

## **RESOLUTION 24-4799**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, OPPOSING THE STATE OF CALIFORNIA INTERFERING WITH THE CITY'S LAND USE AUTHORITY**

**WHEREAS**, cities and counties in California value having local control over their land use and services, including public safety, to best determine their community's vision; and

**WHEREAS**, all cities and counties adopt general plans and zoning codes to establish a blueprint for future housing densities and the necessary infrastructure to plan for the growth outlined in the general plan, as well as to provide a framework for the establishment of public facilities, including parks, libraries, senior centers, other recreational amenities, and police and fire stations; and

**WHEREAS**, the State of California has concluded that there is not enough housing in the State and has mandated that all municipalities desiring to sell any excess land must comply with the "Surplus Land Act," which requires the public agency to offer the land for sale to recreational and educational public entities and to housing developers. Under the Surplus Land Act, if any housing developer indicates interest in the land, the public agency desiring to sell the land must enter into a good-faith negotiation period with any and all potentially interested developers and comply with rigorous guidelines in doing so. Additionally, the public agency must record a covenant against the land requiring between 15 and 25% of any future housing constructed on the land to be deed-restricted as affordable housing. These requirements apply regardless of the location of the land and, in combination with other newer laws allowing increased density for affordable housing and limiting the discretion public agencies traditionally had in many areas of housing development, potentially allow the development of high-density projects that were never contemplated by the Murrieta General Plan; and

**WHEREAS**, the State of California, through The Regional Housing Needs Allocation (RHNA) process addressing California's alleged housing needs, has mandated that cities update the Housing Element of their General Plan to demonstrate that the city can accommodate the building of new dwelling units, the majority of which are deed-restricted for occupancy or ownership as affordable units, during the 6<sup>th</sup> RHNA cycle of 2021 through 2029.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MURRIETA,  
CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The recitals above are true and correct and incorporated herein by this reference.

**Section 2.** The City is opposed to being mandated to approve the building of additional housing units with limited environmental review and being required to mitigate

the impact of adding a significant number of potential new residents in these units and significantly more vehicles traveling on roads that already exceed their capacity today, along with absorbing the impacts on public safety and other municipal services, public schools, and healthcare facilities.

**Section 3.** The City hereby encourages all 482 California cities to oppose this unfunded mandate of providing high-density housing to meet unrealistic goals set by the State of California by adopting this resolution under their own city’s name, and collectively meeting with the Governor and legislators to reverse this mandate that will devastate municipal services statewide and reduce the quality of life of all Californians.

**Section 4.** Should the Governor and legislature ignore and not mitigate the impacts of this mandate, then California cities will be forced to take additional actions to represent the interest of our residents and preserve local control.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
Lori Stone, Mayor

ATTEST:

\_\_\_\_\_  
Cristal McDonald, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Tiffany J. Israel, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE )§  
CITY OF MURRIETA )

I, Cristal McDonald, City Clerk of the City of Murrieta, California, do hereby certify that the foregoing Resolution No. 24-4799 was duly passed and adopted by the City Council of the City of Murrieta at the regular meeting thereof, held on the \_\_\_th day of \_\_\_\_\_, 202\_, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Cristal McDonald, City Clerk