



City of Encinitas

Development Services Department

505 S. Vulcan Avenue, Encinitas, California 92024-3633

February 25, 2019

BY EMAIL AND US MAIL

Ms. Robin Huntley, Housing Policy Analyst
Department of Housing and Community Development (HCD)
Division of Housing Policy Development
2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833

**RE: ADDITIONAL INFORMATION SUBMITTAL FOR HCD REVIEW - CITY OF ENCINITAS
FIFTH CYCLE (2013 – 2021) HOUSING ELEMENT**

Dear Ms. Huntley:

Enclosed for HCD's review are revised drafts of Programs 3B and 3C from the City's 2013-2021 Housing Element in response to direction provided to the City in HCD's February 4, 2019 letter.

Program 3B incorporates the City Council's direction given at its February 6, 2019 meeting to ensure that the City will only use objective standards to evaluate applications for housing developments. Program 3B affirms this City's commitment to complying with the Housing Accountability Act, and it further commits the City to modifying its development standards within the planning period in a three phase process, with some changes being made concurrently with the adoption of the Housing Element, changes related to density and ground-floor commercial uses being made before the end of 2019, and changes with respect to architectural review being made by June of next year.

Program 3C incorporates the City Council's direction given at its February 20, 2019 meeting to seek declaratory relief from a court to find portions of Prop. A are preempted by state law and to pursue a voter-approved amendment to Prop. A if the effort to obtain judicial relief is not successful. As shown in Program 3C's timeframe, there will be ample time during this planning period for a court to consider the item and for the City to schedule multiple elections if necessary to comply with HCD's direction to remove Prop. A given its potential constraint to housing development.

The City looks forward to receiving written feedback from HCD regarding whether the Department anticipates finding these Programs sufficient for a legally adequate Fifth Cycle Housing Element once adopted by the City on March 13, 2019 or if the Department will require the City to incorporate further changes prior to adoption to secure HCD's certification of the City's Housing Element.

If you have any questions or desire additional information, please feel free to contact me at (760) 633-2712 or Diane Langager, Principal Planner at (760) 633-2714.

Sincerely,

Brenda Wisneski, AICP
Director of Development Services

Attachments: Clean and strike-out underline versions of revised Programs 3B & 3C

cc: Anastasia Baskerville, HCD & Paul McDougall, HCD

Tel: (760) 633-2710; Fax: (760) 633-2818