

ID	Name (optional)	Email	Phone	Type of comment	Other general comments	What are some of the environmental issues that you think should be addressed in the EIR?	Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?	Do you have any concerns about specific environmental impacts that may result in the project?
1				Sticky notes	See Appendix A			
2	James Gross	james@jamesgross.com		Paper comment		Noise created by 5 freeway expansion. Air quality for the same thing.	I measure air quality at my home	I don't
3	Mary Kay Mullally	marykaymullally@gmail.com	858-449-0756	Paper comment		Do not think Saxony & Quail Gardens Dr. should be classified as "suburban collectors" due to concern listed in #2. Could mitigaters be installed to prevent people from using these roads as shortcuts/ways to avoid traffic of I-5 going south (speed bumps)	Fast moving traffic on Saxony Rd. & Quail Gardens Dr. - currently exiting one Channel Island from these streets is dangerous & delayed due to volume and speed of vehicles traveling south from Leucadia Blvd. to Encinitas Blvd.	More traffic on Saxony & Quail Gardens, high speeds of vehicles create a danger for bikes, pedestrians and cars - more accidents
4	[illegible]			Letter	<p>1.) No deleting GP Policy: 2.3 or 2.4. They are there for good reason. Safe and compatible planning.</p> <p>*2.) 1300 through 1400 Burgundy Rd. is a private property resident & utility access easement only. Walking through is allowed - no vehicular/motor traffic except residents + guests.</p> <p>3) Rather than disrupt many dozens of properties + home owners/residents (longtime or recent); have a serious discussion w/ Caltrans & the property owner on the northeast corner of Leucadia Blvd. + Piraeus + Ocean View to move that possibly "historical" house to museum on Quail Gardens Rd. to be w/ other historical items transferred there. + then reopen Piraeus southbound to Leucadia Blvd.</p> <p>4.) The curvy, narrow streets in this area are an <u>existing traffic calming element</u> that should be preserved. Consider downsizing proposed development to help minimize impacts to our community.</p> <p>We know that our community harmony + well being, the rural residential aspect of our neighborhood depends on the right decision. Re-open Piraeus southbound, leave our residential streets as is. Thank you.</p>			
5	Dennis Kaden	denniskaden101@gmail.com		Letter	See Appendix B			
6	John Conover			Letter	See Appendix C			
7	Joy Lyndes			Paper comment		All the items addressed on the board and aesthetics, biological resources, population & housing	Open space is a valuable city & environmental asset so we must identify it, preserve it & adapt our mobility strategies to mitigate for impacts to open space & open space connectivity (for habitat & recreation)	I want this Mobility Element to also address policy on creating impact fees for developers specifically for traffic. How to assess impact fees, how to use those fees to mitigate the traffic impacts of each development. Also broaden our policy to analyze LOS impact standards for non-CEQA projects. Tie impact fees to needed mitigation for each project & expand our objective standards so that each developer is obligated to mitigate for their impacts.
8	Anonymous			Paper comment			Burgunday/Uraia is not a through street (private easement) so is not eligible to be a neighborhood corridor.	How to accommodate traffic around Capri Elementary. How to allow safe walking, biking and limit car traffic to keep students + residents safe.
9	Anonymous			Paper comment		The error showing Burgundy Rd as a major traffic corridor needs to be corrected. This road is private and supports 100+ small children that walk it at the end of school at Capri elementary. It also includes a preschool. This is NOT a through street, and the residents of this road do NOT want a major road through this quiet neighborhood.	There are huge power poles from SDGE on the 20 foot power company easement. There is no room for a major road encroaching on private property. Please correct this map accordingly.	We are opposed to removing Policy 2.3 + 2.4 being deleted from the original general plan. The character + safety of our neighborhoods is important to residents.
10	Anonymous			Paper comment		Neighborhood character and safety. Pedestrian safety. We like to walk on our road, especially in the neighborhoods - it keeps traffic slow.	You are connecting some streets that don't connect. Uraia with? Rainbow Ridge? Piraeus with???	Neither Piraeus nor Saxony should be called collectors. Piraeus does not connect and Saxony from Leucadia to La Costa is a rural road.

ID	Name (optional)	Email	Phone	Type of comment	Other general comments	What are some of the environmental issues that you think should be addressed in the EIR?	Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?	Do you have any concerns about specific environmental impacts that may result in the project?
11	Mike McGovern	mtmnet@gmail.com		Paper comment		Burgundy Rd. in Skyloft is a private road. Please lets keep it that way!		
12	Kathleen Lees	memillenless@cox.net		Paper comment		Traffic. Safe way to school sidewalks. Parking. Sidewalks for pedestrians not just bikes.	Piraeus can not access Leucadia Blvd. directly from Piraeus. Not safe on narrow local roads with no sidewalks.	No sidewalks along Piraeus. Very dangerous for walkers and bike riders. No safe way in or out of the project.
13	Anonymous			Paper comment	Open House format like today (9/19) is not very effective _____. Basic intro & info is needed at the start.	Air quality need for more mobility options to improve air quality, GHG etc.	Need VMT vs. LOS focus, right? How does safe routes to school efforts interact w/ the EIR process?	Big projects take too much time & \$. Go for much quicker "paint on pavement" improvements first, e.g. buffered bike lanes. Also enhanced crosswalks w/ leadtime. More RFBs too.
14	Anonymous			Paper comment		I can't even get out of my street currently with all the traffic how do you expect to take on more? More cars = more CO2. All the people and transfer the lagoon.	Ruin lagoon wildlife	<ul style="list-style-type: none"> - roads can't handle the traffic, building new roads is not environmentally friendly. - noise the lagoon right there - excess cars and CO2 - will ruin community - no parking or way to direct traffic - why ruin the beautiful hills and lagoon wildlife with 100+ people
15	Anonymous			Paper comment		No infrastructure to support these issues, school over kill	No infrastructure for this	Yes, ocean front failure. Deaths and 101 traffic accidents. Bikes do <u>NOT</u> own the road.
16	Charles Whiting	swhiting19@gmail.com		Paper comment		<ul style="list-style-type: none"> - traffic congestion - not enough space for more residents 	- bluff instability	<ul style="list-style-type: none"> - narrow roads + lack of parking - ruin lagoon wildlife - not enough space for increased traffic, already so bad.
17	Anne Marisa Stinson			Paper comment				Extremely concerned about potential work on Burgundry Rd. Modifying a private road and taking private property would permanently damage the quality & character of the neighborhood.
18	Doug Wofforel		7606077877	Paper comment		<ul style="list-style-type: none"> - Traffic congestion - Incompatible planning 	Bluff instability concerns	<ul style="list-style-type: none"> - Narrow roads - Lack of parking - room for bicycles
19	Andrew Stinson	andrewstinson@gmail.com		Paper comment				Yes --> concerned @ any effort to to extend Burgundry Road. There are sections of Burgundry Road that are private property. Expanding Burgundry would have a devastating effect on community character.
20	Nancy Kimerly			Paper comment		Burgundy Rd - private street off skyloft		
21	Alaina Victoria Bayoud			Paper comment		Keep skyloft north of the barrier private		
22	Candice Shine	candice.shine@gmail.com		Paper comment		Piraeus St. does not qualify as a suburban collector. There is no connection at the south end of Piraeus to Leucadia Blvd. Piraeus is a frontage road. Does not connect to aterials.		

ID	Name (optional)	Email	Phone	Type of comment	Other general comments	What are some of the environmental issues that you think should be addressed in the EIR?	Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?	Do you have any concerns about specific environmental impacts that may result in the project?
23	John DeBeer	jdbeer2005@gmail.com		Email	<p>Thanks for inviting us to the planning session last night. I mentioned to you I would send you some observations.</p> <p>Observations of Burgundy Rd/ Urania Ave / Clark Ave Road -path complex (BUC RP complex)</p> <p>The BUC road path complex runs from a 1762 Burgundy street address on the north to 672 Clark on the south.</p> <p>The BUC road path complex has 6 dead ends and 2 no car passage breaks, and a gravel path Burgundy Rd starts at Sky Loft Rd</p> <p>From 1762 to 1708 addresses in a private road owned and maintained by Sky Loft HOA</p> <p>From 1688 to 1524 it is a public road maintained (rarely) by the city</p> <p>From 1444 to 1353 is a private road with 100 of feet unpaved and blocked path maintained by the residents.</p> <p>Urania Ave</p> <p>From 1325 to 912 it is a public road, starting at Sunrich Ln and ending at Leocadia Blvd Clark Ave starts at Lecuadia Blvd and runs south until it ends at Fwy 5</p> <p>From 880 to 672 Clark ave</p> <p>From 1688 Burgundy Rd to 1353 Burgundy, there are no sidewalks and no room for sidewalks. The Elect utilities poles occupy the sidewalks. There are some parts with curb and gutters, but much of it relies on homeowners' construction 'county lips' to prevent drainage from the street into their property.</p> <p>I would suggest downgrading Burgundy Rd/ Urania Ave / Clark Ave Road -path complex to a Residential local path (lowest level I see on the map)</p> <p>Thanks for your time and courtesy last night.</p>			
24	Mike McGovern			Email	<p>Hello Evan,</p> <p>I attended the meeting this evening at City Hall and did not get a chance to talk to you directly but wanted to state in very clear terms that Burgundy Rd. in the Skyloft HOA is a "Private Road" and we would like to keep it that way.</p> <p>Encinitas is a beautiful town that is getting much too crowded with police/ambulance sirens heard way too often (feels like New York City at times) and we have far too many homeless and mentally ill wondering around town.</p> <p>If the goal is to keep Encinitas a Premier City. in the the United States, the appropriate action would be to keep open spaces OPEN ... otherwise we will just become an armpit of of city like Los Angeles. We are already well into this process in my humble opinion.</p> <p>The United States/California has a TON of open and unused land just east of here. We should NOT build/develop ever piece of open land in Encinitas, nor do we need to.</p> <p>Most traffic lights are already backed up all too often on any given day at any given time. Building more will only make the problem worse.</p> <p>There is no law or God given right that says anyone and everyone should or can afford to live in Encintias. There is a price to be paid for living near the beautiful Pacific ocean and it should not be stepping over the mentally ill after waiting a half hour to travel one mile to get to the beach.</p> <ol style="list-style-type: none"> 1.Fix the roads (many are a mess, potholes etc ..) 2.Clean up the homeless problem 3.STOP building on every piece of open space <p>Progress is NOT becoming LA or New York City.</p> <p>Progress is building high density housing far east of Encinitas and building mass transit to bring the workers in out out of our fine city.</p> <p>Progress is keeping the so called "Developers" in check and not letting them destroy one of the nicest cities in the world.</p> <p>Thank you for your time.</p>			

ID	Name (optional)	Email	Phone	Type of comment	Other general comments	What are some of the environmental issues that you think should be addressed in the EIR?	Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?	Do you have any concerns about specific environmental impacts that may result in the project?
25	Rita Soza		7609084717	Paper comment		Walking access for children attending Capri Elementary	Burgundry Rd (northern portion) is private road and permanently blocked at the southern bourder with city road Burgundry Rd (southern portion) south Capri Rd is unpaved and private, as City never accepted the responsibility of it.	No
26	Robbe M Gregor			Paper comment				If you allow Burgundy to go through from Urania to Capri & beyond to Skyloft, you aren't looking at the road at all. There is NO! room to open Burgundy thru to Urania. It would be a nightmare. There is no room for street opening - there is no parking please stop this through _____ project.
27	Elena Thompson			Email	<p>Hello Evan, My comments are as follows relating to the recent EIR meeting held 9-19-22 by the city and WSP. PLEASE DO NOT RENAME LA COSTA AVENUE AN "URBAN VILLAGE COLLECTOR". Leucadia was once and still is a rural coastal enclave. The residents want it this way. There are no sidewalks or streetlights in most of Leucadia. We can see the stars due to the absence oflights, have a nice dark sky mostly still. Despite the state - and our city council- wanting to rezone all of California and densify, Leucadia is not "urban" (see attached definition). There is no "village" nearby La Costa Avenue and we don't want one. This terminology is flawed. Further, this naming of collectors is not used by traffic professionals. Leave it as a collector and if you have to call is something, call it a "scenic collector" or "coastal connector". Not an urban village collector. 2.The residents still want to see the roadway declassified from a 4-lane collector to a 2-lane collector, and have for decades. Anything other than that would cause MAJOR environmental issues for obvious reasons. This must be done as part of this Mobility Study/Plan, now. Not doing so would be kicking the can down the road as we have been told this study would be the time to effect this change in the classification, again, now. Can you comment on that please, ensure it is going to get done now? What will it take? 3.Environmental issues relating to mobility are significant: noise/sound from tailpipes and braking, run-off, the noise streetlights and stop lights cause from vehicles (accelerating and breaking) and rubber breakdown, pollution, impacts on protected lagoons and ocean from vehicles, increases in GHG's from more car trips Please confirm receipt of my comments and kindly ensure they are noted as part of the feedback loop.</p>			

ID	Name (optional)	Email	Phone	Type of comment	Other general comments	What are some of the environmental issues that you think should be addressed in the EIR?	Do you have any specific information or knowledge about local environmental issues that would be relevant to the EIR process?	Do you have any concerns about specific environmental impacts that may result in the project?
28	Kristen Francis	kirstenfrancis70@gmail.com		Email	<p>Dear Even Jedynak,</p> <p>I am writing to you because I am concerned about the effects of increased traffic in my neighborhood, located between Leucadia Blvd and La Costa Ave, and bordered by Piraeus and Saxony. The streets in this area are often winding and narrow (they used to be dirt roads) with either no sidewalks or a sidewalk on just one side of the street. These sidewalks are usually narrow, uneven and have utility poles and mailboxes in the middle of them, making them difficult to navigate (especially when pushing a stroller). Because of this, pedestrians often will walk in the roadway.</p> <p>A lot of these types of streets are right around Capri Elementary and many children and their parents use them to walk, bike or drive to school. On a typical school morning there are hundreds of cars and walkers, and many bikes, all heading to the same place.</p> <p>A lot of these roads are actually unsafe- too narrow, blind corners (ie Gascony and Capri Road), vegetation growing into the roadway, trees blocking signage, etc and are only manageable because there is usually very little traffic. The only exceptions are streets that have been improved- either repaved or with newer sidewalks (Urania, Sparta, Caudor) but if they don't have speed bumps installed, cars drive over the speed limit on them.</p> <p>The streets in this neighborhood were never designed to sustain anything more than local traffic, and any significant increase will make the streets less safe for all who use them.</p> <p>Thank you, Kirsten Francis</p>			
29	Aaron Hebshi			Letter	See Appendix D			
30	Skyloft Mike George	skyloftmichaelgeorge@cox.net		Email	<p>Mr. Jednak,</p> <p>I do not want have any part of these policies, changed, modified, or deleted from our general plan.</p> <p>I oppose them being removed for the mobility "Proposed Street Typology" report presently being considered. It is my understanding your department co-operated with the consultant on this proposal. It has many mistakes, which surprises me happened, since your department worked with the consultant on it.</p> <p>Thank you, Michael A. George</p>			
31	L. Neubert					<p>1) Stormwater runoff</p> <p>2) Air quality & safety due to increased traffic & projects resulting from changes to existing G.P.</p> <p>3) Noise levels during & after completed projects.</p> <p>4) Light pollution, dark skies should be protected</p>	Grading is a contributing cause to poor air quality. Stay with existing topography. 101 in Leucadia still floods in heavy rain. Also Vulcan & Orpheus - let's not add to that problem.	Rural Areas are an asset, should be left alone for benefit of wildlife of all kinds & the humans living there & enjoyign that harmony. Wider roads = more traffic = more congestion = need for traffic calming = narrowing roads to slow down traffic. Why not leave narrow, curvy roads as is in the first place?
32	Steven Gerken	sgerken@sbcglobe.com		Email (letter)	See Appendix E			
33	Dennis Kaden	denniskaden101@gmail.com		Email (letter)	See Appendix F			
34	Encinitas Community Collective	encinitascommunitycollective@gmail.com	760-456-9042	Email (letter)	See Appendix G			

Appendix A

Concerns about specific environmental impacts from the project

Sky Lot
Barrier
Burgundy → capri
(private)
no road
Uran
CLAVE
INCORRECT! PRIVATE!

Don't take private property on Burgundy Rd.

The ATP is incomplete so a poor basis to be used here. Let's set this right!

Urania/Burgundy
No thoroughfare!

State dictates far Housing Law over-ride EIR + CEQA concerns and law

Re-designate La Costa Ave 2-lane. De-designate 4-lane road, not in use today - or even!!!

La Costa Row encroachment concern
→ decision needs to be made to widen or stay the same

Part of Burgundy Rd is a private road. Don't take private property

La Costa Ave must have a sidewalk to be considered a collector
Unsafe today! no sidewalk.

The Leucadia streetscape phase I must be addressed (A St - Marcheta) as part of mobility

concern
Aesthetics - roads skylift
Saxony
*Collector NO SAXONY
→ not connected - from intersection

PIREAUS
TWO WAY ROAD
TO
LEUCADIA BLVD.
OPEN THIS ACCESS PLEASE !!

Mitigate traffic via speed bumps
→ Saxony flow of traffic & dangerous

Pireaus & Leucadia
→ changes in how you turn

La Costa Ave cannot be called "urban village collector".
How about Scenic collector?
This is a protected

Appendix B

Dennis Kaden
Caudor St.
Denniskaden101@gmail.com

To:

Evan Jedynak,
Associate Planner
ejedynak@encinitasca.gov
(760) 633-2686

Evan,

I have multiple concerns regarding the Mobility Element.

Please maintain Policy 2.3 and 2.4 as originally written. You can maintain almost all the original policies. They enforce the protection of existing neighborhoods. Your new language is much less instructional and exact. weaker. It is definitive language, absolutely intended to protect existing neighborhood character and safety from the impact of future, especially high density, projects. The new language is not as definitive or strong.

The new policies are much weaker. Future city councils need to adhere to these original policies and their wording is clear. When these two policies are enforced, developers understand the need to be 'part of the solution' rather than 'part of the problem' before they make their investment into a project, knowing there are traffic and safety issues brought forth as early in the process as possible.

Regarding new TYPOLOGY designation of our streets:

1-The Mobility Element Typology should be based on actual improvements being funded and anticipated dates of completion. It is most unfair to the residents living on these streets to have an anticipated increase in trips per day without the road actually being capable of accommodating the increase. We would not want the city to make premature decisions regarding land use density increases based on a street's "theoretical" capacity, with no actual improvement accomplished. Where is the money to do so coming from?

To:

**Evan Jedynak,
Associate Planner**

ejedynak@encinitasca.gov

(760) 633-2686

Piraeus St. is not to be a Suburban Collector. Based on your definition of Collector, Piraeus St. does not qualify. Piraeus does not connect two arterials. There is no connection on its south end to Leucadia Boulevard, therefore it cannot fit the collector status. This is pass/fail. It fails! Piraeus St. is a frontage road. If it gets designated a Suburban Collector, the anticipate increase of traffic would negatively impact its narrow surrounding neighborhood streets, especially Normandy, Urania, Plato, Olympus and Caudor. These neighborhoods received dramatic increases in traffic when Piraeus was cut off from access to Leucadia Boulevard to the south years ago. We have suffered enough for long enough!

**SAXONY RD. DESIGNATED AS SUBURBAN COLLECTOR: @60'-75'
Right-of-Way**

1-Saxony Rd. north of Leucadia boulevard, is no collector and should never be. It's too narrow and has multiple private driveways. Saxony has no sidewalks. A Suburban Collector status would ruin the existing community character and SAFETY of this neighborhood. Residents already complain of the increase in traffic over the recent years. Do not approve Saxony as a Suburban Collector. Please remove your Typology designation for Saxony Rd. before it goes to the EIR. Thank you.

**SKY LOFT RD –BURGUNDY-URANIA TO LEUCADIA BLVD.
DESIGNATED as RESIDENTIAL NEIGHBORWAY @40-70' Right-of-Way**

Why are private streets being designated Residential Neighborway? Did no one actually visit the streets and neighborhood to see barricades? Eliminate these as a Residential Neighborway please. Easy to do. Thank you.

Please remove your Typology designation for the Sky Loft Rd-Burgundy-Urania section before it goes to the EIR.

Appendix C

9/19/22

Evan Jedynak,

My name is John Conover. I've lived in or had my business in Encinitas since 1982.

My wife Debbie and I live at 1724 Burgundy Rd.

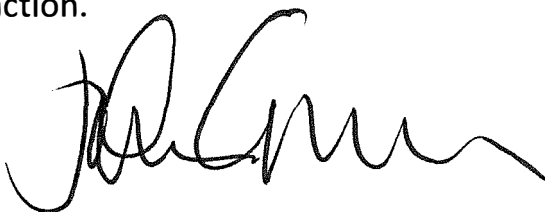
My business, Tidelines Calendars, began in 1981. I founded the first chapter (and all chapters) of the Surfrider Foundation in San Diego. I was a member of The Rotary Club of Encinitas for 14 years. I was given The Paul Ecke Encinitas Hero award in 2004. We care about Encinitas and it shows.

At one time there were 6 eating establishments on the Coast Hwy...now there are more than 60. Encinitas has become a "destination" town. One of the reasons is that it represented a quaint beach community...a great place to raise a family. It was designated by its voters to be a "slow growth" community. Lately much has changed.

We have run out space for growth and instead are using new zoning designations to allow high density in the last few buildable areas. This new living concept works for developers but not for Encinitas residents. The term "Growth is Good" is healthy to a point but with the new "Mobility Elements" we wonder if the concern for "The Quality of Life" applies. This all looks like squeezing more people in ugly buildings that only work to make money for a few.

My wife Debbie and I are against the concept of adding traffic from new developments through existing residential neighborhoods. Please keep Policy 2.3 and 2.4 as originally written.

We are against the new Policy 2.1 change from the original 2.4 in concept and function.

A handwritten signature in black ink, appearing to read 'John Conover', written in a cursive style.

Appendix D

Mobility Element Programmatic Environmental Impact Report

Public Scoping Comments

Submitted by Aaron Hebshi
9/22/2022

El Camino Real from Encinitas Boulevard to Leucadia Blvd is classified in the Mobility Element as a Suburban Corridor. It is rich with commercial activity and serves as an important throughput for north-south travel. There are currently 8 signals between and including those intersections, leading to substantial vehicle idling and frustrated drivers. And the 6-9 lanes and high vehicle speeds make walking and biking dangerous and uncomfortable. This corridor therefore, contributes and encourages a high amount of automobile traffic with its associated noise and air pollution, while simultaneously not serving any users well. I commend the Mobility Element for suggesting a street typology alternative that looks to reduce the car footprint in this corridor by reducing the number of lanes and, where practical, installing slower-speed frontage streets for ingress/egress into driveways. However, without also modifying land use in that corridor, the modifications are unlikely to result in significant mode shift away from automobiles. I suggest that the Programmatic Environmental Impact Report (PEIR) analyze a modification of land use (cumulative effects) that allows mixed-use commercial/residential development, eliminates minimum parking mandates and encourages the repurpose of the expansive parking lots, slows vehicle traffic between signals through narrower lanes and other design features, creates refuge islands and bulb outs and/or overpasses for pedestrians, and otherwise reconstructs this corridor to be more accommodating to non-automobile users.

The Union Street pedestrian overpass was originally in the I-5 expansion plan, but, given the fact that the expansion has been completed in Encinitas and the overpass has not been built, it appears that this item was dropped from the plan. This overpass would be an incredible asset for safely connecting the Saxony neighborhood, currently cut off by Interstate 5, to the coastal zone. I am happy to see that the Mobility Element continues to include this feature in the event that funding and the political will materializes to see this constructed, and I hope that the PEIS will include this feature in its preferred alternative.

The Mobility Element appears to focus on improving mobility through alternative transportation. These improvements may be partially offset by the larger and heavier automobiles on the market today. I suggest that the PEIR consider in its analysis how these larger and heavier vehicles may offset any mobility improvements by killing and seriously injuring a greater number of people on foot or bike. Additionally, I suggest that the PEIR consider in its analysis the possibility of incentivizing the use of smaller, lighter vehicles.

I suggest that the PEIR include a public car-sharing program in the analysis. This has the potential to allow individuals/families to downsize the number of automobiles that they own, which in turn would lead to reduced Vehicle Miles Traveled (VMT). See <https://ssti.us/2016/08/08/study-one-way-car-sharing-reduces-vmt-ghg-emissions-and-vehicle-ownership/>. Flo Share in Rochester NY provides a good model. <https://rocfloshare.org/>.

Saxony and Vulcan avenues are important north-south corridors for travel, with valuable destinations such as the YMCA, Paul Ecke Central elementary school, and Cottonwood Creek park. However, automobile speeds are high, despite speed limit postings, because of the Level of Service (LOS) design. To make these two roads safe for people on bicycles and micromobility vehicles, I recommend including in the PEIR an analysis of how redesigning these streets could increase bicycle and micromobility trips and decrease VMT. Quail Gardens Dr was recently redesigned and includes narrower lanes, a bike lane, and central median. However, the smooth pavement still allows for high speeds, and the posted speed limit continues to encourage fatality-inducing speeds. For Quail Gardens Dr, I recommend analyzing how additional traffic calming measures, such as speed tables or rumble strips/bollards separating the bike lane, could increase bicycle and micromobility trips and decrease VMT.

I suggest that the PEIR analyze the addition of a microtransit option along the 101 corridor. Free EV shuttle rides, such as those provided by Ride Circuit in San Diego <https://www.ridecircuit.com/fred>, can reduce VMT and air pollution by allowing residents and visitors rapid access along the 101 corridor without the use of an automobile. Shuttles could be hailed on demand or on a fixed route/schedule. Operational funding could be obtained through developer mitigation fees (e.g. Alila Marea resort expansion), installation of parking meters along 101 in downtown Encinitas, and/or a 101 business district fee based on revenue.

The El Portal undercrossing and Leucadia Streetscape projects have increased access for people via foot and bicycle along the 101 corridor and to Paul Ecke Central elementary school. I suggest that the PEIR analyze how additional developments, specifically, completing the streetscape project north through La Costa Ave and installing two at-grade railroad crossings between Leucadia Blvd and La Costa Ave, can similarly increase non-automobile access and decrease VMT.

The high automobile speeds on Encinitas Blvd and La Costa Ave (east of Interstate 5) discourage people from making trips via bicycle on these corridors. I suggest that the PEIR analyze alternatives that would increase bicycling and safety along these corridors, such as the installation of protected bikeways separated by concrete barriers or bollards.

Appendix E

October 3, 2022

To: Evan Jedynak,
Associate Planner
City of Encinitas

RE: Response to Notice of Preparation (NOP) of Draft Environmental Impact Report (EIR)

From: Steven Gerken
Encinitas resident

Dear Mr. Jedynak,

I have been participating in the city's mobility element planning. This letter contains my comments for the Mobility Element Scoping for the Environmental Impact Report. The stated goals of the Mobility Element are to:

- A safe, efficient, and adequate circulation system that responds to the transportation and infrastructure needs of all modes and users, including drivers, cyclists, pedestrians, transit users, and rail users.
- The location of existing and future transportation needs in the City.
- Long-term goals and policies for community mobility over the next 30 years.
- Strategies to reduce vehicle speed, increase driver attention, and protect vulnerable users on local streets, and to reduce overall vehicle-miles traveled (VMT) and urban sprawl.

Policy 1.1: The mobility element needs to address how increasing the city's housing supply is consistent with climate action plan, active transportation plan and housing element. The EIR needs to demonstrate how building thousands of new housing units reduces vehicle miles travelled, reduces greenhouse gases, promotes safe routes to schools, and promotes the safety of bicycle and pedestrians while significantly increasing the population of the city and accounting for population increases in neighboring cities.

Policy 1.3: The mobility element needs to address how the city's multimodal transportation systems can effectively link different parts of the city. How can communities be connected safely and effectively when historically transportation corridors promoting optimal levels of service have been the defacto standard since incorporation. How can communities be linked effectively when the city design made each community and each property isolated from its neighbor?

Policy 1.4: The mobility element needs to address how climate change may affect the roadway systems in Encinitas and surrounding communities. How will sea level rise affect major arterials and roadways, especially the Coast Highway 101 and Interstate 5?

Policy 1.5: The mobility element needs to address mode shift to non-motor vehicles, especially the electrified bike and scooter. The element needs to design and equitably distribute electric vehicle charging systems for electric vehicles.

Policy 1.6: The mobility element needs to address how to decrease the city's resident population will not cause an increase in Vehicle Miles Travelled and associated increase in greenhouse gases.

Policy 1.8: The mobility element needs to address safe routes to schools. City policy must address how the mode shift away from personal motor vehicles to transport students to and from schools while increasing the safety of residents attending local schools. How will increased modes of bikes and pedestrian routes to schools be compatible with the safe routes to school? These must be aligned with

the city's Vision Zero policy of no injuries or fatalities. What protections must the city provide to keep students, staff, and faculty safe? What will be the funding priorities and sources of funds to achieve.

Policy 1.13A: The mobility element needs to address how to minimize impacts to local circulation elements from development projects. The mobility element must identify where state housing law impacts local circulation elements. The mobility element clearly needs to identify impact mitigation measures that are not required under state housing law but are required under Encinitas city policy.

The Traffic Impact analysis of the 2020 Quail Meadows Baldwin project application prepared by Chen & Ryan (on file at the Encinitas planning department) provides a clear example of significant impact on local traffic circulation by new housing projects. Section 4.13.5.1 describes impacts of development. Section 4.13.7.1 states that "Impacts of the future development consistent with the HEU floating zone program would be subject to the City's roadway design standards, City Municipal Code, and California Fire Code emergency access requirements, as well as the City General Plan goals and policies related to traffic safety. The City of Encinitas Public Road Standards (1991) identifies design specifications for curves, sight distance, slopes, and other roadway features. The City's roadway standards are intended to provide for "service, health, welfare and safety of the public" (City of Encinitas 1991). Thus, compliance with the City's roadway standards would preclude traffic hazards. The City of Encinitas has adopted the California Fire Code emergency access requirements as a part of their Municipal Code. This includes emergency access road dimensions, design, grades, gates, and other fire safety features. Additionally, the more stringent California Building Code (CBC) access standards also have been adopted by the City to address potential emergency access issues associated with earthquakes, flooding, climate/strong winds, topography, and water shortages. Future development consistent with the HEU would be required to comply with these regulations when designing emergency access relative to the future housing sites. Thus, compliance with the City Municipal Code would preclude inadequate emergency access issues. The General Plan also includes several goals and policies regarding traffic safety. Goal 1 of the Circulation Element portion of the General Plan states "Encinitas should have a transportation system that is safe, convenient and efficient, and sensitive to and compatible with surrounding community character." Policies 1.6, 1.7, and 1.9 encourage safe roadways and driveways by limiting direct access on major roadways and encouraging properties to use common driveways to reduce access points. Policy 1.17 identifies the need to provide adequate street lighting for safety of all roadway users. Landscaped medians and buffers are recommended by City Policies 2.10 and 2.13 and would improve safety by separating directional traffic as well as separating traffic from buildings. Future development consistent with the HEU would be required to be in accordance with the General Plan goals and policies, including these goals and policies related to traffic safety; therefore, there would be no inherent differences in impacts among the housing strategies. Impacts resulting from all three housing strategies would be less than significant."

Section 4.13.5.4 of the Chen Ryan traffic impact analysis describes the significance of impacts after mitigation. Significance After Mitigation measures which are determined to be feasible improvements as indicated in Table 4.13-21, would reduce traffic impacts of the HEU to below a level of significance if these improvements can be assured at the time of future development. However, as the City has not yet approved a mitigation fee program for the HEU as identified in TRF-27, there is no assurance that funding will be available to construct these improvements at the time future development is proposed. Until such time as this program is implemented, impacts would remain significant and unmitigated. In

addition, the City has determined that certain mitigation measures/improvements as listed in Table 4.13-21 are infeasible for one or more of the following reasons: (1) the improvement would result in the roadway exceeding the General Plan classification; (2) insufficient right-of-way exists and the City/Community prefer to retain existing adjacent uses instead of exercising eminent domain and (3) the improvement conflicts with existing or planned multi-modal facilities or adopted City policies or program relative to the provision of multi-modal facilities (pedestrian, bicycle or transit). As such, these impacts would also remain significant and unmitigated 4.13-21 are infeasible for one or more of the following reasons: (1) the improvement would result in the roadway exceeding the General Plan classification; (2) insufficient right-of-way exists and the City/Community prefer to retain existing adjacent uses instead of exercising eminent domain and (3) the improvement conflicts with existing or planned multi-modal facilities or adopted City policies or program relative to the provision of multi-modal facilities (pedestrian, bicycle or transit). As such, these impacts would also remain significant and unmitigated.

Thus, this EIR must identify how to mitigate the traffic impacts from the city's housing element update.

Policy 2.1: The mobility element needs to address Safety for all users. The mobility element must solve the paradox that by design, the interaction of bikes and cars is unsafe. So how does one keep bike riders and pedestrians safe, when comingling in a multimodal transportation system is unsafe. Dept. of transportation studies have shown that reducing vehicular speed is a very significant means of reducing the chance of serious injury or death when a vehicle and bike/pedestrian collision occurs. So this EIR must state the preferred alternative for safety for all users. This requires this EIR to address

Policy 2.4: The statement that the focus on street with the highest traffic and highest speeds is a severe limitation of this EIR scoping. Families don't cycle on La Costa Ave, Leucadia Blvd or Encinitas Blvd. in the current configuration as a Class II bike lane because it is unsafe. The mobility element needs to address traffic calming where multimodal means of transportation are used, especially on many local collector roads. since many bikes and pedestrians avoid the city's prime arterials because of the excessive speeds and high volumes of vehicles travelling on these roads, these roads play important travel routes. Attached are traffic speed and car counts from Encinitas speed feedback signs of Quail Gardens Dr. and Saxony Rd. The data shows that over 50% of vehicles exceed the posted speed limit and that very large percentage of vehicles travel 30 to 50 miles per hour over the speed limit. Until traffic is calmed and vehicle speeds are significantly reduced, Encinitas will continue to be an unsafe place for pedestrians and bicyclists. Mitigating the impact of vehicle speeds on the safety of all users of Encinitas mobility elements is a clear requirement for this EIR.

Policy 2.5: Traffic calming design elements must be made available as part of a mitigation toolkit that promotes the safety of all users of Encinitas mobility elements.

Policy 4.1: The complete streets design policy must be a cornerstone of the EIR. The city strategy for making capital improvements in neighborhoods has been to require developers to fund and install capital improvements along with their projects. Since much of Encinitas development has consisted of small developments, often infill projects as nurseries relocated outside the city, Encinitas was left with scattered, hodge-podge, unconnected sidewalks and streets (eg. Quail Gardens Dr., Saxony Dr.). This made for unreliable, unsafe modes of transportation for every mobility modality except motor vehicles because very few routes were fully completed, and neighborhoods weren't connected (the Channel Islands on Saxony is a classic example of a sidewalk to nowhere).

With the adoption of the 2018 and 2021 housing element updates for planning for new housing in Encinitas, fifteen housing sites were approved for high-density overlays. With this land use designation, the sites also qualified for additional density bonus housing units, moving the limit from 30 DU/acre to

effectively 40 DU/acre. Most importantly, the city was constrained by state law from requiring significant capital improvement and traffic impact mitigation. Thus, the strategy for neighborhood capital improvements now falls to the city and not the developer. Therefore, it is imperative that this EIR formally recognize the shift in strategy for complete streets and recognize the city's obligations for capital improvements.

The Four Corners area of Encinitas will contain 40% of the entire city's high-density housing within approximately one square mile of the city's 12,544 acres, this region of the city carries the highest burden of impacts from the housing plan and the city's need to mitigate the unprecedented impact of its housing plan is immediate and necessary to manage traffic, safety and quality of life for all residents, visitors and businesses. This EIR should identify and rank areas of the city with significant impacts due to this now failed policy for implementing Complete Streets.

Policy 4.5A: The EIR must identify that the city's policy on focusing exclusively on electric motor vehicle charging stations is incomplete. EV charging for electric cars, trucks, bicycles, and scooters must be part of policy for EV charging infrastructure.

Policy 4.12: This EIR must identify that the Housing Element update sites generate the highest impacts on Encinitas in the history of the City. Housing density is at its highest density. And so are impacts. Funding from developer fees should be earmarked for mitigation measures. Additional revenue sources that should be earmarked for mitigating impacts with specific housing element updates developments is the newly generated property tax. Since the super-majority of all new housing at a housing element site will be market rate, significant levels of new property tax revenues are forecast. Therefore, this EIR should include these sources of revenue for funding impact mitigation efforts.

Policy 6.1: The Active Transportation Plan (ATP) identified that there are very few East West corridors for mobility by bike or pedestrian. And the East/West mobility corridors are prime arterials. Serving multi-lane, very high speed and very high speed vehicular traffic. Mixing pedestrians and bikes with high-speed vehicles is dangerous and unpleasant. No one wants to bike or walk along a freeway or a racetrack. It's not safe. So the mobility element needs to identify that lack of East-West routes is a major deficiency in the ATP plan.

The mode and demographics of bicycling and other modes of transportation have been revolutionized by electric technologies. Very large numbers of people now ride electric bicycles. Very large numbers of young people ride electric bikes. The number of California's ebikes is expected to increase significantly. Encinitas has a Zero Vision policy of achieving no car-bike collisions and no fatalities. Studies have shown that reducing the speed of vehicle bike collisions significantly reduces the likelihood of a fatality, especially when automobile speeds are 25 MPH or less.

Therefore, the mobility plan needs to create class 3 or 4 bike lanes on every major arterial. Vehicle speeds need to be reduced to 35 mph and 25 MPH on neighborhood and collector roads. All other streets must be 25 mph or less to harmonize city policies.

Cordially,

Steven Gerken
Encinitas resident

Appendix F

Dennis Kaden
1611 Caudor St.
Encinitas, CA
DennisKaden101@gmail.com

Mobility Element draft Scoping EIR Comments

October 3, 2022

To: Jennifer Gates

Planning Manager

City of Encinitas, Development Services Department

Piraeus Street is proposed reclassified as Suburban Collector. Piraeus Street does not connect to Leucadia Boulevard at its southern termination. Collector is defined as joining two arterials. Piraeus Street to its south does not join onto Leucadia Boulevard. Traffic bound to Leucadia Boulevard must redirect itself onto much narrower residential streets i.e. Normandy and Urania, Capri and Caudor, which have multiple private driveways and speedbumps. These neighborhood streets cannot handle more traffic and should not be subject to the volume of traffic a legitimate Suburban Collector would handle. Please remove Piraeus Street as a Suburban Collector.

Any roadway reclassified with a new Typology on this Mobility Element should have its improvement cost calculated and funding sources determined. They should have future increased noise levels determined and identify impacts on existing residents. It is unfair to the residents to reclassify a street to carry increased VMTs and therefore adjacent increased land use density without actually improving such roads.

Safe Walk to Schools should be examined in the EIR. Look especially at all R-30 parcels and where children need to safely walk, i.e. Plato Place walkers getting safely to Capri Elementary.

Destruction of sensitive bluffs to achieve widening (right of way east of Piraeus Street) Piraeus Street has several storm water wash basins, one at Sparta, another further north, and at La Costa Ave. Please add to the EIR how the elimination or decreased size of these storm basins (due to street widening) effects the environment. *Per CEQA, In areas of the Project site which may support ephemeral streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of ephemeral channels and help maintain natural sedimentation processes; therefore, California Department of Fish & Wildlife recommends effective setbacks be established to maintain appropriately sized vegetated buffer areas adjoining ephemeral drainages.*

Dennis Kaden

1611 Caudor St.

Encinitas, CA

DennisKaden101@gmail.com

Mobility Element draft Scoping EIR Comments

Page 2

There has been confirmation of Gnatcatchers nesting on vacant bluffs alongside Piraeus Street. Please add to the EIR what impact a Piraeus Street widening and additional traffic would have on the endangered species on the bluffs and untouched hillsides along Piraeus Street.

Also, preserve Policy 2.3 and 2.4 as originally written in our General Plan. Its language is clear and its intent to protect existing neighborhoods from the negative impacts of new, especially high density projects, is vitally important to our community character and quality of life in Encinitas.

Thank you and please feel free to contact me if you should need or want any additional information of any kind.

Regards



Dennis Kaden

Appendix G



P.O. Box 235801 | Encinitas, CA 92023
encinitascommunitycollective@gmail.com | (760) 456-9042

Encinitas Community Collective is a group of local residents concerned with irresponsible development that will impact the safety and quality of life in our rural and suburban residential neighborhoods.

October 3rd, 2022

Jennifer Gates

Planning Manager

City of Encinitas Development Services Department

505 South Vulcan Ave,

Encinitas, CA 92024

Jennifer,

The ECC is responding to the Mobility Element Update (MEU) Draft Scoping EIR, and believes the ECC input/comments will provide an insight towards the MEU program as it affects the our Community on a personal level. As you will read within the attached Environmental Analysis Scoping EIR response, the ECC is a grass roots organization with local knowledge of impacts to our community.

Encinitas Community Collective wants to be kept informed of progress made during the Mobility Element EIR process and to be notified of any questions or clarifications you may have regarding our response. ECC is utilizing data addressing the proposed *Piraeus Point Townhomes*, located on Piraeus Street and Plato Place, since this project will essentially affect everyone towards their daily lives. More so the traffic impacts of this densely built mini-subdivision. Much of the ECC EIR Draft Scoping EIR analysis findings are appropriate for the MEU environmental issues pertinent to the Piraeus Street "Frontage Street" and its neighboring residential area to the east.

Please feel free to contact the ECC as noted above.

Jennifer, the ECC is thankful and appreciative of your efforts to improve the fundamental operations of our City through the Mobility Element Update and we look forward to working with you as it evolves.

Regards,

A handwritten signature in black ink that reads "ECC". The letters are stylized and cursive.

Encinitas Community Collective.

Attached: An Environmental Analysis for a Draft Scoping California Environmental Quality Act Environmental Impact Report for the Mobility Element Update per the City of Encinitas, SCH Number 2022080705.



AN ENVIRONMENTAL ANALYSIS
For a
DRAFT SCOPING CALIFORNIA
ENVIRONMENTAL QUALITY ACT,
ENVIRONMENTAL IMPACT REPORT
Required for the
City of Encinitas

SCH Number 2022080705

MOBILITY ELEMENT UPDATE

Prepared by

Encinitas Community Collective
P. O. Box 235801
Encinitas, CA 92023

Submitted to

Jennifer Gates, Planning Manager,
City of Encinitas, Development Services Department

October 3rd, 2022

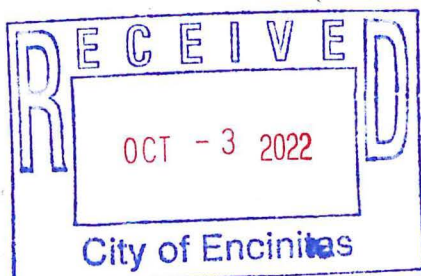




TABLE of CONTENTS

1.0	Introduction	3
2.0	Project Description, Location and Environmental Setting	4
2.1	Project Overview	
3.0	Environmental Setting	5
3.1	Air Quality	5-16
3.2	Greenhouse Gases Emissions	16-17
3.3	Land Use and Planning	17-18
3.4	Noise	18-21
3.5	Public Services	22-23
3.6	Transportation	24-25
4.0	Parking	26
5.0	Conclusion	26

Appendices

- A Portion of the City of Encinitas Parcel Map. Specifically, that portion of the City Map that is known as Crest Acres per County of San Diego Parcel Map Book 2019 circa 1927 with ECC edits.
- C City of Encinitas Housing Element, Appendix C 2021
- B Ambient Traffic Noise Measurement/Location Map



1.0 INTRODUCTION

1.1 The California Environmental Quality Act (CEQA) (aka Pub. Res. Code section 21000, et seq.) requires the City to identify significant environmental impacts of all projects that it approves, and to require the applicant to avoid or mitigate those impacts, if feasible. From an environmental impact standpoint, the ECC cannot overstate the importance of thoroughly analyzing the project based on an accurate description of the applicant's intended use of the project, especially where environmental impacts may be disguised or minimized by the applicant.

1.2 The proposed Mobility Element Update project does not comply with the City's Planned Residential Development regulations, which provide, in relevant portion: "Planned residential developments shall relate harmoniously to the topography of the site, shall make suitable provision for the preservation of steep slopes, water courses, drainage areas, wooded areas, rock outcroppings, and similar natural features, and shall otherwise be designed to retain such natural features to the greatest extent possible." Further, "[I]ots and structures shall be designed to follow and not significantly alter the natural contour of the land." (EMC § 30.16.020(B)3.)

- 1.3 During its Initial Draft Study (SCOPING), the City should be able to determine that the multiple Mobility Element projects throughout the City will have a significant effect on the environment, requiring a thoroughly detailed Environmental Impact Report(s) pertinent to multiple specific locations whereas a single (1) EIR to cover the entire City is not feasible nor acceptable whereas each area is unique and shall be treated as such in accordance with City's General Plan. Therefore, each specific EIR shall be in compliance with CEQA complete with exhibits, maps, guidelines from each of the governing agencies at ALL levels including but not limited to U.S. EPA; U.S. Department of Education; U.S. Department of Transportation; U.S. Department of Health, Center for Disease Control; U.S. Department of Housing and Urban Development. Further, the equivalent State, County and City Departments are hereby referenced, as if fully set forth. Additionally, in an aid to understand the overall impact of such a development the City shall listen to the citizens of the community where the proposed project are/is to be constructed. It is to be noted that a CPP meetings shall be held by the City to inform the specific areas and section of potential future impacts to the community. In essence the specific area of the ECC EIR response is encompasses approximately 500 acres of a rural environment (see Appendices A) that lies between Leucadia Boulevard at the south to La Costa Avenue to the north and all of the area east of Interstate 5, i.e., Piraeus Street (which is parallel to I-5) to Saxony Road, that lies south to north and is parallel to Interstate 5. All roads in this described area are rural and have been in existence since on or before 1927 the year of the San Diego County Map Book 2019 was surveyed and recorded.

1.3.1 This EIR Scoping Recommendation has been developed and hereby submitted by Encinitas Community Collective, known as ECC and is specific in its scope for the areas as herein fully described. The EIR Scoping Recommendation is based on known issues that are subject to and



created by developers submitting proposals to the City as per the City’s Housing Element - known 15 projects - that will affect this specific area of the Leucadia community as a concern.

Appendix B- 2013-2021 of the City Housing Element Listed APN 254-144-01-00, i.e., Parcel A area 6.93 acres is shown on page C-8 as Cannon Property (Piraeus) Site Number 02. The “gross/net” acreage for development is 6.93 acres. Housing Element Listed Property No. 2 as designated by the City Council. This potential future development known as Piraeus Point Townhomes will impact the described community area severely and is incorporated herein by reference as a severe Environmental Impact to the community due to generated Traffic due to shortsightedness of the Land Use and Planning. Circulation/Transportation and the parking of more than 350 vehicles within a 6.8 acre rural setting development for more than 500 residents of 149 Townhomes, is problematic to the community. The ECC observed environmental issues and conducted an Environmental Analysis of the referenced proposed housing development, property, Parcel A, (APN: 254-144-01). It is clear that the project would impose significant and unavoidable negative environmental impacts upon the sensitive flora and fauna of the undeveloped vacant natural inland bluff site, the endangered species, e.g., gnatcatchers, aesthetics, geological resources, Interstate Highway 5 traffic noise, on-site traffic generated noise, affecting the community, as well as the surrounding environment including the contiguous and adjacent State owned La Costa Preservation Parcel(s) with Multi Habitat Conservation Program (HCP) pristine habitats and the nearby Batiquitos Lagoon-No Take). These negative CEQA impacts and more will require extensive mitigation to the satisfaction of the governing agencies and the community at large.

2.0 HOUSING ELEMENT PLANNED PROJECT DESCRIPTION, LOCATION AND ENVIRONMENTAL SETTING

2.1 Project Overview and Location

2.1.1 It is proposed/planned currently under consideration by the City of Encinitas Planning and Development Department that 149 Unit Multi-Family Residential Townhomes aka *Piraeus Point Townhomes* will be constructed on Parcel A, APN: 254-144-01-00, Zoned RR-2.0, vacant land. The applicant’s proposed project, with its substantial grading *approximately 60,000 cubic yards (CY)* and the addition of 16 massive, bulky structures, would significantly degrade the existing scenic character and quality of the natural undisturbed inland bluffs and its surroundings. The ECC wants to be perfectly clear that this proposed 149 Unit *Piraeus Point Townhomes* Housing Element project is totally inappropriate for this specific location for the following reasons and concerns:

2.1.2 An analysis of the *Piraeus Point Townhomes* developed area per City Housing Element Appendix-B = 6.93 acres. Living space area = 171,000 sq. ft./43,560 sq. ft = 3.93 acres. Total



buildings sq. ft. = 203,663/43,560 sq. ft. = 4.675 acres. Landscaping (includes internal roads and drive aisles) = 87,898 sq. ft./43,560 sq. ft. = 2.017 acres = Total developed acreage = 4.675 + 2.017 = 6.692 acres. Unaccounted acreage = 6.93 - 6.692 = 0.238 acres or 10,357 sq. ft.

2.1.3 Height issues. ECC is requesting a 35-foot maximum height limit for these units, inclusive of roof top equipment, plumbing pipe vents, solar panel(s), air-conditioning units, etc.

2.1.4 The City mandate of installing solar voltaic panels (SVP) system(s) and/or a DC microgrid system(s) for each townhome recreational flat roof deck may not be cost effective.

In consideration that each roof deck square footage is contingent upon the number of bedrooms. Thereby a single bedroom Townhome has only net 40 sq.ft available for solar panels, a 2 bedroom has approximately net 80 sq.ft and a 3 bedroom has net 120 sq.ft. Noting that solar panels are 20% +/- efficient they need to be installed at an array tilt of 20° facing 180° either west or east avoiding shading from, e.g., roof access stair well walls, neighbors 5-foot perimeter fences, potted plants, furniture, sun umbrellas, not counting dust, dirt, etc. Further, with multiple sanitary plumbing roof vents, bathroom exhaust vents, kitchen exhaust vents, roof deck drains, heat pump and electrical equipment code clearances, will also limit actual solar panel locations. These standard Building Code clearances are inherent restraints to (any) the solar panel power systems efficiency towards reducing the owner(s) SDG&E power bills. The ROI payback time may well exceed the useful life-cycle (economics) of the solar power system(s) components, e.g., DC to AC inverter(s) thereby negating any true electrical power savings. The City of Encinitas per the approved CAP requires residential solar voltaic panels produce 1 watt of power per sq.ft of residential area annually. The actual residential sq ft for the 149 Townhomes equals 171,300 sq. ft . Therefor the CAP is limited to 171 kWh total generation The DRAFT EIR indicates an overall PV generation of 245,206 kWh/yr. more than the CAP mandate. The calculations need to be verified.

Population: The population total of the residents of the 149 Unit *Piraeus Point Townhomes* for the purpose of this Environmental Analysis is based upon the following: Total of 306 bedrooms + 149 persons for 2-person bedroom occupancy = 455 persons, estimated.

3.1 AIR QUALITY. This section addresses potential air quality impacts that will result from construction and/or operation of the *Piraeus Point Townhomes* project. The following addresses the existing air quality conditions in the project area, identifies applicable regulations, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project.

3.1.1 Existing Conditions. Air quality and dispersion of air pollution in an area is determined by such natural factors as topography, meteorology, and climate, coupled with atmospheric

stability. The factors affecting the dispersion of air pollution with respect to the air basin are discussed below.

Topography. The topography in the San Diego Air Basin (SDAB) varies greatly, from beaches on the west to mountains and desert to the east. The topography in between consists of inland coastal bluffs, mesa tops intersected by natural canyon areas. The region's topography influences air flow and the dispersal and movement of pollutants in the basin. The mountains to the east prevent air flow mixing and prohibit dispersal of pollutants in that direction.

- **Meteorology and Climate.** Encinitas, is a coastal area, has a Mediterranean climate characterized by warm, dry summers and mild, wet winters. The mean annual temperature in the City is 60 degrees Fahrenheit (°F). The average annual (wet season) precipitation is 11 inches, from November to April. Winter low temperatures average 54°F, and summer temperatures average 71°F. The average relative humidity is 69 percent and is based on the yearly average humidity at LindberghField.
- The dominant meteorological feature affecting the region is the Pacific High Pressure Zone, which produces the prevailing westerly to northwesterly winds. These winds tend to blow pollutants away from the coast toward the inland areas. Consequently, air quality near the coast is generally better than that at the base of the coastal mountain range. Most of the city consists of coastal plains, which lie adjacent to the Pacific Ocean and extend approximately 6 miles east of the Pacific Ocean. Because of its locational advantage, the easterly portion of the city has a mild climate with cool summers on the coast, where marine fog is common.
- The *Piraeus Point Townhomes* project is located within 200 meters of I-5 Interstate Highway where more than 125,000 vehicles travel each day. The location is also in a Non-Attainment Ambient Air Quality Standards Area. The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations. This specific project in the scenic corridor does not meet the Land Use and Planning intent when the generated traffic creates an LOS of F at the intersection of t La Costa Avenue and Piraeus Street thereby, further increasing Noise, Green House Gases, impacting Air quality and quality of life within the existing rural setting. The community impact is not acceptable and is a violation of the MEU Polices 1.2, 1.4, 1.7, 1.10 (Environmental Justice) and 5.3
- This Environmental Analysis also provides information on Air Toxics which is integral with the air quality in the I-5 Interstate transportation corridor, to the developer and the City of Encinitas, the project lies within less than 200 meters on I-5 a major interstate freeway with more than 125,000 vehicles travelling each day, whereby the residents of *Piraeus Point Townhomes* of will be subjected daily to the identified Air Toxics.

- Toxic air pollutants-also known as Hazardous Air Pollutants or HAPs-are those that are known to cause or suspected of causing cancer or other serious life-threatening health ailments. The

Clean Air Act Amendments of 1990 listed 188 HAPs and addressed the need to control toxic emissions from the transportation sector. In 2001, EPA issued its first Mobile Source Air Toxics Rule, which identified 21 Mobile Source Air Toxic (MSAT) compounds as being hazardous air pollutants that required regulation. A subset of six of these MSAT compounds were identified as having the greatest influence on health to the population living within a 200-meter radius of a major Interstate Freeway, i.e., I-5.

- It would be unconscionable for the City to ignore the data on known health effects and approve this densely compacted project thereby subjecting the *Piraeus Point Townhome* residents and the surrounding community to known carcinogen pollutants, i.e., benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and diesel particulate matter (DPM). The City and the developer are aware of the prevailing wind from the SW to the NW. Therefore, the emission gases and particulates from Interstate I-5 corridor, will circulate within the townhome structures will be breathed and thereby affect every one of the project 455 or more residents, adults and children. Exacerbating this indirect emission issue is the actual on-site generation of emissions including Green House Gases (GHG) emanating from the 300 or more residential and service vehicles making 1,980 Vehicle Trips per Day (MVT) or more than 693,500 MVT per year from this 2.017 internal roads/drive aisles acre site. This extreme concentration of cancer causing pollutants will be detrimental to the quality of life to the community.
- To address stakeholders concerns and requests for a MSAT analysis during project development and mitigation, the Federal Highway Administration (FHWA) developed the Interim Guidance on Air Toxic Analysis in the National Environmental Policy Act (NEPA) Documents.

3.1.2 Regulatory Framework

Federal

- **Non-Attainment Ambient Air Quality Standards Area.** The project location is in a Non-Attainment Ambient Air Quality Standards Area. The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.

Green House Gases (GHG) Endangerment. In *Massachusetts v. Environmental Protection Agency* 549 U.S. 497 (2007), decided on April 2, 2007, the Supreme Court found that four GHGs, including CO₂, are air pollutants subject to regulation under Section 202(a)(1) of the Federal Clean Air Act (CAA). The Court held that the EPA Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two (2) distinct findings regarding GHGs under section 202(a) of the CAA:

- **Endangerment Finding.** The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding.** The Administrator finds that the combined emissions of these well-mixed GHGs from motor vehicles and motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.
- These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed. The U.S. Supreme Court upheld the EPA Administrator’s findings.

CALIFORNIA

Legislative Actions to Reduce GHGs

- The State of California legislature has enacted a series of bills reduce GHGs. AB 32 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions.
- **AB 32.** The California State Legislature enacted AB 32, which requires that GHGs emitted in California as defined include CO₂, CH₄, N₂O, HFCs, PFCs, sulfur hexafluoride., and nitrogen trifluoride. The California Air Resources Board (CARB) is the state agency charged with monitoring and regulating sources of GHGs. AB 32 further states the following:

“Global warming poses a serious threat to the economic well-being of Californians, public health, natural resources, and the environment of California. The potential adverse impacts of

global warming include the exacerbation of air quality problems,an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

Local

- The accumulation of on-site generated pollutants makes the construction of ***Piraeus Point Townhomes*** (a densely packed subdivision) is in total conflict with the intent of MEU and the current and proposed polices. This project is a likely candidate for the Applicant to submit to the San Diego County APCD a review of the Regulations Rule 20.3 for New Source Review (NSR) of vehicle emission pollutants whether stationary or mobile based on the health effects and GHG. Therefore, an NSR may be socially justified by SDC/APCD. It is therefore requested that the MEU shall request a moratorium on all City of Encinitas Housing Element Projects until such resolutions have been fully mitigated towards elimination of Health Hazards created by “Densely Packed” subdivision creating severe traffic congestion and gridlock conditions at highly sensitive intersections within the scenic corridor. See Appendices A.

3.1.3 Analysis of Project Effects and Determination as to significance. Sensitive populations (sensitive receptors) in proximity to localized sources of toxics and carbon monoxide are of concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

- The >455 residents of ***Piraeus Point Townhomes*** are sensitive receptors to the emissions emitted from more than 300 motor vehicles making at least **980** motor vehicle trips per day with primarily gasoline fueled vehicles. or more than 358,000 MVT annually from the net 2.017 acres consisting of internal roads and drive aisles. The gasoline base emissions pollutants consist of but not limited to: O₃, CO, CO₂, benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and diesel particulate matter (DPM).
- The on-site source of airborne pollutants will rise vertically between the 149 townhome row type structures into open windows and also transported by the SW to NE prevailing wind to the community. Therefore, the carcinogen pollutants and particulates will be breathed, absorbed and will affect every one of the ***Piraeus Point Townhome*** residents and the surrounding community residents.

3.1.4 Cumulative Impact Analysis. The air quality impact of Piraeus Point Townhomes will be significant due to the density of the 149 townhomes on 6.93 acres or less. The surrounding drive aisles or internal transit areas between the 3-story row type townhomes, used for egress and ingress is approximately 2.017 acres. The motor vehicle emissions will be concentrated in these narrow transit (drive aisles) areas as the residents exit and enter their garages. The accumulation of

gasoline/petroleum base pollutants, i.e., Greenhouse Gases (GHG) will be significant and injurious to the health of not only the 455 residents or more but also to the surrounding community.

- An average motor vehicle per the US EPA emits annually 37,333 lbs/CO₂. With more than 300 vehicles including, service vehicles, trash trucks, moving vans, visitors, etc., entering/leaving on a daily basis making more than 1,980 motor vehicle trips per day all within a concentrated area of 2.017 acres cannot be ignored. The accumulation of pollutants makes this project a potential candidate for a NSR of the motor vehicle emissions and therefore consideration of an analysis by SDC/APCD Regulations NSR Rule 20.3.
- Further, as a cumulative effect the Municipal Solid Waste (MSW), i.e., household trash, generates GHG consisting of CH₄ (methane gas) CO_{2e} (carbon dioxide equivalency). The total of GHG generated by MSW at *Piraeus Point Townhomes* site is based on the following: *4.9lbs MSW/day/per person, x 375 (residents) x 365 = 670,687 lbs/yr or 335 tons. The percentage of recycled materials = 32.1% the net MSW transported to a landfill is 455,396 lbs. The amount of CH₄ and CO_{2e} = emitted from landfilled MSW = 39% or 88 Metric Tons (MTT).
- Therefore, the cumulative effect of vehicle exhaust gases and the MSW is significant and is harmful to the health and quality of life for the *Piraeus Point Townhomes* and the community.
- Re: The U.S. EPA states that GHG gases CH₄, CO_{2e} are a serious contributor to the overall GHG emissions. *Center for Sustainable Systems University of Michigan.
- **Construction Activities Emissions.** Project construction activities would generate CO_{2e} and CH₄ emissions. Detailed project construction equipment and scheduled future hours of operation are unknown to the ECC. Standard similar type construction equipment and duration are normally estimated and the results would be tabulated. Construction related emissions are expected from the construction activities per the following:
 - Crushing
 - Grading
 - Building Construction
 - Paving
 - Architectural Coating

Construction Vehicle Trips

Construction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips (construction materials delivered to the Project site) etc., shall be conducted per CalEEMod, or equal and tabulated within the project EIR.

- **Construction Equipment.** Typical site specific construction fleet may vary due to specific project needs at the time of construction. The associated construction equipment by phase is

detailed in Table 3.2.4:

**TABLE 3.1.4 MOTORIZED CONSTRUCTION
EQUIPMENT ASSUMPTIONS**

Activity	Equipment	Amount	Hours Per Day
Site Preparation	Crawler Tractors	TBD	TBD
	Rubber Tired Dozers	TBD	TBD
Compaction	Roller	TBD	TBD
Grading/Trenching//Excavation	Crawler Tractors	TBD	TBD
	Excavators	TBD	TBD
	Graders	TBD	TBD
	Rubber Tired Dozers	TBD	TBD
Building Construction	Cranes	TBD	TBD
	Crawler Tractors	TBD	TBD
	Forklifts	TBD	TBD
	Generator Sets/Diesel	TBD	TBD
	Welders/Diesel Gen-Set	TBD	TBD
Paving	Pavers	TBD	TBD
	Paving Equipment	TBD	TBD
	Rollers	TBD	TBD
Architectural Coating	Air Compressors	TBD	TBD

Source: CalEEMod model output, See Appendix 3.1 detailed model outputs. Tabulation to be completed by others

- **Construction Emission Summary.** The construction phase Project emissions, GHGs shall be quantified and amortized over the life of the Project per the San Diego County Air Pollution Control District Published Regulations Rules and Guidelines.
- **Operational Emissions.** Operational activities associated with the proposed Project will result in emissions of CO₂, CH₄, and N₂O from the following primary on site mobile and stationary sources which shall be tabulated and presented in the EIR:
 - Area Source Emissions

- Energy Source Emissions
- Mobile Source Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste
- BBQs
- HVAC

3.1.4 *DRAFT scoping EIR Air Quality is as follows:*

- *The Elimination of the Risk of Cancer to the Piraeus Point Townhome residents due to the proximity of the Interstate I-5 Freeway is preposterous and an assault on the commonsense of the proposed project residents and is based on a probability of use of the home to avoid cancer. The sampling points on the subject site indicated that a significant risk was evidentiary.*
- *However, the consultant discounted the health risk by indicating that air tight homes provide for protection form air bourn contaminants. There is no addressing the fact that these homes have roof top yards which are promoted by Lennar for the residents to use for recreation. Is Lennar going to install a sign for each roof top use the roof deck at your own risk since you will contract cancer when enjoying the view of the freeway.*
- *The all electric homes will have heat pumps to provide heating and cooling. Most likely a small manual outside air intake damper will be adjusted to provide 15 CFM per person when operational. This setting would be fixed, if it exists at all. With tight residential homes ventilation is required for bathrooms where there are no outside windows. Kitchen and bathroom exhaust air fans need make up air to complete the ventilation cycle. The makeup air will be drawn from the outside which is contaminated with pollutants from the freeway.*
 - *Further, residential heat pumps not provided with MERVE 16 filters. MERVE 16 filters are for commercial installations such as hospitals, medical centers. The filter rating for residential units have MERVE 7 ratings or 30% per the Dust Spot Test. Further the residents will not operate their AC units 24/7 their electrical bills would be thousands of \$\$ per month at 60 cents kWh.*
 - *The conclusion from the Piraeus Point Townhomes Applicants consultant LDN Consulting Inc., per Table 3 is that freeway pollutants do not represent a cancer risk, is patently false and is directly in conflict with the MEU Policies.*

3.2 GREENHOUSE GASES EMISSIONS

3.2.1 Regulatory Framework

Federal

- **Non-Attainment Ambient Air Quality Standards Area.** The project location is in a Non-Attainment Ambient Air Quality Standards Area. The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O,

HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.

Green House Gases (GHG) Endangerment. In *Massachusetts v. Environmental Protection Agency* 549 U.S. 497 (2007), decided on April 2, 2007, the Supreme Court found that four GHGs, including CO₂, are air pollutants subject to regulation under Section 202(a)(1) of the Federal Clean Air Act (CAA). The Court held that the EPA Administrator must determine whether emissions of GHGs from new motor vehicles cause or contribute to air pollution, which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the EPA Administrator signed two (2) distinct findings regarding GHGs under section 202(a) of the CAA:

- **Endangerment Finding.** The U.S. EPA Administrator finds that the current and projected concentrations of the six key well-mixed GHGs— CO₂, CH₄, N₂O, HFCs, PFCs, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding.** The Administrator finds that the combined emissions of these well-mixed GHGs from motor vehicles and motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.
- These findings do not impose requirements on industry or other entities. However, this was a prerequisite for implementing GHG emissions standards for vehicles, as discussed. The U.S. Supreme Court upheld the EPA Administrator’s findings.

CALIFORNIA

Legislative Actions to Reduce GHGs

- The State of California legislature has enacted a series of bills reduce GHGs. AB 32 was specifically enacted to address GHG emissions. Other legislation such as Title 24 and Title 20 energy standards were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions.
- **AB 32.** The California State Legislature enacted AB 32, which requires that GHGs emitted in California as defined include CO₂, CH₄, N₂O, HFCs, PFCs, sulfur hexafluoride., and nitrogen trifluoride. The California Air Resources Board (CARB) is the state agency charged with monitoring and regulating sources of GHGs. AB 32 further states the following:

“Global warming poses a serious threat to the economic well-being of Californians, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems,an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

Local

- The accumulation of typical on-site generated pollutants makes this and other like kind high density housing development projects a likely candidate for the Applicant(s) to submit to the San Diego County APCD a review of the Regulations Rule 20.3 for a New Source Review (NSR) of vehicle emission pollutants whether stationary or mobile based on the health effects and GHG. Therefore, an NSR may be socially justified by SDC/APCD.

3.2.3 Analysis of Mobility Element Project Effects and Determination as to significance.

Sensitive populations (sensitive receptors) in proximity to localized sources of toxics and carbon monoxide are of concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

- The >455 densely packed residents of *Piraeus Point Townhomes* are themselves also sensitive receptors to the emissions emitted from more than 300 internal combustion motor vehicles making at least **980** motor vehicle trips per day with primarily gasoline fueled vehicles. or more than 358,000 MVT annually from the net 2.017 acres consisting of internal roads and drive aisles. The gasoline base emissions pollutants consist of but not limited to: O₃, CO, CO₂, benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and diesel particulate matter (DPM).
- The on-site source of airborne pollutants will rise vertically between the 149 townhome row type structures into open windows and also transported by the SW to NE prevailing wind to the community. Therefore, the carcinogen pollutants and particulates will be breathed, absorbed and will affect every one of the *Piraeus Point Townhome* residents and the surrounding community residents.

3.2.3 Cumulative Impact Analysis. The air quality impact of Piraeus Point Townhomes will be significant due to the density of the 149 townhomes constructed on 6.93 acres or less. The surrounding drive aisles or internal transit areas between the 3-story row type townhomes, used for egress and ingress is approximately 2.017 acres. The motor vehicle emissions will be concentrated in these narrow transit (drive aisles) areas as the residents exit and enter their garages. The accumulation of gasoline/petroleum base pollutants, i.e., Greenhouse Gases (GHG) will be significant and injurious to the health of not only the 455 residents or more but also to the surrounding community.

- An average motor vehicle per the US EPA emits annually 37,333 lbs/CO₂. With more than 300 vehicles including, service vehicles, trash trucks, moving vans, visitors, etc., entering/leaving on a daily basis making more than 1,980 motor vehicle trips per day all within a concentrated area of 2.017 acres cannot be ignored. The accumulation of pollutants makes this project a potential candidate for a NSR of the motor vehicle emissions and therefore consideration of an analysis by SDC/APCD Regulations NSR Rule 20.3.
- Further, as a cumulative effect the Municipal Solid Waste (MSW), i.e., household trash, generates GHG consisting of CH₄ (methane gas) CO₂e (carbon dioxide equivalency). The total of GHG generated by MSW at *Piraeus Point Townhomes* site is based on the following: *4.9lbs MSW/day/per person, x 375 (residents) x 365 = 670,687 lbs/yr or 335 tons. The percentage of recycled materials = 32.1% the net MSW transported to a landfill is 455,396 lbs. The amount of CH₄ and CO₂e = emitted from landfilled MSW = 39% or 88 Metric Tons (MTT).
- Therefore, the cumulative effect of vehicle exhaust gases and the MSW is significant and is harmful to the health and quality of life for the *Piraeus Point Townhomes* and the community.
- Re: The U.S. EPA states that GHG gases CH₄, CO₂e are a serious contributor to the overall GHG emissions. *Center for Sustainable Systems University of Michigan.
- **Construction Activities Emissions.** Project construction activities would generate CO₂e and CH₄ emissions. Detailed project construction equipment and scheduled future hours of operation are unknown to the ECC. Standard similar type construction equipment and duration are normally estimated and the results would be tabulated. Construction related emissions are expected from the construction activities per the following:
 - Crushing
 - Grading
 - Building Construction
 - Paving
 - Architectural Coating

Construction Vehicle Trips

Construction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips (construction materials delivered to the Project site) etc., shall be conducted per CalEEMod, or equal and tabulated within the project EIR.

- **Operational Emissions.** Operational activities associated with the proposed *Piraeus Point Townhomes Project* will result in emissions of CO₂, CH₄, and N₂O from the following primary on site mobile and stationary sources which shall be tabulated and presented in the EIR:
 - Area Source Emissions

- Energy Source Emissions
- Mobile Source Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste
- BBQs
- HVAC

3.2.4 EIR Air Quality is as follows:

- The Elimination of the Risk of Cancer to the *Piraeus Point Townhome* residents due to the proximity of the Interstate I-5 Freeway is preposterous and an assault on the commonsense of the proposed project residents and is based on a probability of use of the home to avoid cancer. The sampling points on the subject site indicated that a significant risk was evidentiary.
- However, the consultant discounted the health risk by indicating that air tight homes provide for protection from air bourn contaminants. There is no addressing the fact that these homes have roof top yards which are for recreation use.
- The all-electric homes will have heat pumps to provide heating and cooling. Most likely a small manual outside air intake damper will be adjusted to provide 15 CFM per person when operational. This setting would be fixed, if it exists at all. With tight residential homes ventilation is required for bathrooms where there are no outside windows. Kitchen and bathroom exhaust air fans need make up air to complete the ventilation cycle. The makeup air will be drawn from the outside which is contaminated with pollutants from the freeway.
- Further, residential heat pumps not provided with MERVE 16 filters. MERVE 16 filters are for commercial installations such as hospitals, medical centers. The filter rating for residential units have MERVE 7 ratings or 30% per the EPA Dust Spot Test. Further, the residents will not operate their AC units 24/7 their electrical bills would be thousands of \$\$ per month at >60 cents kWh.

3.3 LAND USE AND PLANNING

3.3.1 This EIR Scoping Recommendation has been developed and hereby submitted by Encinitas Community Collective, known as ECC and is specific in its scope for the areas as herein fully described. The EIR Scoping Recommendation is based on known issues that are subject to and created by developers submitting proposals to the City as per the City's Housing Element - known 15 projects - that will affect this specific area of the Leucadia community as a concern.

Analysis of Housing Elements Project Effects and Determination as to Significance. Should 149 *Piraeus Point Townhomes* (subdivision) be constructed (approval by the City of Encinitas) thereby allowing additional vehicle traffic onto Piraeus Street. The action by the City will have a legacy effect of the NE area of the specific Leucadia rural community which will be out of character as defined by **Mobile Element Policy 2.4** which reads as follows: "*When considering*

circulation patterns and standards. Primary consideration will be given to the reservation of character and safety of existing neighborhoods. Where conflicts arise between convenience of motorists and neighborhood safety/community character preservation, the latter will (ECC recommends change will to shall) have first priority". This Policy 2.4, will maintain the existing type of frontage, collector 2 lane road thereby eliminating the potential extreme congestion along Piraeus Street created by *Piraeus Point Townhomes*. See also MEU Policy 1.2 and 5.3 that also affect Piraeus Street due to poor choices of Housing Element Properties. See Appendices A.

3.3.1.1 The 980 +/- daily vehicle trips (see below) from *Piraeus Point Townhomes* will dramatically increase the “cut-through” lateral rural 2 lane roads traffic volume to the detriment of the existing residential community, specifically Normandy Road. As noted, it is again requested that the City coordinate with Caltrans to reopen Piraeus Road to Leucadia Blvd.

3.3.2 Cumulative Impact Analysis. Additionally, the number of daily vehicles trip from the *Piraeus Point Townhomes* project will be 300 vehicles multiplied by a factor of six (6) equals 1,800 vehicle daily trips (VDT).

3.3.3 City of Encinitas General Plan. The City of Encinitas General Plan is the primary source of long-ranged planning and policy direction used to guide growth and preserve the quality of life within the City of Encinitas. The Encinitas General Plan states that a goal of the City is to analyze proposed land uses to ensure that the designations would contribute to a proper balance of land uses within the community.

3.4 NOISE

3.4.1 Definition of Noise

Noise - unwanted sound.

- Sound pressure - small oscillatory pressure variations above and below ambient atmospheric pressure that produce the auditory sensation of sound (in N/m², where 1 Newton/meter² = 1 pascal [Pa]).
- Sound pressure level - 20 times the common logarithm of the ratio of measured sound pressure over the reference sound pressure, expressed mathematically in decibels (dB), as follows:
WAS Section 9.3 Design Guidelines Page 4 of 18 Revised: 05/01/2007 Sound pressure level (dB) = 20 LOG₁₀ T Measured Sound Pressure Z; H Reference Sound Pressure -N Where the reference sound pressure = 20 micro-pascal (20 μPa).
- A-weighting - an acoustic frequency adjustment to a sound pressure level, which simulates the sensitivity of human hearing. An A-weighted sound pressure level (dBA) results from either manually or electronically applying the frequency dependent A-weighting factors.

- Noise level, sound level or overall sound level - the single number A-weighted sound pressure level as read on a sound level meter set to A-weighting. This level is also the energy sum of the A-weighted sound pressure level spectrum.
- Overall sound pressure level - the single number unweighted sound pressure level as read on a sound level meter set to linear. This level is also the energy sum of the sound pressure level spectrum.
- Leq - the equivalent continuous sound level or energy average sound level over a set period of time (usually one hour).
- TWA - the 8-hour time-weighted averaged occupational noise exposure level. 9. Octave band - the interval between two frequencies having a ratio of 2 to 1.

3.4.2 Existing Conditions. The ambient Sound Pressure Level (SPL) emanating from the Interstate-5, freeway traffic located within 200 meters from the project site, was recorded on Saturday January 8, 2022, at 3:00 PM. The average SPL recorded was 66.5 dBA with a peak SPL of 81.7 dBA. See photo of Sound Pressure Level reading at the Cannon Property Parcel A, Map, location. Appendices C.

3.4.3 Regulatory Framework

Federal

A proximity to major roadways estimates the percentage of people who live within 200 meters, or approximately 650 feet, of a high traffic roadway that carries over 125,000 vehicles per day. Data on the location of roads and traffic levels come from the 2011 National Transportation Atlas Database; data on population come from the 2010 Census.

- **Transportation and Health Connection.** According to CDC, more than 11 million people in the United States live within 150 meters (or approximately 500 feet) from a major highway (Boehmer et al., 2013). The vehicle traffic on these roadways is a major source of noise and air pollutants, such as particulate matter, nitrogen oxides, carbon monoxide, and ozone, which are known health hazards (U.S. EPA, 2010a, b, 2009, 2008).
- Specifically, exposure to traffic-related pollution is linked to asthma and other respiratory symptoms, development of childhood asthma, and cardiovascular disease and death (National Heart, Lung, and Blood Institute National Asthma Education and Prevention Program, 2007; Health Effects Institute, 2010).

- For example, one study estimated that 8% of childhood asthma cases in Los Angeles County, California, could be partly attributed to living close to a major road (Perez et al., 2012). Living near a major road also has been associated with decreased lung function in adults with asthma (Balmes et al., 2009). Increasing the distance from the road to more than 150 meters, or approximately 500 feet, might decrease concentrations of some air pollutants by at least 50% (Karner et al., 2010).
- Also, research has demonstrated that traffic noise at normal urban levels can also lead to stress and sleep disturbances, both of which can lead to a higher risk for type 2 diabetes (Sørensen et al., 2013).
- **Moving Forward Program.** This indicator may help inform how future roadways are designed and influence future land use development and land use policies affecting the environment near roadways. Shifting land use patterns and investing in strategies that increase air quality might lead to improved health outcomes.
- One Los Angeles County-based study estimated that a 20% reduction in regional air pollution and a 3.6% decrease in population living near major roadways would result in 5,900 fewer cases of asthma caused by near-roadway pollution exposure (Perez et al., 2012).
- Transportation officials can also use the information from this indicator to consider air pollution mitigation strategies, including using vegetative buffers or sound walls to dilute traffic emission concentrations in the near roadway environment (U.S. EPA, 2015; Baldauf et al., 2008).

References

Baldauf R, Thoma E, Khlystov A. Impacts of noise barriers on/near-road air quality. *Atmospheric Environment* 2008;42:7502

<http://www.sciencedirect.com/science/article/pii/S1352231008005311>.

Balmes JR; Earnest G, Katz PP; Yelin EH; Eisner MD; Chen H; Trupin L; Lurmann F, Blanc PD. Exposure to traffic: Lung fun.

State

- **California Noise Control Act of 1973.** California Health and Safety Code Sections 46000 through 46080, known as the California Noise Control Act, find that excessive noise is a serious hazard to public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The act also finds that there is a continuous and increasing bombardment of noise in urban, suburban, and rural areas. The act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the state's policy to provide an environment for all Californians that is free from noise that jeopardizes their health or welfare.

Local

- **City of Encinitas General Plan.** The City of Encinitas General Plan is the primary source of long-ranged planning and policy direction used to guide growth and preserve the quality of life within the City of Encinitas. The Encinitas General Plan states that a goal of the City is to analyze proposed land uses to ensure that the designations would contribute to a proper balance of land uses within the community. The relevant goals for the project include:

GOAL 1: Provide an acceptable noise environment for existing and future residents of the City of Encinitas.

Policy 1.7: Apply Title 24 of the California Administrative Code, associated with noise insulation standards, to single-family dwellings.

GOAL 2: Require that new development be designed to provide acceptable indoor and outdoor noise environments.

Policy 2.1: The Noise and Land Use Compatibility Guidelines and the accompanying discussion set forth the criteria for siting new development in the City of Encinitas. Any project which would be located in a normally unacceptable noise exposure area, based on the Land Use Compatibility Guidelines, shall require an acoustical analysis. Noise mitigation in the future shall be incorporated in the project as needed. As a condition of approval of a project, the City may require post-construction noise monitoring and sign off by an acoustician to ensure that City requirements have been met.

GOAL 3: Ensure that residents are protected from harmful and irritating noise sources to the greatest extent possible.

Policy 3.1: The City will adopt and enforce a quantitative noise ordinance to resolve neighborhood conflicts and to control unnecessary noise in the City of Encinitas. Examples of the types of noise sources that can be controlled through the use of a quantitative noise ordinance are barking dogs, noisy mechanical equipment such as swimming pool and hot tub pumps, amplified music in commercial establishments, etc.

GOAL 4: Provide for measures to reduce noise impacts from stationary noise sources.

Policy 4.1: Ensure inclusion of noise mitigation measures in the design and operation of new and existing development.

- **City of Encinitas Municipal Code.** The City's Municipal Code establishes noise criteria to prevent noise and vibration that may jeopardize the health or welfare of the City's citizens or degrade their quality of life.

Chapter 9.32 Noise Abatement and Control Ordinance, and Chapter 30.40, Performance Standards, establish property line noise level limits. These limits apply to existing uses, but will also apply to future uses and are used for evaluating potential impacts of future on-site generated noise levels.

Chapter 9.32.410 states that it shall be unlawful for any person, including the City, to operate construction equipment at any construction site on Sundays, and days appointed by the President, Governor or the City Council for a public fast, thanksgiving or holiday.

Notwithstanding the above, a person may operate construction equipment on the above-specified days between the hours of 10:00 a.m. and 5:00 p.m. No such equipment, or combination of equipment regardless of age or date of acquisition, shall be operated so as to cause noise at a level in excess of 75 decibels for more than eight hours during any 24-hour period when measured at or within the property lines of any property which is developed and used either in part or in whole for residential purposes.

- The permissible property line noise limits are summarized in Table 3.8-2. As stated in the Municipal Code: Every use shall be so operated that the noise generated does not exceed the following levels at or beyond the lot line and does not exceed the limits of any adjacent zone. Monitoring of the specific noise levels at the east property lines shall be conducted by the Developer and submit their findings to the City for evaluation and action as required to meet compliance. Said action shall be the responsibility of the Developer to the satisfaction of the community.

TABLE 3.4.3 CITY OF ENCINITAS EXTERIOR NOISE LIMITS

Adjacent Zone	Noise Level [dB(A)]	
	7:00 a.m. to 10:00 p.m.	10:00 p.m. to 7:00 a.m.
Rural Residential (RR), Rural Residential-1 (RR-1), Rural Residential-2 (RR-2), Residential-3 (R-3), Residential-5 (R-5), Residential-8 (R-8)	50	45
Residential-11 (R-11), Residential Single Family-11 (RS-11), Residential-15 (R-15), Residential-20 (R-20), Residential-25 (R-25), Mobile Home Park (MHP)	55	50
Office Professional (OP), Limited Local Commercial (LLC), Local Commercial (LC), General Commercial (GC), Limited Visitor Serving Commercial (L-VSC), Visitor Serving Commercial (VSC)	60	55
Light Industrial (L-I), Business Park (BP)	60	55

3.4.4 Cumulative Impact Analysis

Exposure of persons to, or generation of, noise levels in excess of Federal and State standards established in the local general plan or noise ordinance, or applicable standards of other agencies, shall be attenuated.

Exposure of persons to, or generation of, excessive ground borne vibration or ground

borne noise levels, shall be attenuated.

A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project is an extreme annoyance and a significant factor.

The geographic extent of the cumulative setting for noise consists of the project site and its location to the I-5 Interstate Freeway, within 200 meters. Ambient noise levels in the project area are generated by vehicle traffic on Piraeus Street, Plato Place and the I-5 Interstate Freeway. As a result, the primary factor for cumulative noise impact analysis is the consideration of future traffic noise levels along area roadways. Cumulative noise impacts would occur primarily as a result of increased traffic created by this proposed project of more than 980 vehicle trips per day.

When two identical sources ($S_1 = 80$ dB and $S_2 = 80$ dB) each are producing identical SPL, The sound intensity of S_1 and S_2 are combined via log 10 formula/calculation to obtain a sound intensity value. The sound intensity value is converted back to dBA via log 10 formula/calculations to obtain 83.1 dB. This value indicates that adding two unrelated sounds of the same intensity together is equivalent to a 3 dB increase in the total SPL

With regard to traffic noise intensity, traffic volumes would need to increase in volume order to provide to the receiver a perceptible change in ambient noise levels. As cumulative traffic volumes increase the SPL also increases proportionally, e.g., an approximately 27 percent increase in I-5 traffic volume, will also generate a significant cumulative noise impact as expected from the I-5 Interstate freeway as the traffic builds up say 5:00 AM (early hours) to its highest peak in the afternoon as normally expected. Accordingly, the project's estimated 1,980 MVT is a cumulatively significant factor.

3.5 PUBLIC SERVICES

3.5.1 Existing Conditions. Without guarded crosswalks or stop signs at intersections, the ability of pedestrians, i.e., the children to walk to school safely is a most serious issue that the City of Encinitas has discussed many times but thus far, have failed to resolve.

3.5.2 Regulatory Framework. Safe Routes to School (SRTS) programs are in place with the U.S. Government U.S. Centers for Disease Control and Prevention through the American Recovery and Reinvestment Act 2010 -2012. Other sources of funding Federal SRTS Grants are available. The

- State of California receives the U.S. Government SRTS Grant funds and provides those funds to the counties applying for them. The San Diego Association of Governments (SANDAG)

provides funds to the 16 cities in San Diego County, including Encinitas. The city of Encinitas however has installed “traffic calming measures”, i.e., rubber speed bumps. The installation of speed bumps is a far cry from the intent of the U.S. CDC SRTS program. The County of San Diego Health and Human Services Agency (HHS) Healthy Works Program has a Plan organized around three (3) focal points.

- a. Existing Issues and Opportunities
- b. Existing Safe Routes to School Efforts, and
- c. Moving Forward – A Regional Safe Route to School Strategy

3.5.3 Analysis of Project Effects and Determination as to significance. Presently it is very dangerous and hazardous for children living in the existing residential community to walk to Capri Elementary School, a Grade K-6 school. The reason for these conditions is the absence of sidewalks, controlled crosswalks, street lighting and stop signs. Notwithstanding the ability of handicap students from accessing Capri School via the SRTS, programs.

- Further, the Encinitas School District does not provide transportation services for the 740 Capri Elementary School, students, nor guarded crosswalks for those students who prefer to walk to school.
- The construction of the *Piraeus Point Townhomes* will without a doubt exacerbate the current “Safe Route to School” issue(s). The total lack of the City of Encinitas to provide for a meaningful SRTS program is a quantifiable negative significance per CEQA.

3.5.4 Cumulative Impact Analysis. The ECC suggests a small private transit bus be provided by *Piraeus Point Townhomes* Homeowner’s Association in perpetuity, to pick up and drop off the resident children to comply with the U.S. Government and SANDAG SRTS program

- This type of private transit vehicle for school children (K-6) service has been initiated for the Fox Pointe Development project, located in the City of Encinitas.
- It is to be noted that Capri School is at 95% capacity, whereas it is most likely that K-6 students will have to be transported to other K-6 public schools in the Encinitas Unified School District. This requirement will add to the resident’s transportations costs, increase vehicle trips per day and exacerbate the current Air Quality contaminant pollution issues in the community.
- Complete Streets Concept, Policies and Practices need to be considered in order to seriously consider the intent of the SRTS Programs. Complete Streets may vary significantly between urban, suburban and rural contexts but all are designed to balance safety and convenience for everyone using the road. By modifying polices so that the transportation system includes the needs of people on foot, those with disabilities, public transportation and bicycles, the City of Encinitas shall provide more options for people in the community. Making these options more convenient, attractive and safe roads allows people to choose their preferred mode of travel

rather than going straight to their automobiles. Ref. California SRTS State Network Complete Streets Action Team. National Complete Streets Coalition.

3.6 TRANSPORTATION

3.6.1 Existing Conditions. The City shall work with Caltrans to open Piraeus Street at the south end intersection onto Leucadia Blvd., for ingress and egress of traffic, see Appendices A. Piraeus Street is a frontage road with a history early as the 1940's. Piraeus is a 2-lane rural road and is a one-way collector road since there is no access to Leucadia Blvd., an existing 4 lane arterial road. Caltrans stated in 1989 when closing the south bound Piraeus Street traffic to Leucadia Blvd., per the realignment project of Leucadia Blvd., it would only be reopened (Piraeus Street) if supporting data were provided. Since closure, the lateral rural 2 lane residential roads have seen a dramatic increase in traffic warranting the City to install "Traffic Calming Measures" i.e., speed bumps, based on citizen complaints. This traffic intensity issue will increase with the approval of *Piraeus Point Townhomes*. It is to be noted that the MEU does not have a designated description of Piraeus Street, thereby Piraeus Street is unique with an historical background.

3.6.2 Regulatory Framework. Apply San Diego County Traffic and Circulations Guidelines. There shall be no vehicle ingress or egress onto Plato Place from this project. Exception: SDG&E existing 16ft. recorded easement access via Plato Place and the use by emergency vehicle(s)..

3.6.3 Analysis of Project Effects and Determination as to Significance. Should 149 *Piraeus Point Townhomes* (subdivision) be constructed (approval by the City of Encinitas) thereby allowing additional vehicle traffic onto Piraeus Street. The action by the City will have a legacy effect of the NE area of Leucadia rural community which will be out of character as defined by **Mobile Element Policy 2.4** which reads as follows: "*When considering circulation patterns and standards. Primary consideration will be given to the reservation of character and safety of existing neighborhoods. Where conflicts arise between convenience of motorists and neighborhood safety/community character preservation, the latter will (ECC recommends change will to shall) have first priority*". This Policy 2.4, will maintain the existing type of frontage, collector 2 lane road thereby eliminating the potential extreme congestion along Piraeus Street created by *Piraeus Point Townhomes*. See also MEU Policy 1.2 and 5.3 that also affect Piraeus Street due to poor choices of Housing Element Properties.

3.6.3.1 The 980 +/- daily vehicle trips (see below) from *Piraeus Point Townhomes* will dramatically increase the "cut-through" lateral rural 2 lane roads traffic volume to the detriment of the existing residential community, specifically Normandy Road. As noted, it is again requested that the City coordinate with Caltrans to reopen Piraeus Road to Leucadia Blvd.

3.6.4 Cumulative Impact Analysis. Additionally, the number of daily vehicles trip from the *Piraeus Point Townhomes* project will be 300 vehicles multiplied by a factor of six (6) equals 1,800 vehicle daily trips (VDT).

- An allowance factor for service vehicles will also increase and exacerbate the traffic volume issue on Piraeus Street by a factor of 1.1 +/- for an estimated total of 1,980 daily vehicle trips. This increase in vehicle traffic from *Piraeus Point Townhomes* will seriously impact the intersections of Piraeus Street and La Costa Avenue resulting in a Level of Service (LOS) of a F-Rating. The lateral intersections of Plato Place, Olympus Road, Sparta Road and Normandy Road will be severely impacted.
- Traffic interference will occur from *Piraeus Point Townhomes* vehicles entering Piraeus Street to travel south along Piraeus Street. Those vehicles traveling south to Normandy Road _ to access Leucadia Blvd as per signage) will interfere with northbound vehicles from Leucadia Blvd. Normandy Road is the only easterly route for vehicles to access Leucadia Blvd, which also provides access to I-5 south. As noted, access to Leucadia Blvd., is blocked from Piraeus Street. The lateral detour to access Leucadia Blvd., results in an additional 900 feet of single vehicle travel resulting in GHG emissions, noise, safety to the residential community. This is not acceptable to the community.
- Traffic interference again, as noted, will occur from *Piraeus Point Townhomes* vehicles entering Piraeus Street to travel north to La Costa Avenue. This vehicle traffic increase will seriously impact the intersection of Piraeus Street and La Costa Avenue and create congestion. Synchronizing the three (3) way signals serving both eastbound and westbound traffic on La Costa Avenue will also cause and create delays at the three (3) locations, including access to the north and south bound I-5 “on and off” ramps. Currently the traffic on Piraeus has a lower signal (Green) duration time permitting no more than seven (7) vehicles to enter the intersection to conduct a west bound (left) turn. With an increase of hundreds of vehicles north bound to access I-5 north and south on ramps the delays will be horrendous, frustrating and potentially dangerous. Traffic entering Piraeus Street from Sky Loft Road to either travel south or north will also be impacted severely by the huge line of vehicles waiting in line to get through the Piraeus Street and La Costa Avenue intersection. The impact of vehicle congestion will also increase the emission pollutants (GHG), of benzene, carbon monoxide, particulate matter at this intersection. The prevailing wind is from the SW to the NE. The recipient of these air borne pollutants is Batiquitos Lagoon, a Marine Protected Area (MPA) parallel with La Costa Avenue, which runs along the south shore from PCH 101 to El Camino Real, where significant reportable toxic pollutants of Poly Aromatic Hydrocarbons (PAH’s) are present in the water and benthic layer as per the December 9, 2021, water sampling analysis conducted by the Batiquitos Lagoon Foundation.

4.0 PARKING ISSUES

- a. There shall be no spillover or project owner or visitor parking allowed on Plato Place or Piraeus Street, as both are currently non-conforming rural roads. All cars whether residents or visitors or service delivery vehicles shall be parked on *Piraeus Point Townhomes* property only.
- b. In the absence of sidewalks, - where curbs if installed can normally be painted red (to alert drivers of a no parking location, i.e., Fire Lane, e.g., Piraeus Street, Plato Place, Caudor Street and Capri Road all shall have new “**NO PARKING**” signs installed by the City per the CVC.
- c. The *Piraeus Point Townhomes* project has the potential for one (1) vehicle per bedroom, i.e., 306, however with 149 Condominiums and where each Condominium has a 2-car garage this equates to 298 residential vehicles. The developer/applicant has failed to provide realistic vehicle counts of the actual total residential parking based on existing historical data of similar type project in Encinitas, Carlsbad and Oceanside.
- d. Additionally, and more importantly, identifying Visitor Parking, including service vehicles, delivery vehicles, trash collection trucks, furniture moving vans, U.S. Post Office Delivery Vans, etc., is important for all vehicles using the public and private roads. Collectively all vehicles need to be calculated including Public Safety Vehicles emergency vehicles, Public Transportation Vehicles such as buses, local shuttle vans for senior centers, school buses for transporting students of all ages. None of these vehicles shall be ignored from Transportation calculations.

Additionally, The City Housing Element Inclusionary Economic Analysis specifically for Townhomes - see pages 88-90/420 – indicate the allowable density of Townhomes is R-15, i.e., maximum of 15 townhomes per acre. Therefore, with approximately 4 acres of buildable acreage a quantity of 60 Townhomes is most likely the maximum quantity allowed for Parcel A See Appendices B.

5.0 CONCLUSION.

Strict enforcement of the Land Use and Planning upzoning laws/regulations needs to be conducted to prevent exceeding extreme density of residents/population and thereby increasing the quantity of vehicles beyond the ability of the development to garage them or a willingness to construct garages in lieu of allowing vehicles to park on public streets to the detriment of the rural community.

**END OF THE ECC SCOPING DRAFT ENVIRONMENTAL IMPACT REPORT
AND REVIEW COMMENTS FOR THE MOBILITY ELEMENT UPDATE>**

Appendices A

Portion of the City of Encinitas Parcel Map. Specifically, that portion of the City Parcel Map that is known as “Crest Acres” per County of San Diego Parcel Map Book 2019 circa 1927 with ECC edits. As referenced within Scoping EIR **Mobility Element Update** Comments Review Report.

Appendices B

City of Encinitas Housing Element, Appendix C Adequate Sites Analysis- 2013 - 2021, 9 pages, and 2) Inclusionary Housing Economic Analysis, Townhomes R-15. Spreadsheet Pages 88-90 of 420 Page Report. Date prepared 12-02-2019. 3) Map of Housing Element City Council Approved sites, 06-20-2019

Appendices C

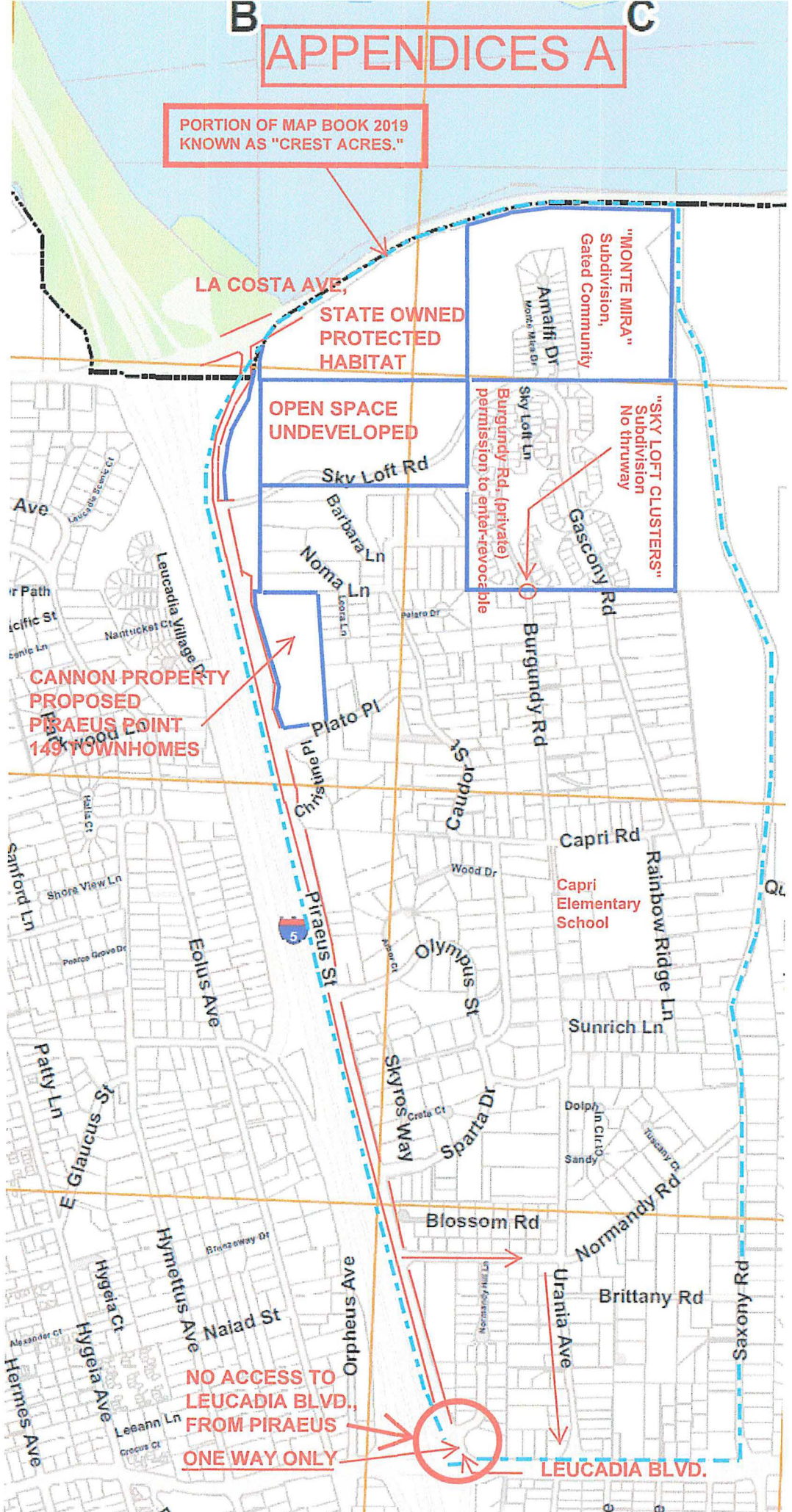
Ambient Traffic Noise Measurement/Location Map



Appendices A

APPENDICES A

PORTION OF MAP BOOK 2019
KNOWN AS "CREST ACRES."



LA COSTA AVE

STATE OWNED
PROTECTED
HABITAT

"MONTE MIRA"
Subdivision,
Gated Community

OPEN SPACE
UNDEVELOPED

"SKY LOFT CLUSTERS"
Subdivision
No thruway

Burgundy Rd. (private)
permission to enter-revocable

CANNON PROPERTY
PROPOSED
PIRAEUS POINT
149 TOWNHOMES

NO ACCESS TO
LEUCADIA BLVD.
FROM PIRAEUS
ONE WAY ONLY

LEUCADIA BLVD.



Appendices B



Appendix C: Adequate Sites Analysis

Appendix C contains the site inventory and analysis for the sites proposed to meet the City of Encinitas' Regional Housing Needs Assessment (RHNA) allocation for the 2013-2021 planning period. The sites are organized to show how the City can meet the need for the four RHNA income categories (Very Low, Low, Moderate, and Above Moderate). That information is summarized in **Table C-1** below.

Table C-1: Adequacy of Sites Inventory					
	Extremely Low/Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
RHNA (2013-2021)	587	446	413	907	2,353
RHNA Carryover (2003-2013)	253		--	--	253
Units Built/Approved	33	33	4	892	962
Accessory Unit Production	79		54	--	133
Remaining RHNA	1,141		355	15	1,511
Candidate Site Unit Yield	1,504		523	177	2,204
Total Capacity Over RHNA Need	363		168	162	693

All sites were reviewed in order to ensure compliance with state law. The sites chosen meet that criteria and show the highest potential to redevelop for residential use within the planning period.

1.1 Availability of Water, Sewer, and Dry Utilities

The City of Encinitas has evaluated the availability of infrastructure from a Citywide and site-specific standpoint. In determining the feasibility of sites to accommodate the City's RHNA needs, infrastructure provision was a determining factor. As described in Appendix B under 'Environmental Constraints and Infrastructure,' the City has adequate water and sewer capacity to accommodate the planned increase in housing development. The City has reviewed the sites designated for development and has determined that each of the sites designated within each income category is adjacent to a public street that contains distribution facilities for water, sewer, and dry utilities (including cable and telephone). The availability and location of water, sewer and dry utilities and their distribution facilities do not pose a constraint to development.



C.1 Very Low and Low-Income Candidate Sites Inventory

SITES INVENTORY LIST

Very Low/Low Income RHNA Candidate Sites

Vacant

SITE 02: CANNON PROPERTY (PIRAEUS)
SITE 05: ENCINITAS BLVD & QUAIL GARDENS SITES
SITE 06a: ARMSTRONG PARCELS
SITE 08a: RANCHO SANTA FE PARCELS (GAFFNEY/GOODSEN)
SITE AD1: SAGE CANYON
SITE AD2a: BALDWIN & SONS PROPERTIES
SITE AD2B: BALDWIN & SONS PROPERTIES

Non-vacant

SITE 01: GREEK CHURCH PARCEL
SITE 06b: ARMSTRONG PARCELS
SITE 07: JACKEL PROPERTIES
SITE 08b: RANCHO SANTA FE PARCELS (GAFFNEY/GOODSEN)
SITE 09: ECHTER PROPERTY
SITE 12: SUNSHINE GARDENS PARCELS
SITE AD2c: BALDWIN & SONS PROPERTIES
SITE AD8: VULCAN & LA COSTA
SITE AD9: SEACOAST CHURCH
SITE AD11: MANCHESTER AVENUE WEST SITES
SITE AD14: HARRISON SITES
SITE AD31: MEYER PROPOSAL

Table C-2: Net Acreage and Unit Yield Per Site				
Site Number	Site Name	Gross Acreage	Net Acreage	Unit Yield (DU)
Vacant¹				
02	Cannon Property (Piraeus)	6.93	6.93	173
05	Encinitas Blvd & Quail Gardens Sites	4.91	4.78	119
06a	Armstrong Parcels	1.92	1.06	26
08a	Rancho Santa Fe Parcels (Gaffney/Goodsen)	1.75	1.45	36
AD1	Sage Canyon	5.23	2.40	60
AD2a	Baldwin & Sons Properties	3.14	2.98	74
AD2b	Baldwin & Sons Properties	6.66	4.86	121
Subtotal		30.54	24.46	609
Non-vacant				
01	Greek Church Parcel	2.50	2.00	50
06b	Armstrong Parcels	1.32	1.16	29
07	Jackel Properties	2.97	2.97	33 ²
08b	Rancho Santa Fe Parcels (Gaffney/Goodsen)	4.88	4.57	113
09	Echter Property	21.49	9.85	246
12	Sunshine Gardens Parcels	3.39	3.39	84
AD2c	Baldwin & Sons Properties	1.79	1.21	30
AD8	Vulcan & La Costa	2.00	2.00	50
AD9	Seacoast Church	4.45	1.41	35
AD11	Manchester Avenue West Sites	1.67	1.67	41
AD14	Harrison Sites	1.91	1.91	21 ²
AD31	Meyer Proposal	6.62	6.52	163
Subtotal		54.99	38.66	895
Total		85.53	63.12	1,504

Notes:

1. HCD has stated to the City that vacant parcels must be entirely unimproved and separately subdivided parcels, and Table 2-6 reflects this direction. However, the City believes that the following sites should also be considered to be vacant: Site 01 (50 units) consists entirely of unimproved land, but has not been subdivided from the improved part of the site. Site 07 (33 units) consists of unimproved land and an abandoned, vacant structure. Site AD2c (30 units) has utility lines on a portion of the site which have been deducted from net acreage, but the parcel is otherwise entirely unimproved, and the utility lines would not prevent an owner from developing the site for residential units. In the City's view, these sites should be considered vacant, adding 118 additional units to the Unit Yield on vacant property, for a sub-total of 727 units on vacant sites, far above 50% of the unmet RHNA need for the planning period.

2. Unit Yield anticipates that this site will be developed for mixed-use.

Table C-3: Percentage of VL/L Sites by Site Type		
Site Type	# of Units	% of Remaining Lower Income RHNA Allocation (1,141)
Vacant	609	53%
Non-vacant	895	78%
Total	1,504	132%
RHNA Allocation (including carryover) for VL/L Income Categories: 1,286 Units Constructed and Estimated ADUs: 145 Remaining RHNA Allocation for VL/L Income Categories: 1,141		

Table C-4: Net Acreage and Unit Yield on Residentially Zoned Sites				
Site Number	Site Name	Zoning Designation	Net Acreage	Unit Yield (DU)
Vacant				
02	Cannon Property (Piraeus)	RR2	6.93	173
08a	Rancho Santa Fe Sites (Gaffney/Goodsen)	RR2	1.45	36
AD1	Sage Canyon	R3	2.40	60
AD2a	Baldwin & Sons Properties	R3	2.98	74
AD2b	Baldwin & Sons Properties	R5	4.86	121
Subtotal			18.62	464
Non-vacant				
01	Greek Church Parcel	RR1	2.00	50
08b	Rancho Santa Fe Parcels (Gaffney/Goodsen)	RR2	4.57	113
AD2c	Baldwin & Sons Properties	R5	1.21	30
AD8	Vulcan & La Costa	R3 (N101SP)	2.00	50
AD9	Seacoast Church	R11	1.41	35
AD11	Manchester Avenue West Sites	R11	1.67	41
AD31	Meyer Proposal	R3/R5	6.52	163
Subtotal			19.38	482
Total			38.00	946

Notes:

1. Unit Yield anticipates that this site will be developed for mixed-use.

NET ACREAGE CALCULATIONS

Very Low/Low Income RHNA Candidate Sites

CALCULATION METHOD

The net acreage for each candidate site was calculated based on the gross acreage (for all parcels included in the site) minus the acreage deemed partially or completely undevelopable based on existing steep slopes and known environmental constraints. Environmental constraints were determined based on known site information for the parcels where that information was available and other sources, such as the City's Local Coastal Program and site observations. **The site capacity was determined by applying a 25 du/ac standard to the net acreage for each candidate site.**

The following calculation methods apply to slope constraints (per the City of Encinitas Municipal Code for purposes of calculating density):

- All land in 0-25% slope of natural grade is allowed to use 100% of acreage.
- All land in 25-40% slope of natural grade is allowed to use 50% of acreage.
- All land in 40% + slope of natural grade is allowed to use 0% of acreage.

All acreages shown on the following sheets include any applicable acreage deductions from the gross acreage. The informational sheets include a note either stating that there were no known topographic or environmental constraints or detailing the acreage removed from the gross acreage and the reasoning.

WATER AND SEWER AVAILABILITY

As discussed in Appendix B, each site has been evaluated to ensure there is adequate access to water and sewer connections. Each site is situated adjacent to a public street that has the appropriate water and sewer mains and other infrastructure to service the candidate site.

DEFINITIONS

Vacant Parcel: HCD has stated to the City that vacant parcels must be unimproved. Sites containing abandoned, non-habitable, or vacant structures or powerlines are considered to be non-vacant by HCD unless the owner has applied for, and been issued, a demolition permit. Similarly, vacant portions of parcels designated for housing development are considered by HCD to be non-vacant unless the vacant portions of the site have been subdivided from the non-vacant portions. The designations of vacant and non-vacant parcels in this Appendix C conform to the direction provided to the City by HCD.¹

Non-Vacant Parcel: Non-vacant parcels are underutilized or developed parcels and contain existing development or established uses. These may include temporary structures associated with an active use (i.e., agricultural greenhouses) or other uses currently operating on the site.

Mixed-use Site Capacity: For mixed-use sites within the Encinitas North 101 and Downtown Specific Plan areas, capacity was calculated per Section 3.1.2.D of the Specific Plan, which states a maximum lot utilization of 90% and that residential uses shall not exceed 50 percent of the gross building floor area for the development site. The capacity of other mixed-use sites was determined based on the area available for housing development, largely determined by the owner.

Site Capacity: All parcels shown with fewer than 16 units are in common ownership with one or more adjacent parcels or are likely to be consolidated with one or more adjacent parcels based on owner representations. In these cases, the parcels are considered one site that can accommodate at least 16 units.

Owner-Interest: Sites with "owner interest" listed in the description indicate that the City has been directly contacted by the property owner and received an acknowledgement of their interest in writing, either by email or by a formal letter.

NOTES:

¹The City believes that vacant portions of parcels designated for housing development and sites containing only abandoned, non-habitable, or vacant structures or powerlines should also be considered to be 'vacant' because they contain no existing use that prevents an owner from developing the site.

CANNON PROPERTY (PIRAEUS) SITE NUMBER 02

SITE DESCRIPTION

This site is a vacant property at the corner of Piraeus Street and Plato Place, both of which are 2-lane local streets. The southern portion of the site is flat due to previous grading, with the majority of the rest of the site sloping up towards a flat pad on the northeast corner. The owner has expressed interest in developing this site for residential uses.



SITE FEATURES

- Vacant, natural landscape
- Partially graded
- Some mature trees/vegetation on the northern portion of the site
- Slight topography change

PARCEL SIZE CALCULATION

There are no known physical constraints to development due to steep slopes or environmentally sensitive areas. Therefore, the parcel's net acreage equals the full gross acreage.

APN(S) (Ownership)	2541440100 (CANNON MARIA T)	PARCEL SIZE (AC) (GROSS/NET)	6.93/6.93
SITE STATUS	Vacant	MAXIMUM DENSITY	30 DU/AC
ADDRESS(ES)	Piraeus Street	MINIMUM DENSITY	25 DU/AC
NEIGHBORHOOD	Leucadia	UNIT CAPACITY	173
GENERAL PLAN LAND USE	Rural Residential 1.01-2.00 (RR2)	CONSTRAINTS	<ul style="list-style-type: none"> • Slight Topography (less than 25% slope, so no deductions)
ZONING	RR2		



Appendices C



First American
Title Insurance Company

File No.: 843604
Location: San Diego County, CA

Legend

- PARCELA
- PARCEL B

10/25/1949 Bk3363 Pg154
(Either Or Both Pole Lines,
Underground Conduits, With
The Right Of Ingress And Egress
- Not Plottable)

07/06/1926 Bk1220 Pg410
'2' Wide - Either Or Both Pole Lines,
Underground Conduits, With The Right
Of Ingress And Egress)

This map may or may not be an accurate description or identification of the land and is not intended nor may be relied upon as a survey of the land depicted herein. This map is solely intended to provide orientation as to the general location of the parcel or parcels depicted herein. First American Title Company, its subsidiaries and affiliates, expressly disclaim any and all liability for all loss or damage which may result from reliance or use of this map.



**SOUND PRESSURE LEVEL (SPL)
MEASUREMENT
69.9 dBA SUNDAY JANUARY
10TH, 2022. TIME: 3:00 PM.**

AVERAGE SPL 66.8 dBA

PEAK SPL 81.7 dBA

