



Legislation Details (With Text)

**File #:** 2022-027      **Version:** 1      **Name:**

**Type:** Consent      **Status:** Agenda Ready

**File created:** 1/11/2022      **In control:** City Council

**On agenda:** 1/18/2022      **Final action:**

**Title:** CONSIDER AN UPDATE FROM THE LEGISLATIVE AD HOC COMMITTEE REGARDING THE "OUR NEIGHBORHOOD VOICES" INITIATIVE (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Initiative Text

| Date | Ver. | Action By | Action | Result |
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**Report to Mayor and City Council**

Tuesday, January 18, 2022

Consent

**SUBJECT:**

**CONSIDER AN UPDATE FROM THE LEGISLATIVE AD HOC COMMITTEE REGARDING THE "OUR NEIGHBORHOOD VOICES" INITIATIVE (CITY COUNCIL)**

**I. SUMMARY**

This item transmits an informational update from the Legislative Ad Hoc Committee, consisting of Mayor Davis-Holmes and Councilmember Hicks, on the "Our Neighborhood Voices" initiative. This initiative is a local grassroots response to recently enacted state of California legislation, such as Senate Bill 9, that preempt local control over land-use and zoning pertaining to single family areas.

On September 16, 2021, Governor Newsom signed Senate Bill 9 into law. The City Council had previously advocated against this legislation while it was being developed. The "Our Neighborhood Voices" initiative responds to this and similar legislation by seeking to amend the state of California constitution through a ballot initiative that would cause local land-use and zoning laws to override conflicting state laws.

To reinforce the City of Carson's support of local control over land-use and zoning pertaining to single-family areas, the Ad Hoc Committee asked staff to develop a draft letter expressing support for this initiative and asked each City Councilmember whether they wanted to have their signature added. City Councilmembers in support can have their

signatures added to the letter, and the letter will be provided to the leaders of the “Our Neighborhood Voices” initiative.

The Legislative Ad Hoc Committee further recommends the City Councilmembers who support the initiative to consider directing staff to add their name to the list of endorsers on the “Our Neighborhood Voices” public website.

This item is for informational purposes only. The text of the initiative is included as Exhibit 1 respectively.

## **II. RECOMMENDATION**

RECEIVE and FILE this informational update.

## **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate and that is consistent with applicable laws.

## **IV. BACKGROUND**

As proposed, the “Our Neighborhood Voices Initiative” would provide that city and county land-use and zoning laws (including local housing laws) override all conflicting state laws, except in certain circumstances related to three areas of statewide concern: (1) the California Coastal Act of 1976; (2) siting of power plants; or (3) development of water, communication, or transportation infrastructure projects.

The initiative would prevent state legislature and local legislative bodies from passing laws invalidating voter-approved local land-use or zoning initiatives. Prohibits state from changing, granting, or denying funding to local governments based on their implementation of this measure.

The substantiation and purpose of the initiative are explained further on page 2 of Exhibit 2 under sections 1(a) through 1(h).

Proponents of “Our Neighborhood Voices” have indicated the following reasons for supporting the initiative.

- Local communities are more qualified than the State to decide which land-use and zoning policies are best for their area. Those who are on the ground and who live and work within a community are best situated to understand a community’s unique needs. The State of California is both massive and diverse. Planning and land use decisions in San Francisco, Los Angeles, Central Valley towns, the Inland

Empire, and the Lake Tahoe region are all going to vary.

- Many people, across age, race, ethnicity, gender, sexual orientation, gender identity, immigration status, socio-economic status, and political party desire to live in single family detached houses. Many people purchase single family homes in communities zoned for this use because they want to live in such communities. State laws that override local zoning to eliminate this zoning change the character of neighborhoods.
- Laws overriding local zoning control appear to be creating greater displacement and instability within economically sensitive communities. This also has a more adverse effect on minority communities. Additionally, it is argued that single family home zoning must be abolished in the name of making housing affordable to all. However, there is no conclusive evidence that housing affordability occurs when neighborhoods are up-zoned.
- The zoning changes proposed by the state are unlikely to lead to increased affordable housing. This is especially true when they increase the cost of land and do not require affordable housing units. The state legislature needs to take responsibility for the lack of affordable housing production. The state needs to properly fund affordable housing production. The Neighborhood Voices Initiative will force the state to do so.
- The Neighborhood Voices Initiative will restate and clarify a fundamental principle of California Constitutional Law. The sovereign rests in the people, not in our elected officials. Many state laws on land use purport to take away power from the citizens by allowing elected officials in those cities to veto citizens' initiatives on land use if they personally dislike them.

## **V. FISCAL IMPACT**

There is no particular fiscal impact associated with this staff report.

## **VI. EXHIBITS**

1. Initiative Text (pgs. 4 - 8)

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