



*City of Encinitas
City Council's Office*

July 11, 2017

*Catherine S. Blakespear
Mayor*

The Honorable Scott Wiener
California State Senate
State Capitol Building, Room 4066
Sacramento, CA 95814
VIA FAX: 916-651-4911

*Tony Kranz
Deputy Mayor*

**RE: SB 35 (Wiener) Affordable Housing: Streamlined Approval Process.
Notice of Opposition (as amended 6/20/17)**

Dear Senator Wiener:

*Tasha Boerner Horvath
Council Member*

The City of Encinitas is opposed to SB 35 (Wiener), which would pre-empt local discretionary land use authority by making approvals of multifamily developments, that meet inadequate criteria, "ministerial" actions, thus bypassing the California Environmental Quality Act (CEQA) and public input.

*Mark Muir
Council Member*

SB 35 is devised as a solution to the state's needs for market rate and affordable housing, however it ignores the reality that state and federal affordable housing funding have slowed to a trickle. More than \$1 billion annually in affordable housing money has evaporated with the elimination of redevelopment agencies in 2011. This massive withdraw of resources has contributed to the current challenges, yet no significant source of ongoing affordable housing funding accompanies this bill.

*Joe Mosca
Council Member*

Also of concern is that the bill uses the Regional Housing Needs Allocation (RHNA) as one metric to determine if a city must comply. If a city doesn't approve enough housing units in each of the four income categories on an annual basis, a city must approve housing projects with no environmental review for four years. With redevelopment eliminated and the state reluctant to approve any funding for affordable housing, all of the above communities can expect to be subject to being deemed "bad actors" by the state for not producing low income and very low income housing to match state quotas. The penalty of said "bad actors" is loss of local control, and loss of community character. Another important concern is that the bill ignores local housing market conditions and punishes even those communities with progressive affordable housing policies.

*Karen P. Brust
City Manager*

Eliminating opportunities for environmental and public review of major multifamily developments goes against the principles of local democracy and public engagement. Public hearings allow members of the community to inform their representative of their support or concerns. "Streamlining" in the context of SB 35 appears to mean a shortcut around public input and environmental review. While frustrating for some 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 additional ballot measures dealing with growth management.

For these reasons, the City of Encinitas opposes SB 35 (Wiener).

Sincerely,



Tony Kranz
Deputy Mayor

cc: Senator Patricia Bates
Assembly Member Rocky Chavez
JGC Government Relations
Catherine Hill, League of California Cities
Meg Desmond, League of California Cities, mdesmond@cacities.org
City Council
Development Services Department