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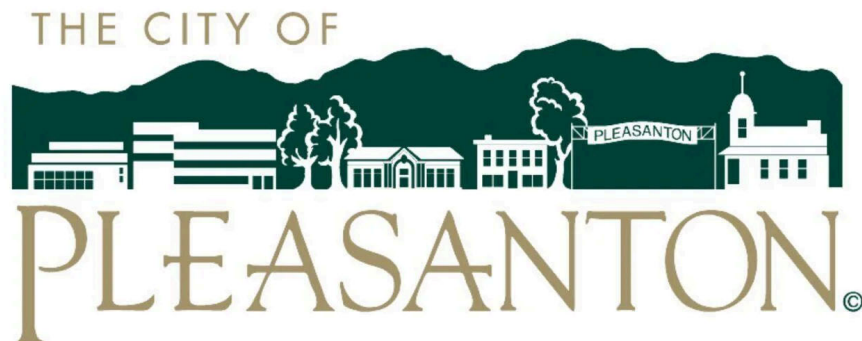
TOP STORY

City to Pursue the Protection of Local Housing Control

Council Will Consider Charter City Status as a Possible Path Forward

By Ruth Roberts

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Following Superior Court Judge Curtis A. Kin's recent overturning of Senate Bill (SB) 9, the lot-splitting initiative, the Pleasanton City Council has agreed to explore the possibility of transitioning Pleasanton into a charter city.

The decision came after Vice Mayor Julie Testa, who is also the executive director of the California Alliance of Local Electeds (CALE), raised the issue during the matters-initiated segment of the city council meeting on May 7. Four out of five councilmembers expressed interest in the idea, with Councilmember Jack Balch being the sole dissenting voice.

Testa said, “I would like to ask for a future discussion about the value of Pleasanton becoming a charter city. I think our community was feeling very frustrated with us with those last two (housing) project discussions. This would at least be sending the message that we are looking at all of the options.”

Initiated in 2022, SB 9 effectively allows for up to four residential units on a single-family zoned parcel through a lot split and the development of accessory dwelling units.

Kin determined in his April 22 ruling that SB 9 is unconstitutional because it does not provide low-income housing for residents, which he said was the law’s stated purpose. For now, the ruling affects the five charter cities that challenged the law: Redondo Beach, Carson, Torrance, Whittier and Del Mar. The SB 9 law drew attention in part because it overrides local control in terms of the housing crisis.

“By removing any local control over single-family residential zoning, the State has taken away the ability for cities to best plan for their residents and respond to local environmental, geographic, and community concerns,” the cities alleged in the lawsuit.

Charter city status gives a local municipality complete control over their districts and will override any state law. Cities that are not chartered are called general law cities and are bound by the state’s general laws with respect to municipal affairs. Of California’s 478 cities, 108 of them are charter cities, according to the League of California Cities.

The ruling now clears the way for the law to be invalidated in other charter cities across the state.

“This signals an opportunity for cities across the state to join against state overreach,” said Testa in a press release from CALE. “California’s housing affordability crisis is not caused by a market rate inventory shortage, but rather by income inequality and other economic factors. The hundred state laws that continue to erode local democracy have not and will not make housing more affordable for those who need it most.”

San Ramon became a charter city in the late 1980s and is the only one in the Tri-Valley to date. Mayor Dave Hudson said he encourages his neighbors to follow suit.

“I love it,” Hudson said of the ruling. “(Cities) have to try; the whole idea is to get that local control ... it’s an election year, a good time (for other cities) to go for it.”

Testa agreed.

“This ruling lays the foundation of what should be the first of many (challenges to SB 9),” Testa told The Independent. “Now that we know the charter holds up ... it’s a no-brainer to be a charter city.”

Livermore Mayor John Marchand said it is too early to know how or if the ruling will affect his city.

“Until there is further clarification from the courts ... any further comment at this point would simply be unnecessarily speculative,” Marchand added.

Cities can become charters in one of two ways according to the League of California Cities. A city council can draft the charter on its own or elect a charter commission to assist. Either way, a charter must be voted on by the public for final approval.