

# Zoning Issues Are Key in Secession Move



**'Local control' often is code for homeowners and business having power over community land-use decisions.**

**By TOM HOGEN-ESCH**

In the continuing saga over whether to break away from Los Angeles, Valley secession leaders have maintained that their fight is about "local control." Secessionists frequently employ the rhetoric of "self-determination" and the need to "control their own destiny" in their quest for municipal divorce.

Often lost in the discussion over this seemingly benign quest for local empowerment is a critical examination of what exactly secessionists mean by "local control." It appears that control over local zoning is a good part of what they seek.

Although many of us view zoning and land use issues as the concern of bureaucrats and planners, zoning decisions influence nearly every aspect of life in a city.

Most people are not aware that compared to most Western nations, American local governments wield an unparalleled level of authority over land use and zoning issues. In Western Europe, most land use decisions are made at the national or regional level.

Given the uniqueness of American experience on the Western frontier, our obsession with local control is not all that surprising. Nor is it indefensible.

There are many legitimate reasons why the states empower localities with zoning authority. Who better to solve local zoning issues than the people most

directly affected by them? Moreover, local planning and zoning, if properly implemented, can assure grass-roots support that is vital to any project's success.

Still, there are downsides to giving localities home-rule zoning authority. Historically, one of the more troubling has been the socioeconomic stratification of our metropolitan areas.

Urban scholars such as Gary Danielson have found that local government authority over land use and zoning allows groups in positions of power to formulate policies that systematically exclude others based on race and ethnicity, income levels or other "undesirable" characteristics.

Examples of such exclusionary zoning abound in Southern California. Gated communities brazenly wall themselves off from the rest of society, and cities such as San Marino and Beverly Hills prohibit multifamily dwellings.

With this in mind, consider the Valley secession effort. Many see it as a largely elite-driven movement fueled by a coalition of homeowner associations and business interests.

Although their partnership may seem unlikely, the reasons behind their alliance become clearer when you realize that local zoning may be the glue holding this odd coalition together.

If the Valley were to become a separate city, influential homeowners associations could use zoning laws to protect their property values from the encroachment of unwanted development.

At the same time, business groups could use zoning laws to stifle competition from new businesses and to consolidate their

control over the local marketplace.

Not convinced? Then consider the secessionists' bottom line in the charter reform debate: elected community councils with real power over local zoning and land use matters. Under this arrangement, secessionists say they will scrap their plans for cityhood. However, they vow to continue their crusade if community councils do not include mandatory power over zoning and land use.

This is not to say that the movement is only about zoning. Clearly, secessionists are right to argue that the current structure of city government needs to allow for grass-roots participation in everyday quality of life issues.

However, there is great potential for abuse in giving localities the power to zone with only parochial interest in mind. One of the risks is that zoning authority will be used as a political instrument to exclude "undesirable" development from middle- and upper-income areas.

Properly implemented, community councils that facilitate neighborhood input into the zoning process can promote harmony between residential and commercial interests as well as between neighborhood and citywide concerns.

As the drive for cityhood and the charter reform debate intensify, Valley secessionists will continue to appeal to universally popular "local control" arguments. As these interests advocate for either independence or community councils with decision-making power over land use and zoning, it is important for voters to be aware of some of the reality behind the rhetoric.

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