plan area in violation of the above be guilty of an infraction punishable by a fine not exceeding one hundred \$100.00.
- 5) Requires LA County to submit a report to the Legislature on or before August 31, 2028, in consultation with Caltrans, the Department of the California Highway Patrol (CHP), and local law enforcement agencies, with the following:
- a. Description of the NEV transportation plan and its elements that have been authorized up to that time.
 - b. Evaluation of the effectiveness of the NEV transportation plan, including its impact on traffic flows and safety; and,
 - c. Recommendation as to whether this article should be terminated, continued in existence and applicable solely to the Westside Planned Communities, or expanded statewide.
- 6) The provisions of this bill are repealed January 1, 2040.

EXISTING LAW:

- 1) Defines NEV as a low-speed vehicle, weighing less than 3,000 pounds, with four wheels, that can attain a speed of between 20 and 25 miles per hour (mph).
- 2) Currently authorizes NEV plans for the following communities, with markedly similar provisions to this bill:
 - a. Ranch Plan Planned Community in Orange County; and,

b. San Diego County

FISCAL EFFECT: Unknown.

COMMENTS: The Westside Planned Communities is a future development within the northern portion of unincorporated Los Angeles County in the unincorporated Stevenson Ranch area. This community will include the Newhall Ranch Specific Plan, the Valencia Commerce Center area, and any other property being developed in the immediately surrounding environs of the Newhall Ranch Specific Plan inclusive of the area roughly bounded to the west by the Ventura County line, to the east by State Route 5 (SR-5), to the north by the Val Verde community.

This bill is modeled after the NEV plan authorization in the Rancho Mission Viejo master planned community development in south Orange County. These master planned communities include plans, development regulations, design guidelines, and implementation programs for community access to work, shopping, dining, and recreation. A NEV plan allow travel through the community using electric-powered vehicles, similar to a golf cart, that travel up to 25 mph and are designed for low-speed neighborhood use. Because NEVs are smaller, lack important safety features, and travel at slower speeds, they are typically not allowed to operate on streets with posted speed limits exceeding 35 mph, unless otherwise authorized.

Many NEV Plans Statewide: The Legislature has granted authority to adopt NEV Plans to other communities in California including the County of Riverside, the City of Fresno, the County of Amador, the cities of Lincoln and Rocklin, and the County of San Diego. In 2006, Lincoln was the first city in California to adopt an NEV Plan. In a January 1, 2011 report to the Legislature, Lincoln reported that its NEV transportation plan has “generally been successful” and Rocklin reported that the early results “show promise.” While NEV Plan authority has lapsed in some of these jurisdictions, a 2014 SacBee article describes NEVs as hugely popular in the retirement community of Sun City Lincoln Hills. In 2019, Caltrans funded two 8-foot shoulders for shared NEV/bike lanes in Lincoln as part of a bridge widening project.

The main concern with NEV transportation plans has been safety. In its report, the City of Lincoln raised several public safety concerns, such as conflict with bicycles, conflict with motorists in shared lanes, and the difficulty of an NEV crossing traffic from the dedicated right lane to the left lane to make a left turn on a street with a speed limit in excess of 35 mph. In recognition of these unresolved safety concerns, prior legislative authority all had sunset dates. Westside Planned Communities is planning its community specifically with NEVs in mind, so the same safety issues have not been identified.

Considering the myriad NEV plans the state has authorized since 2004, it may be in the interest of the legislature and local communities to develop a comprehensive approval process for plans at the local level, without continuous legislative approval. The report to the legislature required in this bill includes a recommendation as to whether NEV plans should be expanded statewide. This is an opportunity to consider what a statewide NEV plan and approval process could look like.

NEV as Environmental Benefit? This bill states the intent of the NEV transportation plan is to, “further the community’s vision of creating a sustainable development that reduces gasoline demand and vehicle emissions by offering a cleaner, more economical means of local

transportation within the plan area.” While electric vehicles produce significantly lower greenhouse gas emissions (GHGs) than a traditional vehicle, especially if electricity is generated with renewable energy sources like hydroelectric, solar, or wind, it is unclear how NEV plans significantly contribute to sustainable development within a master-planned community.

Studies have shown that natural amenities like forests and water features near a residential location, can have a positive effect of residential choice. However, little attention is given to the impacts master-planned communities can have on the surrounding natural, built and social environment; particularly in an exurban area.

The vast majority of master-planned communities are built in greenfields. Studies have found vehicles miles traveled (VMT) to be most strongly related to the accessibility of destinations, particularly employment locations with more transportation energy being consumed in low-density suburban neighborhoods than in urban compact neighborhoods. In other words, residents in exurban areas traveled more miles to job locations than other residential locations.

As is for all large residential developments, as the density of housing and other impervious surfaces increase, native animal and plant species decrease. Nutrient and biogeochemical cycles are also effected as natural land cover is removed or fragmented causing an increase of pollutants or altering ecological processes.

To achieve a true vision for sustainable development, master-planned communities should look beyond NEV plans, and to land use. Infill development, rather than greenfield development, has been shown to significantly decrease VMT and GHG emissions. Increasing the size of the open space retained in a development, creating contiguous open space tracts, requiring native landscaping, and minimizing road and trail densities could lessen the impact of large-scaled residential developments, such as master-planned communities, on the surrounding natural landscape.

According to the author, “AB 2462 will authorize Los Angeles County to establish a Neighborhood Electric Vehicle (NEV) Transportation Plan, which will help ensure that future developments in the Los Angeles metro area are sustainable and meaningfully reduce greenhouse gas emissions.”

In support, Five Point Holdings, LLC (FivePoint) writes, “The NEV program advanced by AB 2462 is a central component to the community’s alternative transit strategies. Valencia’s integrated NEV trail systems make it easy for residents to benefit from the NEV transportation networks and to transit to work, dining, shops, and recreational areas without traditional vehicle trips.”

Prior Legislation: SB 214 (Bates), Chapter 101, Statutes of 2021 permanently authorizes the NEV Plan in the Ranch Plan Planned Community in Orange County, also known as Rancho Mission Viejo.

SB 1151 (Bates), Chapter 564, Statutes of 2018 authorizes the County of San Diego or any city in the county to establish a NEV Plan until January 1, 2029.

SB 241 (Bates), Chapter 156, Statutes of 2015 extends authorization of NEV Plan in Ranch Plan Planned Community in Orange County to 2022.

SB 290 (Correa), Chapter 150, Statutes of 2011 extends authorization for NEV Plan in Ranch Plan Planned Community in Orange County to 2017.

AB 61 (Jeffries), Chapter 170, Statutes of 2011 authorizes NEV Plan in Riverside County until 2017.

AB 1781 (Villines), Chapter 452, Statutes of 2010 authorizes NEV Plan in city of Fresno until 2016.

AB 584 (Huber), Chapter 437, Statutes of 2010 authorizes NEV Plan in Amador County and cities of Jackson, Sutter Creek, and Amador until 2016.

AB 2963 (Gaines), Chapter 199, Statutes of 2008 extends authorization for NEV Plans in cities of Lincoln and Rocklin to 2012.

SB 956 (Correa), Chapter 442, Statutes of 2007 authorizes NEV Plan in Ranch Plan Planned Community in Orange County until 2013.

SB 1559 (Lowenthal), Chapter 66, Statutes of 2006 establishes the definition of a low-speed vehicle to conform to federal law.

AB 2353 (Leslie), Chapter 422, Statutes of 2004 authorizes NEV Plans in cities of Lincoln and Rocklin until 2009.

REGISTERED SUPPORT / OPPOSITION:

Support

Five Point Communities Management, INC.

Opposition

None on file.

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