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*Rio Dell City Hall  
675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
cityofriodell.ca.gov*



August 1, 2023

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the Mayor to Execute Letters of Opposition to SB 423 (Wiener) and AB 309 (Lee)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to Sign the attached correspondences.

BACKGROUND AND DISCUSSION

These measures would greatly expand state authority to approve housing on state-owned or -leased lands without following local zoning or development standards.

**SB 423** would greatly expand SB 35 (Chapter 366, Statutes of 2017) and require cities to ministerially approve certain multifamily housing projects without public input or environmental review, even on parcels under the California Coastal Commission's jurisdiction. Cities would have no ability to impose zoning standards, objective standards, or design review requirements on state-owned or -leased land.

**AB 309** would create the Social Housing Program within the Department of General Services to facilitate the construction of government-owned housing on leased state property or excess state-owned property. Cities would have no ability to impose zoning standards, objective standards, or design review requirements on state- owned or -leased land.

**SB 423 and AB 309** have not been set for a hearing in the Appropriations Committees. However, they will be heard sometime between Aug. 14 and Sept. 1.

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August 1, 2023

The Honorable Mike McGuire  
Member, California State Senate  
1021 O Street, Suite 8610  
Sacramento, CA 95814

RE: **AB 309 (Lee) Social Housing Program**  
(as amended 7/13/2023)  
**Notice of Oppose Unless Amended**

Dear Senator McGuire,

The City of Rio Dell writes to express our opposition to AB 309 (Lee), unless it is amended to address our concerns. AB 309 would create the Social Housing Program within the Department of General Services (DGS) to facilitate the construction of government-owned housing on leased state property or excess state-owned property. Cities would have no ability to regulate zoning or development standards, including floor area ratios, height limitations, or density requirements.

Rio Dell strongly supports the intent of AB 309, which is to produce more housing as housing affordability and homelessness are among the most critical issues facing California cities. Affordably priced homes are out of reach for many people and housing is not being built fast enough to meet the current or projected needs of people living in the state. Cities lay the essential groundwork for housing production by planning and zoning new projects in their communities based on extensive public input and engagement, as well as state housing laws. Importantly, cities are currently updating housing plans to identify sites for more than 2.5 million additional housing units.

AB 309 would disregard this state-mandated planning process and specifically empower DGS to make land use and zoning decisions on state excess property. If DGS can approve housing, why should cities go through the multiyear planning process to identify sites suitable for new housing units if the state can ignore those plans and build

housing on sites never considered for new housing?

While AB 309 currently limits DGS authority to three housing projects on declared excess state property suitable for housing, the measure broadly establishes the Social Housing Program within DGS and could be easily expanded to include all state-owned lands.

Bypassing California's longstanding housing planning laws and local rules is not a way out of the housing crisis. That's why Cal Cities continues to call on the Governor and lawmakers to annually invest \$3 billion to help cities prevent and reduce homelessness and spur affordable housing development. Targeted, ongoing funding is the only way cities can find community-based solutions that produce housing at all income levels.

For these reasons, the City of Rio Dell respectfully opposes AB 309 unless it is amended to address our concerns.

Sincerely,

Debra Garnes  
Mayor  
City of Rio Dell

Cc: Sara Sanders, Cal Cities Regional Public Affairs Manager (via email)  
League of California Cities (Via email: [cityletters@calcities.org](mailto:cityletters@calcities.org))

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August 1, 2023

The Honorable Jim Wood  
Member, California State Assembly  
P.O. Box 942849  
Sacramento, CA 95814

RE: **SB 423 (Wiener) By-right housing approvals: multifamily housing developments: SB 35 (Chapter 366, Statutes of 2017) expansion.**  
**Notice of Opposition**

Dear Assembly Member Wood,

The City of Rio Dell writes to express our opposition to SB 423, which would greatly expand SB 35 (Chapter 366, Statutes of 2017), extend the Jan. 1, 2026 sunset date to Jan. 1, 2036, and allow the Department of General Services (DGS) to control housing developments on state-owned or -leased property, regardless of the locally required zoning or development standards.

Rio Dell intimately understands the affordable housing and homelessness crisis as it plays out in our community every day. Local leaders are working to find creative solutions so homes of all income levels can be built. They're taking on these difficult and complex tasks, and in many cases successfully planning for more than 2.5 million new homes statewide, all while navigating the state's annual barrage of overreaching housing bills that have thus far demonstrated limited success.

SB 423 is the latest overreaching bill. This measure would double-down on the recent trend of the state overriding its own mandated local housing plans by forcing cities to approve certain housing projects without regard to the needs of the community, opportunities for environmental review, or public input. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking, and other development impacts, those directly affected by such projects have a right to be heard. Public engagement also often leads to better projects. Not having such outlets will increase public distrust in government and result in additional ballot measures limiting housing development.

Instead of continuing to pursue top-down, one-size-fits-all legislation, lawmakers should partner with local officials. That's why the League of California Cities continues to call on the Governor and lawmakers to annually invest \$3 billion to help cities prevent and reduce homelessness and spur housing development. Targeted, ongoing funding is the only way cities can find community-based solutions that get our residents off the streets and keep them in their homes. California will never produce the number of homes needed with an increasingly state driven, by-right housing approval process. What is really needed is a sustainable state investment that matches the scale of this long-term crisis.

For these reasons, the City of Rio Dell respectfully opposes SB 423,

Sincerely,

Debra Garnes  
Mayor  
City of Rio Dell

Cc: Sara Sanders, Cal Cities Regional Public Affairs Manager)  
League of California Cities (*Via email:[cityletters@calcities.org](mailto:cityletters@calcities.org)*)