



City of Encinitas

Office of
The Mayor

May 8, 2019

The Honorable David Chiu
State Capital Building
PO Box 942849
Sacramento, CA 94249

Catherine S. Blakespear
Mayor

RE: AB 1763 (Chiu) Planning and Zoning: density bonuses: affordable housing: Oppose.

Dear Assemblyman Chiu:

Jody Hubbard
Deputy Mayor

On behalf of the City of Encinitas, I am writing to respectfully oppose AB 1763. This bill would expand existing Density Bonus Law (DBL) to require a city or county to award a developer significantly more density, additional concessions and incentives, and increased building height when 100% of the units in a development are restricted to lower income households.

Kellie Shay Hinze
Council Member

The City of Encinitas is committed to finding ways to help spur much needed housing construction, especially homes that are affordable to low-income households being built in California. The City remains committed to working with the Legislature, and the Governor to find ways to encourage the addition of affordable housing into our housing stock.

Tony Kranz
Council Member

The City of Encinitas however, opposes the expansion of DBL as outlined in AB 1763 as it relates to "major transit stops" and "high quality transit corridors." More specifically, the City has the following concerns:

Joe Mosca
Council Member

- Allowing developers to determine the density and height of a project may have damaging effects on a community as AB 1763 provides development without responsible oversight of local authorities.
- AB 1763 would greatly undermine locally adopted General Plans, Housing Elements (which are certified by the Department of Housing and Community Development), and Sustainable Community Strategies (SCS). By allowing developers to override state-approved housing plans, AB 1763 seriously calls to question the need for cities to develop these community based plans in the first place.
- AB 1763 provides a role to transit agencies to determine land use near "major transit stops" and high quality transit corridors" restricting the authority of local control to municipalities.
- Granting unlimited density and three additional stories for developments within a one-half mile of a major transit stop is too extreme and will likely undermine the community-based housing plans.

Karen P. Brust
City Manager

For these reasons, the City of Encinitas opposes AB 1763. The City of Encinitas appreciates your efforts to help increase the availability of housing in California and would be happy to discuss with you our thoughts on how this can be best achieved.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Blakespear', with a long horizontal line extending to the right.

Catherine S. Blakespear
Mayor

CC: Senator Patricia Bates
Assembly Member Tasha Boerner Horvath
JGC Governmental Relations
Catherine Hill, League of California Cities
Encinitas Mayor and Council Members
Encinitas City Manager, Karen P. Brust