



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: SEPTEMBER 5, 2017

FROM: COUNCILMEMBER CONDER WARDS: ALL
COUNCILMEMBER SOUBIROUS

SUBJECT: DISCUSSION ON ASSEMBLY BILL 890 (MEDINA, 2017), LAND USE:
PLANNING AND ZONING; INITIATIVES

ISSUE:

Discuss Assembly Bill 890 (Medina, 2017), as amended on August 22, 2017, and consider adopting a position.

RECOMMENDATIONS:

That the City Council discuss Assembly Bill 890 (Medina, 2017), as amended on August 22, 2017, and consider adopting a position.

BACKGROUND:

Assemblymember Jose Medina introduced Assembly Bill (AB) 890 during the 2017-2018 Regular Session (current) of the California Legislature. Pursuant to the Legislative Counsel's Digest, this bill, as amended on August 22, 2017, would "require that the city council of a city or the board of supervisors of a county have exclusive authority to adopt or amend a general plan, specific plan, or zoning ordinance, that would convert any discretionary land use approval necessary for a project to ministerial approval; change the land use or zoning designation of a parcel or parcels to a more intensive designation; or authorize more intensive land uses within an existing land use designation or zoning designation. The bill would specify that it would not apply to a legislative act that meets specified conditions, would not affect the referendum powers, and would not affect the power of a city council or board of supervisors to submit a ballot measure to the voters under two circumstances set out in the bill. This bill would also prohibit a development agreement described above from being approved or amended by an ordinance adopted through the initiative process. The bill would state that this prohibition applies to a charter city."

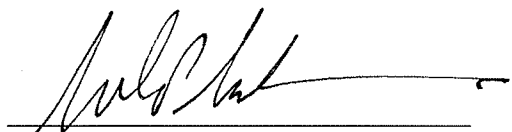
Assembly Bill 890 has progressed through the legislative process such that it is currently under consideration by the State Senate. Should the bill be approved, it would subsequently be transmitted to the Governor for consideration. The Legislature must consider all bills by September 15, 2017, and the Governor must sign or veto bills passed by the Legislature by October 15, 2017.

A discussion is requested on Assembly Bill 890 to consider taking a position on this bill; the City is currently neutral. Pursuant to Section 4.05.050(C)(3)(a) of the Sunshine Ordinance, a Councilmember, with the concurrence of another Councilmember, may excuse an item from notice requirements if there is a need to take immediate action on an item if the item came to attention after the agenda was posted.

FISCAL IMPACT:

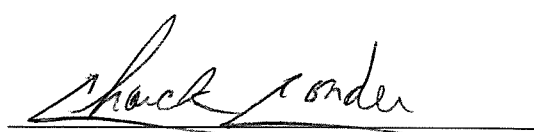
There is no fiscal impact associated with this report.

Prepared by:



MIKE SOUBIROUS
Councilmember, Ward 3

Prepared by:



CHUCK CONDER
Councilmember, Ward 4

Approved as to form:

Gary G. Geuss, City Attorney

Attachment:

Assembly Bill 890, Land Use: Planning and Zoning; Initiatives