



City of Encinitas

Office of
The Mayor

May 8, 2019

The Honorable Scott Weiner
State Capital Building
Room 5100
Sacramento, CA 95814

Catherine S. Blakespear
Mayor

RE: SB 50 (Weiner) Planning and Zoning. Housing Development Incentives:
Oppose.

Jody Hubbard
Deputy Mayor

Dear Senator Weiner:

On behalf of the City of Encinitas, I am writing to respectfully oppose SB 50. This bill would allow developers of certain types of housing projects to override locally developed and adopted height limitations, housing density, parking requirements, and would limit design review standards.

Kellie Shay Hinze
Council Member

The City of Encinitas is committed to finding ways to help spur much needed housing construction without upending longstanding community driven planning processes and stakeholder involvement.

Tony Kranz
Council Member

As presently written, SB 50 lacks the flexibility needed to meet the State's housing goals and fails to acknowledge community input and engagement from Encinitas residents. Specifically, the City of Encinitas has significant concerns with the following:

Joe Mosca
Council Member

- SB 50 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, SB 50 seriously calls to question the need for cities to develop these community-based plans in the first place.
- Housing developers and transit agencies would have the power to determine housing densities, heights up to 55 feet, parking requirements, and design review standards for "transit-rich housing projects" within a one-half mile radius of a rail stop and a one-quarter mile radius of a high volume bus stop.
- As presently drafted it is difficult to determine what constitutes a "jobs-rich area" since the Department of Housing and Community Development and the Office of Planning and Research are largely tasked with making this determination.

Karen P. Brust
City Manager

- Depending on what constitutes a jobs-rich area, SB 50 may be at odds with State policies that encourage and incentivize more dense housing near transit to reduce the dependencies of automobiles.
- As written, SB 50 creates confusion as it allows an unlimited number of waivers of development standards and a 35 percent density bonus which may also necessitate a waiver of the 45-foot and 55-foot height limits which are included in SB 50. It is not clear how this will work with communities that have voter initiatives requiring public input for any increase in density or height above what is approved in the General Plan or Zoning Code Amendments.
- Given that the bill does require CEQA compliance and compliance with all local government discretionary processes; this may require local governments to amend their general plans or zoning codes.
- SB 50 allows some communities to be exempt; however, all jurisdictions need to have the ability to have a community-led planning process that considers local needs and input as long as State objectives are still met.
- While this bill would increase the housing inventory, it will not provide affordable housing. In coastal communities, which are already impacted by visitors for a substantial portion of each year, the deletion of parking requirements will provide no guarantee that projects developed with the benefits SB 50 will result in the reduction of vehicles on the road. This could have a negative impact for communities that lack adequate infrastructure for public parking.

For these reasons, the City of Encinitas opposes SB 50.

Sincerely,



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