

CATEGORY: Policy

COMMITTEE: PLUM

PURPOSE: CIS in support of California Assembly Constitutional Amendment 7 which would place on the ballot for voter decision a Constitutional amendment to restore local governmental control over land use, zoning and planning decisions.

BACKGROUND:

WRAC's adopted position, already expressed in five motions passed by a majority or more of member councils, is strongly in support of local control over land use and zoning decisions (Oppose SB 827, SB 50, SB 9 and SB 10; Support SB 15). See: <https://westsidecouncils.com/adopted-positions/>

The Los Angeles City Council has also expressed support for local land use regulations and procedures (resolutions passed opposing SB 827 and SB 50 unless amended):
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=18-0002-S13> <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=19-0002-S38>

Assemblymember Al Muratsuchi (D-Torrance) and Senator Steve Glazer (D-Contra Costa) introduced Assembly Constitutional Amendment (ACA) 7 in the State Assembly in March 2021, proposing an amendment to the State Constitution that would restore local government control over land use decisions. If passed in the legislature, ACA 7 would put this proposed Constitutional amendment on the next ballot for a decision by the voters.

ACA 7, introduced by Assemblymember Al Muratsuchi, seeks to amend the California Constitution to ensure local land use authority would prevail over conflicting state laws. This amendment would allow the City to maintain local land use authority when in conflict with state legislation, except in the coastal zone and concerning water or transportation projects of statewide concern. In order to be ratified, the amendment would need two-thirds approval by the Legislature and approval by a majority of voters. The City Council has strongly opposed legislation that seeks to limit local land use authority. If passed, this measure would broadly ensure that the City's local ordinances would prevail over all state land use legislation, if they are in conflict. Cities have an existing state constitutional authorization to make and enforce ordinances and regulations within city limits, known as police power. ACA No. 7 argues that the legislature cannot properly assess the impacts of sweeping land use legislation on

individual communities. As such, cities should be able to utilize their police power to regulate zoning and land use issues within city borders, to the extent that municipal law shall prevail over conflicting general laws.

THE MOTION:

The Mar Vista Community Council supports the Westside Regional Alliance of Councils in its support of Assembly Constitutional Amendment 7 (Muratsuchi/Glazer), which would place on the ballot for voter decision a Constitutional amendment to restore local governmental control over land use, zoning and planning decisions.