



Legislation Text

File #: 21-1100, Version: 1

REQUEST FOR CITY COUNCIL ACTION

DATE: 12/01/2021

TO: Honorable Mayor and City Council Members

FROM: City Manager's Office

SUBJECT:

Request from Vice Mayor Speake for Council consideration of adopting a Resolution, expressing support for the Brand-Huang-Mendoza tripartisan land-use initiative.

EXECUTIVE SUMMARY:

Discussion and possible action on Resolution No. 2021-128, expressing support for the "Brand-Huang-Mendoza tripartisan land-use initiative" (Initiative) to amend article XI of the Constitution of the State of California to make zoning and land use community affairs, and not of state interest. The Initiative presents an opportunity to restore regulation of land use issues to local jurisdictions by bringing those issues to a vote of the people. The Initiative recognizes the authority of local jurisdictions to control land-use and zoning decisions, without regard to state statutes, except in certain circumstances related to the following three areas of statewide concern: California Coastal Act of 1976; siting of power plants; and development of water, communication, or transportation infrastructure projects.

RECOMMENDED ACTION:

That the City Council consider adopting a Resolution in support of the Brand-Huang-Mendoza tripartisan land-use initiative.

BACKGROUND & HISTORY:

A tripartisan statewide coalition of local leaders and community activists are working on an Initiative to amend the State Constitution as part of the Nov. 8, 2022 ballot that will make all land use and planning a municipal affair only. The 'Brand-Huang-Mendoza Tripartisan Land Use Initiative' (Attachment 2) rests on the premise that local land use and zoning policies are a matter of local concern and recognizes that local governments are best fit to determine the unique needs of their respective communities. At the request of Vice Mayor Speake, this item was placed on the agenda for the City Council to consider supporting this effort.

ANALYSIS:

In recent years, several laws have been enacted regulating local land use planning and housing policy at the State level. These laws supersede local authorities' land use policies and practices and result in a "one size fits all" mandate. The State mandates do not factor in the unique needs of each city or jurisdiction, and do not incentivize the development of affordable housing. Local zoning and housing issues differ from city to city. Each local agency must evaluate and determine for themselves how to address land use patterns, design standards (e.g. size, height, setbacks, etc.), parking demand and need, access to transit, and impacts on infrastructure including roadway capacity, water, sewer, energy, and emergency access. Maintaining local control ensures that development of a building's orientation, relationship to the street and pedestrian experiences, access to light and air, and design aesthetics all uphold the values and characteristics of the single-family residential neighborhoods in Corona.

The Initiative states that regulation of zoning or use of land within boundaries of the city shall be deemed a municipal affair and shall prevail over a conflicting state statute. In short, the Initiative recognizes the authority of local jurisdictions to control land use and zoning decisions within the boundaries of their own jurisdiction.

Acknowledging that there may be instances of statewide concern for rules and regulations to govern local land use and zoning decisions, the Initiative provides for three specific conditions where state law would prevail:

- Land use decisions that are under the purview of the State Coastal Commission.
- The siting of a power generating facility capable of generating more than 50 megawatts of electricity.
- The development of water, communications, or transportation infrastructure projects that the state declares are a matter of statewide concern, with the exception of transit-oriented development projects, whether residential, commercial, or mixed use.

Attachment 1 is a proposed Resolution for the Council's consideration of adoption, supporting this Initiative which advocates for the restoration and protection of local zoning and land use authority.

FINANCIAL IMPACT:

No financial impact.

ENVIRONMENTAL ANALYSIS:

No environmental review is required because the proposed action is not a project governed by the California Environmental Quality Act.

PREPARED BY: DENZEL MAXWELL, ASSISTANT TO THE CITY MANAGER

REVIEWED BY: ROGER BRADLEY, ASSISTANT CITY MANAGER

Attachments:

1. Resolution No. 2021-128, Support of the Brand-Huang-Mendoza Tripartisan Land Use Initiative
2. Brand-Huang-Mendoza Tripartisan Land Use Initiative Text