



City Council

AGENDA REPORT

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| DATE: | May 2, 2023 |
| TO: | Mayor Martinez and Members of the City Council |
| FROM: | Councilmember Soheila Bana |
| Subject: | Oppose California Senate Bill 423 Streamlined Housing Approvals |
| FINANCIAL IMPACT: | There is no financial impact related to adopting this resolution |
| PREVIOUS COUNCIL ACTION: | None |
| STATEMENT OF THE ISSUE: | In 2017, the Legislature passed, and the Governor signed SB 35. This law makes the approval of multifamily developments, many of which meet inadequate criteria, “ministerial” actions. As a result, the approval of these developments pre-empts local discretionary land use authority, bypasses the California Environmental Quality Act (CEQA), and ignores public input. |
| RECOMMENDED ACTION: | ADOPT a resolution opposing California Senate Bill 423, as introduced (Wiener) Streamlined housing approvals: multifamily housing developments: SB 35 (Chapter 366, Statutes of 2017) expansion – Councilmember Soheila Bana (510-620-6743). This item was continued from the April 4, 2023, and April 18, meetings. |

DISCUSSION:

Background: In 2017, the Legislature passed, and the Governor signed SB 35. This law makes the approval of multifamily developments, many of which meet inadequate

criteria, “ministerial” actions. As a result, the approval of these developments pre-empts local discretionary land use authority, bypasses the California Environmental Quality Act (CEQA), and ignores public input.

City officials intimately understand the housing crisis as it plays out in their communities every day. Local leaders are working to find creative solutions so homes of all income levels can be built.

Cities are finalizing local housing plans that will identify sites 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.

The City of Richmond has many housing development projects that the Richmond City Council needs the ability to review and make decisions that work best for Richmond, its residents and potential residents.

SB 423 is the latest overreaching bill, and would force cities to approve certain housing projects without regard to the needs of the community, opportunities for environmental review, or public input.

Instead of continuing to pursue top-down, one-size-fits-all legislation, lawmakers should partner with local officials. This is why the City of Richmond is calling on the Governor and lawmakers to include a \$3 billion annual investment in the state budget 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.

DOCUMENTS ATTACHED:

Attachment 1 – Draft Resolution
Attachment 2 – Sample Opposition Letter