

SUSTAINABLE TAMALMONTE

215 Julia Ave
Mill Valley, CA 94941

June 3, 2021

Honorable Levine
State Capitol, Room 5135
Sacramento CA 94249
Re: **Support ACA-7** (Muratsuchi) “Local government: police power: municipal affairs: land use and zoning”

Dear Assembly Member Marc Levine,

Sustainable TamAlmonte supports Assembly Constitutional Amendment 7 (ACA-7) “Local Government: police power: municipal affairs: land use and zoning” and requests that you do so also. It is essential that the Constitution of the State of California is amended to reaffirm the powers of locally elected governments to regulate local land use and zoning and limit the state’s ability to override those powers.

About Assembly Constitutional Amendment 7:

ACA-7 stipulates that city or county regulations regarding “zoning or the use of land” prevail over conflicting state laws. Limited exceptions include conflicts with state statutes involving (1) the California Coastal Act, (2) the siting of certain power generating facilities, and (3) water or transportation infrastructure projects. Transportation infrastructure projects do not include transit-oriented development projects. This amendment would apply to both charter cities and general law cities. However, in charter cities, courts would determine whether a local ordinance that conflicts with one of the subject areas listed above addresses a matter of statewide concern or a municipal affair.

Reasons to Support Assembly Constitutional Amendment 7:

The impacts of land use decisions differ depending on the municipality and the infrastructure required to maintain appropriate levels of public services, including police and fire services, parklands and public open spaces, transportation, schools, and sewers, varies greatly across the state from locality to locality. The Legislature cannot properly assess the impacts upon each community of sweeping land use rules and

zoning regulations that apply across the state and, as a result, do great harm to many local communities with differing circumstances and concerns.

ACA-7 will make it possible for local agencies to control their own destiny despite the endless legislative attempts to undermine that control. The amendment will provide local control over land use decisions in order to balance development with the economic, environmental, and social needs of a community. Furthermore, it is in the best interests of the State for these complex decisions to be made at the local level to ensure that the specific, unique characteristics, constraints and needs of those communities are properly analyzed and addressed.

Accordingly, ACA-7 is needed to ensure that local cities and counties will make the final decisions on land use and zoning regulations.

Therefore, Sustainable TamAlmonte supports Assembly Constitutional Amendment 7 (ACA-7) and requests that you to do so also.

Very truly yours,

/s/

Sharon Rushton, President
Sustainable TamAlmonte