



September 19, 2017

Governor Jerry Brown
State Capitol Building
Sacramento, CA 95814

**SB 35 (Wiener) Affordable Housing: Streamlined Approval Process
Request for VETO**

Dear Governor Brown:

On behalf of the City of Encinitas we are respectfully opposed to SB 35 (Wiener), and request your veto on the measure. SB 35 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.

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.

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.

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) and respectfully requests your veto on the measure.

Sincerely,

Jonathan Clay
Legislative Representative