



City of Encinitas City Council's Office

505 S. Vulcan Ave, Encinitas, CA 92024

760-633-2600

council@encinitasca.gov

www.encinitasca.gov

July 31, 2024

Tony Kranz
Mayor

The Honorable Nancy Skinner
Chair, Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95814

RE: AB 3093 (Ward) Land use: housing element: streamlined multifamily housing.
Notice of OPPOSE UNLESS AMENDED

Allison Blackwell
Deputy Mayor

Dear Senator Skinner,

The City of Encinitas opposes AB 3093 (Ward) unless amended to address cities' concerns. Currently, AB 3093 would require local governments to account for the housing needs of people experiencing homelessness in their housing elements without funding to develop the plan, implement strategies, or support the construction of affordable housing.

Bruce Ehlers
Council Member

Specifically, AB 3093 adds two new income categories to the Regional Housing Needs Assessment (RHNA) framework: acutely low-income (ALI) and extremely low-income (ELI). While these new categories are intended to help assess the needs of homeless residents, they fall within the existing very low-income category, which already accounts for the needs of individuals in our cities earning between 0% and 50% of the area median income.

Kellie Shay Hinze
Council Member

The City of Encinitas is concerned that this will only lead to duplicating planning efforts since existing housing element law already requires cities to analyze the special housing needs of homeless residents and assist in developing adequate housing to meet the needs of extremely low-income households. Housing element law also currently requires cities to identify sites and encourage the development of a variety of housing, including supportive housing and transitional housing. Through these processes, cities are doing more than ever to plan for the needs of unhoused residents in their communities.

Joy Lyndes
Council Member

Despite recent amendments, the City of Encinitas continues to be concerned that the new income categories added by AB 3093 go beyond the suggested intent of the measure. As drafted, AB 3093 requires site inventory for ALI and ELI households and lacks critical information about how these sites should differ from the housing sites that are already planned for through the very low-income category. Without amendments to clarify these concerns, cities will be set up to fail, leading to even more housing elements being deemed out of compliance.

Pamela Antil
City Manager

AB 3093 was introduced on the heels of the Governor's May Revise, which proposed deep cuts to affordable housing and homelessness programs. While the Legislature and the Governor continue negotiating the final budget deal, AB 3093 has been fast-tracked through the legislative process without funding to realize these plans or spur much-needed development.

AB 3093 (Ward) Land use: housing element: streamlined multifamily housing.
Notice of OPPOSE UNLESS AMENDED
July 31, 2024
Page 2 of 2

The City of Encinitas shares the goal of preventing and reducing homelessness and increasing the supply of affordable housing in our communities. However, real progress will require ongoing funding that allows for the development of long-term, ambitious plans that support unhoused residents and prevent more individuals from losing their homes. In the absence of ongoing funding to address homelessness, the complicated requirements included in AB 3093 fail to expand or develop local governments' capacity to address immediate homelessness challenges across California. The City of Encinitas would like to see the bill be amended so that only cities that receive county or state funding be mandated to adhere to this bill.

Cities across California are planning and approving millions of new homes at all income levels despite new bills introduced every year that have changed the rules mid-stream, significantly altering cities' housing element certification process. These complex, multiyear housing plans are laborious, time-consuming, and costly. With many cities still navigating the state's certification process for the sixth cycle, now is not the time to create new vague requirements that will only further these delays in certification.

The Turner Center for Housing Innovation recently wrote a Brief titled [*New Pathways to Encourage Housing Production: A Review of California's Recent Housing Legislation*](#), which closes with this point:

“At the same time, we identified several concerns that the state policymakers and housing advocates should be aware of as they assess the effectiveness of new housing laws. First, we consistently heard that many localities lack the personnel capacity and technical skill to effectively implement the large changes in housing policy stemming from state law changes. Many are scrambling to respond effectively, but additional staff resources, consultant support, and technical assistance are likely needed for local governments to fully implement new laws to be consistent with legislative intent.”

For these reasons, the City of Encinitas is opposed to AB 3093 unless amended. If you have any questions, please feel free to call me at 760-633-2618.

Sincerely,



Tony Kranz
Mayor
City of Encinitas

cc: The Honorable Chris Ward
Senator Catherine Blakespear
Assemblymember Tasha Boerner
League of California Cities