



# ***CITY OF ENCINITAS***

## ***DEVELOPMENT SERVICES DEPARTMENT***

### **Notice of Scoping Meeting and Preparation of a Draft Environmental Impact Report**

**Date:** August 15, 2022

**To:** State Clearinghouse, Responsible Agencies, Trustee Agencies, Organizations, and Interested Persons

**Lead Agency:** City of Encinitas, Development Services Department  
505 S. Vulcan Avenue  
Encinitas, California 92024  
Contact: Jennifer Gates, Planning Manager  
Phone: 760-633-2714  
E-Mail: [jgates@encinitasca.gov](mailto:jgates@encinitasca.gov)

**Project Title:** El Camino Real Specific Plan

**Project Location:** The El Camino Real Specific Plan Area (SPA) encompasses approximately 384 acres of land along the El Camino Real corridor in the City of Encinitas (City). The SPA includes commercial uses along Via Molena, the Encinitas Village north of Encinitas Boulevard, and the shopping center anchored by LA Fitness on El Camino Real. Moving north to south, the eastern boundary of the SPA consists of parcel lines along utility easements in the northeast, the commercial uses along Garden View Road and El Camino Real that border residential uses to the east, followed by commercial uses along Via Molena, the Encinitas Village north of Encinitas Boulevard, and the shopping center anchored by LA Fitness on El Camino Real. The shopping center anchored by LA Fitness establishes the southern boundary east of El Camino Real, while the shopping center anchored by Sprouts establishes the southern boundary west of El Camino Real. The southwestern boundary includes the BMW car dealership. The western boundary includes the Encinitas Marketplace, El Camino Promenade, and Camino Village Plaza commercial centers. The western boundary also includes the Park Encinitas mobile home park, the U.S. Post Office located on Garden View Road, the residential uses located along Cambria Way up to Via Cantebría, and the Town Center shopping center. The northern area of the SPA is considered a study area and is bound by Olivenhain Road east of El Camino Real and extends slightly past Leucadia Boulevard, east of El Camino Real, to include the Plaza Encinitas Ranch commercial center north of Leucadia Boulevard. The northern area of the SPA also includes the Encinitas Ranch Specific Plan (refer to Figure 1).

**Project Applicant:** City of Encinitas

**SCOPING MEETING:** On Tuesday, August 30, 2022 starting at 5:00 p.m., the City of Encinitas Development Services Department will conduct a public scoping open house to solicit input and comments from public agencies and the general public on the proposed Draft Environmental Impact Report (EIR) for the El Camino Real Specific Plan (proposed project).

**This meeting will be held at the Poinsettia Room, located at Encinitas City Hall, 505 S. Vulcan Avenue, Encinitas, CA 92024.** The meeting will run from 5:00 p.m. to 7:00 p.m.

**This meeting will be an open house format, and interested parties may drop in to review the proposed project exhibits and submit written comments on the scope of the Draft EIR during the meeting. Representatives from the Development Services Department and the EIR consultant will be available to address questions regarding the EIR process. Information is also available at <http://encinitasca.gov/El-Camino-Real-SP>.**

If you have any questions regarding this scoping meeting, please contact Melinda Dacey, Project Planner, at [mdacey@encinitasca.gov](mailto:mdacey@encinitasca.gov) or (760) 633-2711 or Jennifer Gates, Planning Manager, at [jgates@encinitasca.gov](mailto:jgates@encinitasca.gov) or (760) 633-2714.

**NOTICE OF PREPARATION (NOP):** In accordance with the California Environmental Quality Act (CEQA), this is to notify public agencies and the general public that the City, as the Lead Agency, will prepare an EIR for the proposed project. The City is interested in the input and/or comments of public agencies as to the scope and content of the environmental information that will be studied in connection with the proposed project. Public agencies may need to use the EIR prepared by the City when considering applicable permits or other approvals for the proposed project. The general public is also encouraged to provide input on the scope of the EIR.

**NOP Comment Period:** Due to the time limits mandated by state law, your response must be sent at the earliest possible date but *not later than 6:00 p.m. on Wednesday, September 14, 2022*. Please send your response to the City of Encinitas Development Services Department, c/o Jennifer Gates, at the above address.

**Project Description:** The project seeks to develop a vibrant walkable destination for residents, to live, work, and shop through creation of sustainable job, business, and housing opportunities along the El Camino Real Corridor. The project would develop a multi-modal corridor with a mix of uses including commercial, office, public and residential uses that would allow for by-right development and revitalization of the El Camino Real Corridor. Goals of the project include the following:

- A reimagined vision for the revitalization of the El Camino Real corridor.
- Providing critically needed housing options to infuse greater activity in the corridor and serve the community's housing needs.
- Compliance with the 2021-2029 Housing Element goals and programs.
- Improved transit, bicycle, and pedestrian connections.
- Enhanced green space through improvement of creek connections, street trees, and other amenities.

It should be noted that while Park Encinitas, the mobile home park west of El Camino Real, is included in the SPA, this existing land use is not expected to change as part of this Specific Plan. Additionally, the Encinitas Ranch Specific Plan area is identified as a study area, as a Specific Plan Amendment to the Encinitas Ranch Specific Plan may be processed concurrent with the proposed project.

**Environmental Impact Report:** The EIR prepared for the proposed project will analyze the project-specific impacts pertaining to all of the environmental issue areas identified in Appendix G of

the CEQA Guidelines. The EIR analysis will focus on aesthetics and visual quality, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gases, hazardous materials hydrology and water quality, land use, noise, population and housing, public services and recreation, transportation, tribal cultural resources, utilities and services systems, and wildfire. Other required sections of CEQA will be addressed including cumulative impacts and project alternatives.

Attachments: Figure 1: Project Location





- Specific Plan Boundary
- Encinitas Ranch Study Area

FIGURE 1  
Project Location on Aerial Photograph



## El Camino Real Specific Plan August 30, 2022 Scoping Meeting

The following public comments were transcribed from handwritten comments that were made on a public comment board during the August 30, 2022 scoping meeting held at 5:00 p.m. at Encinitas City Hall. Meeting attendees are listed on the following page.

### Public comments:

- Add a park somewhere for respite.
- 0 pedestrian over-walks!!!
- Parking.
- Slow down enjoy the ride!
- Need to look at parking and amount provided to avoid impact to surrounding neighborhoods.
- Keep ECR through traffic separate from local "village" traffic.
- The issue of traffic, its speed, amount, has to be addressed. ECR is auto centric. To improve the corridor autos have to drive slower. Until auto speeds are lowered other mobility means will not happen.
- Prioritize environmental preservation, open space preservation of mature trees, habitat expansion and connectivity and stewardship.
- Prioritize the visual resources assessment, viewsheds and visual mitigation foals. Make sure topography is considered, existing views preserved and new views are enhanced.
- Prioritize reduction of GHG, active transportation, bike and ped. in lower intensity "village" areas and connecting across the entire corridor to adjacent trails and facilities.
- Please include visualizations and visual sims. to fully communicate design and landuse options.
- Speed limits still too high on feeder streets and El Camino Real. Via Montoro still at 35 mph?!!!
- Re-open the drainage pipe/water course following ECR south-bound from USPS area toward Encinitas Blvd. Recreate wetlands and swales.
- Generate 2-3 villages/destinations along ECR.
- If you add housing without sufficient parking the surrounding residential streets will be overwhelmed and littered as along Via Molena.
- Add greenery for the greenhouse gases emitted from all the new cars added per housing.
- Tree-lined streets. A lot of artistic plants and flowers (Encinitas "trademark").
- Make the buildings beautiful so we don't think of them as "strip malls."
- Sea level rise.
- Signage for commercial space: backlit or up or down lit (0 brightly lit plastic lettering).
- Pedestrian overpasses are going to create an "L.A." feel, or worse, Vegas.
- Please, 0 generic strip malls—see "Beacon" in La Costa-village feel.
- Traffic and speeds are an environmental issue—maybe "the" issue Leucadia Bl. was put through to channel traffic to I-5. That's what freeways are for.



# El Camino Real Specific Plan Environmental Impact Report Scoping Meeting

City of Encinitas

August 30, 2022

Please sign-in so that we can send email announcements about upcoming community involvement activities!

Favor anotarse con el propósito de que podamos enviarles correos electrónicos con avisos de eventos de involucramiento comunitario.

Name	Email Address	Mailing Address
Sandra Anderson	sandramanderson @ MSN.COM	237 Via Palacio Encinitas, CA 92024
Bonnie Bobzien	bobzienbr@hotmail.com	273 Via Palacio Encinitas, CA 92024
Lew Johnson	GLEN, P. U. & P. G. P. U. N. A.	5-27 TRUSTEN COURT ENCINITAS, CA 92024
SUSAN HEROD	herodstep@jplco.com	123 CARMODELA PL Encinitas, CA 92024
Sherry Fordle	ceo@encinitaschamber.com	on file
RON DODGE	Ron.Dodge@earthlink.net	Lotus Blossom ENCINITAS CA
Michael von Neumann	michaelvonneumann@yahoo.com	



## El Camino Real Specific Plan Environmental Impact Report Scoping Meeting

City of Encinitas

August 30, 2022

Please sign-in so that we can send email announcements about upcoming community involvement activities!

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Name	Email Address	Mailing Address
Joylyndes	jlyndes@encinitasca.gov	
Cheryl Heard	cheard92024@yahoo.com	
Mark & Kristin Galli	galli44@yahoo.com	



To Whom It May Concern:

I am a 35 year resident of Encinitas living in the neighborhood on the north side of via Molena.

After attending the August 30, 2022 Scope Meeting, I was distressed to learn that the rezoning of El Camino Real for mixed use only included a limited study of parking capacity. The parking study evaluated the number of empty spots within the commercial lots along El Camino Real. Given my neighborhood's experience with tenant parking from nearby apartment complexes, it seems unrealistic to expect the commercial lots along El Camino Real to be the sole parking site for future tenants. There is an urgent need to reassess the parking availability for any added residences in this rezoned area focusing on how new tenant parking will be managed. We have reviewed the parking study performed by CR Associates. The study shows significant unused parking capacity in the ECR corridor. However effective parking management is not merely a matter of parking spot numbers, but also how those spots are allocated and how the allocation is supervised.

My neighborhood (via Villena, via Palacio, via Sarasan, and via Villena) occupies the north side of via Molena while The Resort apartment complex occupies most of the south side of via Molena. The Resort complex has 196 units. Despite having private lots and 2 private streets within the Resort complex, the vehicles from the Resort tenants now occupy the entire length of via Molena, both north and south sides. In addition, our 4 residential streets on the north side of via Molena have over 80 vehicles from the Resort tenants flooding via Villena, via Palacio, via Sarasan, and via Tavira. Via Molena and via Villena are completely occupied by vehicles from the Resort with the other 3 streets having little room for vehicles from other sources.

It is not just the 80 vehicles parked in our neighborhood but the attendant problems from the occupants of these vehicles have degraded our quality of life and safety. We have relentless trash comprised of alcohol containers, food containers, syringes, condoms; people urinating and defecating in our greenbelts; pools of vomit in our streets; young women being followed by nonresidents; commuter activity; persons looking for unlocked vehicles and opening mailboxes; vandalism of resident vehicles for reporting incidents to the Sheriff. Vehicle occupants sit for hours in their vehicles with the engine running causing exhaust fumes to enter the nearby home. Many vehicles enter our neighborhood between 10 p.m. and 1:30 a.m. with loud engine noises waking residents. These problems are not generated by homeless individuals. We observe the occupants of these vehicles walking from our 4 streets into the Resort complex.

Because of the foregoing experiences, we are sensitive as to how the parking will be managed for the new residents of the ECR zone. Our concerns include:

1. Encinitas Municipal Ordinance No. 2021-12 states that apartment management for a 1 bedroom unit need supply 1 parking space per unit, a 2-3 bedroom unit need supply only 1.5 parking spaces per unit and a 4+ bedroom unit need supply only 2 spaces per unit. Will the owners of these new apartments follow these guidelines or will they be required to provide onsite parking for all tenants and all their vehicles? If the owners need only follow the current ordinance, where are the other resident vehicles to be parked?
  - a. Some Resort tenants have more than one vehicle. They may have a sedan, pickup truck and/or a motorcycle. Will the tenants of these new apartments be allowed to park all their vehicles in the commercial lots?

- b. Since a 2 bedroom unit may have 5 adults all with vehicles, will they all be able to park all their vehicles in the commercial lots?
2. Types of vehicles: Some have large pickup trucks with trailers attached loaded with landscape debris, construction equipment, or furnishings. Will all types of vehicles be permitted to park in the commercial lots?
3. Excess occupancy: We have testimony from Resort residents that 10 people are in a 2 bedroom unit. This generates many extra vehicles. How will excess occupancy be overseen and managed?
4. Will a fee for parking each vehicle be charged by the new apartment owners? The Resort has an annual parking fee. Public street parking is free and tenants can abandon onsite parking in favor of free parking.

The HomeGoods shopping center has very little available parking for even its current commercial customers. If apartments are placed in this area, where are these tenant cars going to park? Again a residential street, via Montoro, seems the only answer.

This project promised neighborhood friendly solutions. There is nothing friendly about a massive influx of vehicles into the residential streets outside the proposed El Camino Real Project. This situation raises multiple environmental issues regarding noise, air quality, aesthetics, land use and planning, population and housing.

We are deeply concerned that our 4 streets will be expected to absorb the excess vehicles from the proposed apartments in the Kohl's, Burlington and Ralph plaza sites in addition to the Resort units.

To address our current problems, we have been working for 1 ½ years with the Resort management, City Council members, Mobility and Traffic Safety Commission, Traffic Engineer, Jill Bankston Head of Encinitas Engineering Dept., and Sheriff Dept. Our problems have only increased.

We believe that the Task Force and Environmental Impact Study must include a detailed parking availability study to determine exactly how parking will be managed for these new apartments along the ECR corridor. Will new ordinances be required to manage parking in this ECR zone? The surrounding impacted residential areas should be informed of the results of this study so they may vote appropriately when the time arrives. The timing of such a parking survey is critical. The CR Associates tallied parking no later than 9 p.m. Vehicles continue to arrive in our neighborhood between 10 p.m. and 1:30 a.m. The tenant vehicles begin leaving our neighborhood around 5:45 a.m. A parking study performed at 5 a.m. would be the most accurate to assess maximum use of parking spaces in our residential area.

Citizens resist development in their neighborhoods because of the fallout of problems that they must absorb or endure. We hope you can responsibly address our legitimate needs.



**Buena Vista Audubon Society**  
**PO Box 480**  
**Oceanside, CA 92049-0480**

September 9, 2022

Sent by email to: [jgates@encinitasca.gov](mailto:jgates@encinitasca.gov)

Jennifer Gates, Planning Manager  
City of Encinitas  
505 S. Vulcan Avenue  
Encinitas, California 92024

Subject: Comments on NOP for El Camino Real Specific Plan

Dear Ms. Gates:

I am writing on behalf of the Buena Vista Audubon Society (BVAS), an independent, non-profit, 501(c)3 conservation organization and chartered chapter of the National Audubon Society. The BVAS membership consists of over 1,500 households in coastal North County, including residents of Encinitas. One of our missions is advocacy for preservation and enhancement of native habitat and wildlife in our region and for responsible land-use decisions that reduce negative impacts on the environment. BVAS has maintained and operated a nature center at Buena Vista Lagoon since 1987, and we administer a range of educational programs from this location and throughout the region.

The segment of El Camino Real included in the proposed Specific Plan is primarily commercial. But the Plan will include both new commercial and new residential uses, as well as pedestrian-friendly amenities to reduce greenhouse gas emissions. We believe the Plan should include landscaping that supports birds and other wildlife and their movement through this area to adjoining habitat.

Therefore, the scope of the EIR should include an analysis of lot design standards, setbacks, and required minimum tree coverage to form contiguous vegetation throughout the corridor. New landscaping should include native plants that best support native bird species and conserve water, and should be consistent with City of Encinitas and County Native Plant Landscaping policies and ordinances that are currently being developed.

Small areas of native habitat still exist on both sides of El Camino Real and these areas of habitat should be protected and connected. The area around Garden View has riparian habitat (Leo Mullen Trail) adjacent to the west side of El Camino Real, and a narrow corridor from there connects to the large native habitat along the west section of Garden View (Cantabria Gardena Trail), where endangered California Gnatcatchers have been documented. On the east side of El Camino Real is a small patch of habitat just south of Home Depot that connects to the power line corridor, the HOA park on North Willowspring Drive, Scott Valley Park, and Encinitas Creek.

Most of the above habitats have robust eBird documentation of birds that have been found in these areas, including birds that live there year-round, breed, or stop on their migration through the area. Since 2020 at least 70 bird species, including 4 rare bird species, have been recorded between the Leo Mullen riparian area and the parking lot at 477 El Camino Real, which has many trees and abuts a small hillside with native plants. Since 2020 almost 70 species have



been recorded in Scott Valley Park and over 80 in the North Willowspring Drive HOA park. These birds included hawks, owls, songbirds, and hummingbirds, and many are known to breed in the area.

These pockets of habitat should be linked by bird-supporting trees and vegetation throughout the corridor, which would also offset habitat loss from future development. In addition to habitat areas already mentioned, Oakcrest Park and rows of street trees in adjoining residential neighborhoods should be included in the plant corridors. The Batiquitos Lagoon, a major ecological feature, is also close by and would be expected to attract birdlife to this area. To meet these needs, are the planned setbacks adequate to accommodate street trees and mini-parks? Do design standards specify minimum vegetation coverage and vegetation types on each lot?

The above provisions should be included in the Specific Plan to mitigate biological impacts of new development that the Plan will allow.

Thank you for considering our views on this matter.

Sincerely,

Joan Herskowitz  
Conservation Committee  
Buena Vista Audubon Society

## California Department of Transportation

DISTRICT 11  
4050 TAYLOR STREET, MS-240  
SAN DIEGO, CA 92110  
(619) 709-5152 | FAX (619) 688-4299 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



September 13, 2022

11-SD-5  
PM VAR  
El Camino Real Specific Plan  
NOP/SCH#2022080302

Ms. Jennifer Gates  
Planning Manager  
City of Encinitas  
505 S. Vulcan Ave.  
Encinitas, CA 92024

Dear Ms. Gates:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparations (NOP) for the El Camino Real Specific Plan located near Interstate 5 (I-5). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of Encinitas in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

### **Traffic Impact Study**

- A Vehicle Miles of Travel (VMT) based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Planning and Research Guidance to identify VMT related impacts.<sup>1</sup>
- The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent to any existing or proposed State facilities.

### **Planning**

As part of the City's 2022 Housing Element update, Caltrans requests that the City include discussions and mapping/graphics that describe the City's existing and future housing inventory per the City's Regional Housing Needs Assessment (RHNA).

Housing-element law requires a quantification of each jurisdiction's share of the regional housing need as established in the RHNA Plan prepared by the jurisdiction's metropolitan planning organization (MPO) or council of governments.

In accordance with California Government Code Sections 65583 and 65584, housing elements shall contain an analysis of population and employment trends and documentation of projections and quantification of the locality's existing and projected housing needs for all income levels. These projected needs shall include the locality's share of the regional housing needs (ie. RHNA) per Government Code Section 65584.

### **Complete Streets and Mobility Network**

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of Encinitas is encouraged.

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<sup>1</sup> California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." [https://opr.ca.gov/docs/20190122-743\\_Technical\\_Advisory.pdf](https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf)

"Provide a safe and reliable transportation network that serves all people and respects the environment"



To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Maintaining bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

### **Land Use and Smart Growth**

Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

The City should continue to coordinate with Caltrans to implement necessary improvements at intersections and interchanges where the agencies have joint jurisdiction.

### **Environmental**

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the EIR that Caltrans will use for our subsequent environmental compliance.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans'

R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft Environmental Document.

### **Broadband**

Caltrans recognizes that teleworking and remote learning lessen the impacts of traffic on our roadways and surrounding communities. This reduces the amount of VMT and decreases the amount of greenhouse gas (GHG) emissions and other pollutants. The availability of affordable and reliable, high speed broadband is a key component in supporting travel demand management and reaching the state's transportation and climate action goals.

### **Right-of-Way**

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing [D11.Permits@dot.ca.gov](mailto:D11.Permits@dot.ca.gov) or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Kimberly Dodson, LDR Coordinator, at (619) 985-1587 or by e-mail sent to [Kimberly.Dodson@dot.ca.gov](mailto:Kimberly.Dodson@dot.ca.gov).

Sincerely,

*Maurice A. Eaton*

MAURICE EATON  
Branch Chief  
Local Development Review



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Rd.  
San Diego, CA 92123  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



September 14, 2022

Jennifer Gates  
City of Encinitas  
505 South Vulcan Ave.  
Encinitas, CA 92024  
[jgates@encinitasca.gov](mailto:jgates@encinitasca.gov)

Dear Ms. Gates:

EL CAMINO REAL SPECIFIC PLAN (PROJECT)  
NOTICE OF PREPARATION (NOP)  
SCH# 2022080302

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) from the City of Encinitas for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

## CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.



Jennifer Gates  
City of Encinitas  
September 14, 2022  
Page 2

## PROJECT DESCRIPTION SUMMARY

**Proponent:** City of Encinitas (City)

**Objective:** The objective of the Project is to redevelop a corridor along El Camino Real with updated commercial, office, and public buildings, as well as additional housing. The Project will incorporate enhanced green space, street trees, and improved creek connections.

**Location:** The El Camino Real Specific Plan Area (SPA) encompasses approximately 384 acres of land along the El Camino Real corridor in Encinitas. The northern terminus of the Project extends just beyond Leucadia Boulevard, while the southern end extends beyond Encinitas Boulevard, to the edge of the residential housing along Crest Drive.

**Biological Setting:** The southern region of the Project area is largely developed; land uses include commercial buildings, shopping centers, utility easements, and residential buildings. The northern portion of the project site encompasses some open habitat, including several areas of Critical Habitat for coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher; Endangered Species Act (ESA)-listed threatened). Based on a search of the California Natural Diversity Database, additional sensitive wildlife with the potential to occur on the Project site includes least Bell's vireo (*Vireo bellii pusillus*; California Endangered Species Act (CESA)- and ESA-listed Endangered). Sensitive plants with the potential to occur on the Project site include Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*; ESA-listed endangered; California Rare Plant Rank (CRPR) 1B.1), wart-stemmed ceanothus (*Ceanothus verrucosus*; CRPR 2B.2), and Nuttall's scrub oak (*Quercus dumosa*; CRPR 1B.1).

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

To enable CDFW to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, wildlife, and natural habitats, we recommend the following information be included in the EIR:

### General Comments

- 1) **Biological Resource Inventory:** The document should contain a complete description of the Project, including purpose and need, that describes all habitats within or adjacent to the Project area, including all staging areas and access routes to the construction and staging areas. The Project area is described as the area in which potential effects may occur.

The document should also provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. This should include a complete floral and faunal species compendium of the entire Project site, undertaken at the appropriate time of year. Species to be addressed should include all those which meet the CEQA definition

Jennifer Gates  
 City of Encinitas  
 September 14, 2022  
 Page 3

(see CEQA Guidelines, § 15380). This should include sensitive wildlife species. Seasonal variations in use of the Project area by wildlife should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service (USFWS).

- 2) **Biological Impacts:** To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the EIR:

a) Please provide a discussion of potential adverse impacts from lighting, noise, human activity, exotic species, recreational uses, and drainage. Mitigation measures proposed to alleviate such impacts should be included.

b) Please provide a discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands.

c) CDFW also recommends that a habitat gain/loss table be included, which calculates the expected net habitat losses and gains of each type of habitat area lost, restored, enhanced, and created.

- 3) **Special-status Species:** The EIR should thoroughly analyze direct, indirect, and cumulative impacts to any special-status species likely to occur in the Project area. Impacts to species designated as Fully Protected (FPS) must be completely avoided; FPS may not be taken or possessed at any time per Section 3511 of the Fish and Game Code. Avoidance measures for avian species may include phasing construction to occur outside of the nesting season, conducting species-specific surveys when construction will occur within 500 feet of a nesting site, retaining a qualified biological monitor on-site during construction, and implementation of no-activity buffers around active nests.

CDFW also considers adverse impacts to a species protected by the California Endangered Species Act (CESA), for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code, §§ 2080, 2085).

Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the City seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and G. Code §§ 2080.1, 2081, subds. (b),(c)). Early consultation is encouraged, as significant modification to a project and mitigation measures may be required to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation, monitoring, and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

Jennifer Gates  
City of Encinitas  
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- 4) **Mitigation for Project-related Biological Impacts:** The EIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be discussed.
- 5) **Cumulative Effects Analysis:** A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

### Specific Comments

- 6) **Coastal California Gnatcatcher:** Northern sections of the Project site encompass areas of designated Critical Habitat for the federally threatened coastal California gnatcatcher (*Poliophtila californica californica*), particularly just south of Leucadia Blvd and west of North El Camino Real. Protocol-level surveys of gnatcatcher critical habitat areas should be conducted in accordance with protocols set forth by USFWS and the results included in the EIR.

### ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

### ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

### CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Jessie Lane, Environmental Scientist, at [Jessie.Lane@wildlife.ca.gov](mailto:Jessie.Lane@wildlife.ca.gov).

Jennifer Gates  
City of Encinitas  
September 14, 2022  
Page 5

Sincerely,

DocuSigned by:

*David Mayer*

D700B4520375406...

David Mayer  
Environmental Program Manager  
South Coast Region

ec: State Clearinghouse, Sacramento, [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)  
Jennifer Ludovissy, CDFW, [Jennifer.Ludovissy@wildlife.ca.gov](mailto:Jennifer.Ludovissy@wildlife.ca.gov)  
Cindy Hailey, CDFW, [Cindy.Hailey@wildlife.ca.gov](mailto:Cindy.Hailey@wildlife.ca.gov)  
Jonathan Snyder, USFWS [Jonathan\\_d\\_Snyder@fws.gov](mailto:Jonathan_d_Snyder@fws.gov)

## REFERENCES

California Natural Diversity Database (CNDDB). 2022. RareFind 5 [Internet]. California Department of Fish and Wildlife, Government Version.

**Certificate Of Completion**

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# ***CITY OF ENCINITAS***

## ***DEVELOPMENT SERVICES DEPARTMENT***

### **Notice of Scoping Meeting and Preparation of a Draft Environmental Impact Report**

**Date:** August 15, 2022

**To:** State Clearinghouse, Responsible Agencies, Trustee Agencies, Organizations, and Interested Persons

**Lead Agency:** City of Encinitas, Development Services Department  
505 S. Vulcan Avenue  
Encinitas, California 92024  
Contact: Jennifer Gates, Planning Manager  
Phone: 760-633-2714  
E-Mail: [jgates@encinitasca.gov](mailto:jgates@encinitasca.gov)

**Project Title:** El Camino Real Specific Plan

**Project Location:** The El Camino Real Specific Plan Area (SPA) encompasses approximately 384 acres of land along the El Camino Real corridor in the City of Encinitas (City). The SPA includes commercial uses along Via Molena, the Encinitas Village north of Encinitas Boulevard, and the shopping center anchored by LA Fitness on El Camino Real. Moving north to south, the eastern boundary of the SPA consists of parcel lines along utility easements in the northeast, the commercial uses along Garden View Road and El Camino Real that border residential uses to the east, followed by commercial uses along Via Molena, the Encinitas Village north of Encinitas Boulevard, and the shopping center anchored by LA Fitness on El Camino Real. The shopping center anchored by LA Fitness establishes the southern boundary east of El Camino Real, while the shopping center anchored by Sprouts establishes the southern boundary west of El Camino Real. The southwestern boundary includes the BMW car dealership. The western boundary includes the Encinitas Marketplace, El Camino Promenade, and Camino Village Plaza commercial centers. The western boundary also includes the Park Encinitas mobile home park, the U.S. Post Office located on Garden View Road, the residential uses located along Cambria Way up to Via Cantebría, and the Town Center shopping center. The northern area of the SPA is considered a study area and is bound by Olivenhain Road east of El Camino Real and extends slightly past Leucadia Boulevard, east of El Camino Real, to include the Plaza Encinitas Ranch commercial center north of Leucadia Boulevard. The northern area of the SPA also includes the Encinitas Ranch Specific Plan (refer to Figure 1).

**Project Applicant:** City of Encinitas

**SCOPING MEETING:** On Tuesday, August 30, 2022 starting at 5:00 p.m., the City of Encinitas Development Services Department will conduct a public scoping open house to solicit input and comments from public agencies and the general public on the proposed Draft Environmental Impact Report (EIR) for the El Camino Real Specific Plan (proposed project).

**This meeting will be held at the Poinsettia Room, located at Encinitas City Hall, 505 S. Vulcan Avenue, Encinitas, CA 92024.** The meeting will run from 5:00 p.m. to 7:00 p.m.

**This meeting will be an open house format, and interested parties may drop in to review the proposed project exhibits and submit written comments on the scope of the Draft EIR during the meeting. Representatives from the Development Services Department and the EIR consultant will be available to address questions regarding the EIR process. Information is also available at <http://encinitasca.gov/El-Camino-Real-SP>.**

If you have any questions regarding this scoping meeting, please contact Melinda Dacey, Project Planner, at [mdacey@encinitasca.gov](mailto:mdacey@encinitasca.gov) or (760) 633-2711 or Jennifer Gates, Planning Manager, at [jgates@encinitasca.gov](mailto:jgates@encinitasca.gov) or (760) 633-2714.

**NOTICE OF PREPARATION (NOP):** In accordance with the California Environmental Quality Act (CEQA), this is to notify public agencies and the general public that the City, as the Lead Agency, will prepare an EIR for the proposed project. The City is interested in the input and/or comments of public agencies as to the scope and content of the environmental information that will be studied in connection with the proposed project. Public agencies may need to use the EIR prepared by the City when considering applicable permits or other approvals for the proposed project. The general public is also encouraged to provide input on the scope of the EIR.

**NOP Comment Period:** *Due to the time limits mandated by state law, your response must be sent at the earliest possible date but **not later than 6:00 p.m. on Wednesday, September 14, 2022.*** Please send your response to the City of Encinitas Development Services Department, c/o Jennifer Gates, at the above address.

**Project Description:** The project seeks to develop a vibrant walkable destination for residents, to live, work, and shop through creation of sustainable job, business, and housing opportunities along the El Camino Real Corridor. The project would develop a multi-modal corridor with a mix of uses including commercial, office, public and residential uses that would allow for by-right development and revitalization of the El Camino Real Corridor. Goals of the project include the following:

- A reimagined vision for the revitalization of the El Camino Real corridor.
- Providing critically needed housing options to infuse greater activity in the corridor and serve the community's housing needs.
- Compliance with the 2021-2029 Housing Element goals and programs.
- Improved transit, bicycle, and pedestrian connections.
- Enhanced green space through improvement of creek connections, street trees, and other amenities.

It should be noted that while Park Encinitas, the mobile home park west of El Camino Real, is included in the SPA, this existing land use is not expected to change as part of this Specific Plan. Additionally, the Encinitas Ranch Specific Plan area is identified as a study area, as a Specific Plan Amendment to the Encinitas Ranch Specific Plan may be processed concurrent with the proposed project.

**Environmental Impact Report:** The EIR prepared for the proposed project will analyze the project-specific impacts pertaining to all of the environmental issue areas identified in Appendix G of

the CEQA Guidelines. The EIR analysis will focus on aesthetics and visual quality, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gases, hazardous materials hydrology and water quality, land use, noise, population and housing, public services and recreation, transportation, tribal cultural resources, utilities and services systems, and wildfire. Other required sections of CEQA will be addressed including cumulative impacts and project alternatives.

Attachments: Figure 1: Project Location







-  Specific Plan Boundary
-  Encinitas Ranch Study Area

FIGURE 1  
Project Location on Aerial Photograph

## Melinda Dacey

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**From:** Bruce Kesler <bnksd1@aol.com>  
**Sent:** Saturday, September 10, 2022 2:21 PM  
**To:** Melinda Dacey  
**Cc:** bnksd1@aol.com  
**Subject:** Sept. 14 Scoping Meeting Comments

### [NOTICE: Caution: External Email]

Please make sure that the following comments regarding scoping an EIR for the ECR is distributed to all Task Force members well before the Sept. 13 meeting, and is included in the public record.

1. There cannot be any EIR, nor scoping, until and unless there are exact and specific proposals to be considered.
2. Any EIR must as a matter of law include all the potential impacts and not just those specified. (For example: even if two sites are mentioned, if there are any broader zoning changes then all maximum allowed or mandates sites and their impacts must be included in the EIR.
3. The details provided about the **Workshop No. 2 Summary Report** show that a majority of those who attended were not in favor of residential development. In probability, most of those in favor were from outside the ECR area.
4. Any EIR must include a well advertised mailed ballot vote solicited from every household in the New Encinitas area. The wording must not be to choose among the residential varieties (as was sneakily done in the Workshop #2) but rather whether there should be any residential at all.
5. Of course, there must be full detailing of all reductions of traffic or parking, and of the impacts on traffic and parking, from any and all potential changes or zoning. Those impacts must include the economic impact of all the businesses along the ECR, and include which services will be lost due to changes.
6. There must be full consideration of all impacts on the elderly, infirm, and poor. For example, targeting the LA Fitness shopping Center for residential: A. ignores the Medicare populations extensive use of the LA Fitness, and is ageist discrimination; B. ignores and discriminates against the poor who use the 99 Cent store to afford to get by.
7. Traffic and parking restrictions anywhere along the ECR is also ageist discrimination, and discrimination against the handicapped, and against families and against workers who need easy access to all the services and businesses along the current ECR.
8. Any zoning changes that conflict with Proposition A must not be included within the EIR, as they are illegal unless approved by an impartial vote of the entire city of Encinitas, and that should be boldly specified in any EIR.
9. All property owners along the ECR must be individually polled whether there should be any changes along the ECR, specifically listing all potential ones or whether none at all. And the ECR must detail all the potential costs imposed on each and every property owner.
10. Any ECR must detail the impact of any and all potential zoning changes on the sales tax revenues of Encinitas.
11. All and any potential costs, and where from funded, must be detailed for any and all subsidies of residential or property rents or modifications.
12. There must not be any residential zoning at all, as even allowing it for one site may open ECR to be required to allow it on other sites.
13. There should be no scoping of an EIR, as there is insufficient facts and public involvement, and instead a forced rush to residential pushed by builders, and their donations to City Council members, and pushed by urban planners on a suburban neighborhood. There is much more work that needs to be done first.



14. There must be a return to full detailing and analyses of the original purposes of the Specific Plan for beautification, services, infrastructure, etc. that have been ignored since by the forced emphasis on residential,

**Bruce Kesler**

BNKSD1@aol.com

760-208-7918



## NATIVE AMERICAN HERITAGE COMMISSION

August 24, 2022

Jennifer Gates  
City of Encinitas  
505 South Vulcan Avenue  
Encinitas, CA 92024

CHAIRPERSON  
**Laura Miranda**  
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Miwok/Nisenan

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[NAHC.ca.gov](http://NAHC.ca.gov)

**Re: 2022080302, El Camino Real Specific Plan Project, San Diego County**

Dear Ms. Gates:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- Avoidance and preservation of the resources in place, including, but not limited to:
    - Planning and construction to avoid the resources and protect the cultural and natural context.
    - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - Protecting the cultural character and integrity of the resource.
    - Protecting the traditional use of the resource.
    - Protecting the confidentiality of the resource.
  - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)



## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.



3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

[Pricilla.Torres-Fuentes@nahc.ca.gov](mailto:Pricilla.Torres-Fuentes@nahc.ca.gov).

Sincerely,

*Pricilla Torres-Fuentes*

Pricilla Torres-Fuentes  
Cultural Resources Analyst

cc: State Clearinghouse

810 Mission Avenue  
Oceanside, CA 92054  
(760) 966-6500  
(760) 967-2001 (fax)  
GoNCTD.com

September 14, 2022

Ms. Melinda Dacey  
Planner IV  
505 S. Vulcan Ave  
Encinitas, CA 92024  
Sent Via Electronic Mail: [mdacey@encinitasca.gov](mailto:mdacey@encinitasca.gov)

Re: El Camino Real Specific Plan

Dear Ms. Dacey:

Thank you for the opportunity to review the notice on the El Camino Real Specific Plan, based on the notice of scoping meeting and preparation of a draft EIR received by NCTD on August 16, 2022.

**Bus Stops:**

Upon review of the notice received by North County Transit District (NCTD), NCTD has determined that there are seventeen (17) BREEZE Routes 304, 604, 309, and 609 bus stops within the Specific Plan Boundary, shown below.

Stop ID	Stop Name	Direction	Lat	Long
21876	Encinitas Bl & Beechtree Dr	WB	33.046164	-117.262098
20910	El Camino Real & Encinitas Blvd	SB	33.044644	-117.259785
96011	El Camino Real & Encinitas Bl	NB	33.044819	-117.259413
96030	El Camino Real & Encinitas Blvd	SB	33.04742	-117.25978
21644	El Camino Real & Encinitas Bl	NB	33.047681	-117.259423
21151	El Camino Real & Mountain Vista Dr	SB	33.05150	-117.26095
21643	El Camino Real & Mountain Vista Dr	NB	33.052145	-117.260777
21950	El Camino Real & Camino Encinitas Plaza (318)	SB	33.05439	-117.261931
21402	El Camino Real & 317	NB	33.054702	-117.261649
22371	El Camino Real & Garden View Rd (499)	NB	33.057641	-117.262482
21949	El Camino Real & Garden View Rd	SB	33.058042	-117.262894
21640	El Camino Real & Garden View Rd (501)	NB	33.059126	-117.262543
22205	El Camino Real & Town Center Dr	NB	33.063906	-117.262384
21149	El Camino Real & Town Center Dr	SB	33.064595	-117.262622
22488	El Camino Real & Leucadia Bl	SB	33.067083	-117.262512
22835	Leucadia Bl & Town Center Pl	EB	33.06771	-117.26426
22836	Leucadia Bl & Town Center Pl	WB	33.068174	-117.265344



NCTD recommends the construction of Americans with Disabilities Act-compliant (ADA) bus stop pads for passenger boarding. The design should be consistent with NCTD standards and include the following:

- An 8-foot-deep by five-foot-wide concrete boarding and alighting area that meets standards set forth by the ADA (sample shown in Attachment 1).
- Additional desirable amenities include trash receptacles, lighting, seating, bike parking, shelter for shade, and pullouts for buses. NCTD recommends that the design of such facilities be done in such a way as to highlight the amenity to expand public awareness of the site and the availability of such services. NCTD is available to provide advice on feedback as site specific designs are developed.
- To the extent that protected bike lanes may be planned, please ensure that such improvements do not interfere with loading or unloading of passengers. Please refer to standards in bullet 1 above.
- NCTD is supportive of collocation and/or facilitating accessibility to micro-mobility services within a 1–2-minute walk from existing bus stops.
- For any roadway improvements that narrow lanes, require new/different turning radiuses, or otherwise may constrain operations, including from a visibility perspective, NCTD respectfully requests that it be given the opportunity to review for compatibility with existing bus operations.
- Please refer to our Bus Stop Development Handbook (Attachment 2) for more information.

**Detours Required:**

Upon review of the notice received by North County Transit District (NCTD), NCTD has determined that the construction may take place in the right-of-way of NCTD BREEZE Routes 309, 609, 304, and 604.

NCTD requests that you or your contractor provide notice two (2) weeks prior to starting work so that we may send a supervisor to meet with your construction crew to determine if your traffic control methods affect NCTD's stops. Notice should be provided via e-mail to [detours@nctd.org](mailto:detours@nctd.org).

**City of Encinitas:**

The City of Encinitas' Climate Action Plan outlines measures to "Reduce Vehicle Miles Traveled" by supporting infrastructure for modes of alternative transportation (pg. 3-10), and to "pursue partnerships" with NCTD (3-12). Improvements in transit access at this site will also support walkability initiatives designated by the El Camino Real Specific Plan. Enhanced transit access will help fulfill both City and Statewide climate action goals.

Thank you again for allowing NCTD to review and comment on this project. If possible, NCTD would like to meet with the City Planning team to discuss the Specific Plan in more detail focused on the potential for bus stop improvements and operational efficiencies.

Should you have any questions related to this review, feel free to contact me at (760) 966-6683 or via e-mail at [kpersons@nctd.org](mailto:kpersons@nctd.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie', with a long horizontal flourish extending to the right.

Katie Persons  
Director of Service Planning

Attachments

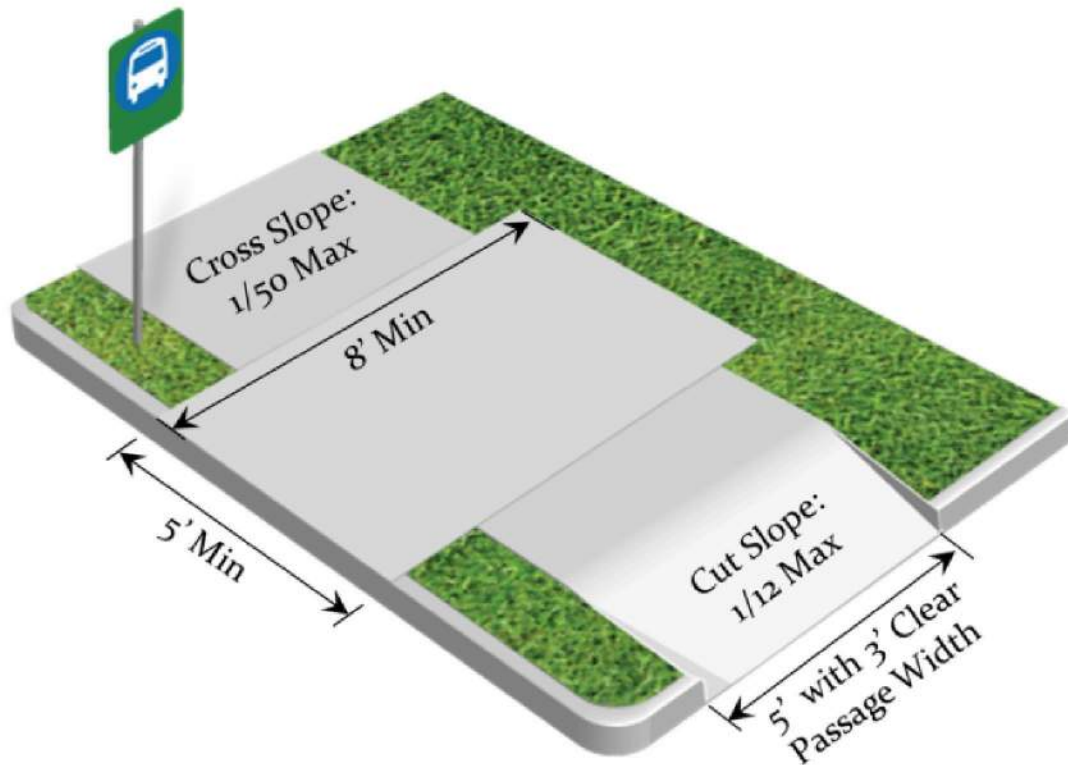
- (1) 8-Foot-Deep by Five-Foot-Wide Concrete Boarding
- (2) Bus Stop Development Handbook

cc: Jill Bankston, Director of Engineering/City Engineer, City of Encinitas  
Melinda Dacey, Planner IV, City of Encinitas  
Chris Orlando, Chief of Planning, Marketing, and Communications, NCTD  
Damon Blythe, Chief of Bus Operations, NCTD  
Lillian Doherty, Director of Planning and Development, NCTD  
Derrick Wojcik-Damer, Director of Bus Operations, NCTD  
Mary Balderrama, Transit Planner, NCTD

Attachment 1:

Photo courtesy of National Center for Transit Research

<https://www.nctr.usf.edu/2014/05/analysis-of-movable-bus-stop-boarding-and-alighting-areas/>







# Bus Stop Development Handbook

March 2018

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## 1.0 Introduction

This guidebook has been designed to help planners, developers, architects, and engineers understand the physical requirements of public transportation and to provide a uniform guide for the design and placement of various bus-related facilities and amenities. The transit system's stops and facilities are an important feature of the transit system, as they provide the "first impression" for customers. Additionally, when done correctly, proper stop and amenity placement throughout the service area helps to improve customer satisfaction as well as encourage the use of the transit system and, in turn, help communities achieve established sustainability goals and improve the overall quality of life.

The guidelines provided in this document are consistent with North County Transit District's (NCTD) policies to ensure that public transportation is included as a part of the early stages of the planning process. Coordination between public transit and land development at the beginning of the planning process can prevent the need for costly, less effective modifications later on, as well as ensure that safety considerations and transit customer needs reflected in the design.

We have included specific design standards for public transportation facilities and vehicles. These guidelines were developed primarily for application in areas where new bus transit services are proposed or where modifications or improvements to existing service are necessary to facilitate safe and efficient bus operations, in addition to a safe and comfortable environment for passengers and adequate pedestrian and bicycle facilities. Overall, these guidelines consider the transit system as a whole, including the importance of mobility options, safety, aesthetics, and community context.

The guidelines for providing these transit facilities and amenities are based on the following considerations:

1. Basic bus operations and safety requirements;
2. Current engineering practices in North San Diego County;
3. Amenities necessary for attracting and increasing transit ridership;
4. Anticipated benefits to developers or agencies in providing transit services to their future residents, tenants, and customers;
5. Compatibility of the improvements with other roadway uses; and
6. The Americans with Disabilities Act (ADA)

We at NCTD want to work with you to develop an environment that will be more conducive to and more accessible by public transit. Please feel free to contact our Transit Planning and Bus Operations Division with questions or to schedule an appointment with a planner.

Principal Contact:      Damon Blythe - Chief Operations Officer - Transit Planning and Bus Operations  
North County Transit District  
810 Mission Avenue  
Oceanside, CA 92054  
Phone (760)-966-6708  
Email [dblythe@nctd.org](mailto:dblythe@nctd.org)

## 2.0 NCTD Service Overview

The North County Transit District (NCTD) provides public transportation services to North County San Diego across a 1,000 sq.mi. area, connecting residents and visitors to jobs, schools, medical centers, and other points of interests. In addition to expanding modal choice across the community, NCTD services enable mobility for those who have limited travel options, including seniors and persons with disabilities. Serving as the coastal gateway to the San Diego region, the NCTD multi-modal system consists of COASTER commuter rail, SPRINTER hybrid rail, BREEZE fixed-route bus, FLEX demand response, and LIFT complementary paratransit services. In calendar year 2016, NCTD carried more than 11.5 million passengers throughout North San Diego County.

NCTD's service area spans across nine cities, unincorporated areas of San Diego County, tribal lands, and a major military base that serves as the largest employer in San Diego County. Each of these entities contain diverse populations with differing community visions and land use plans, resulting in differing types of service levels and modes to best meet the area's travel needs. Development projects must take into consideration the characteristics of NCTD services and associated vehicles when designing infrastructure. Roadways, intersections, stops, and other facilities, as outlined in this guidebook, must be designed in a manner that accommodates NCTD's transit vehicles to ensure safety for both the passenger and service provider.



## 3.0 Bus Stop Guidelines

Obstacles to improving transit infrastructure – lack of sidewalk and bike network, available space for stop infrastructure (including ADA), accessible neighborhood sidewalks connecting to stops, accessible street crossings. Work with city departments to make improvements and encourage continued upgrades to complete the networks, especially during other construction projects.

### 3.1 Curb-Side Improvements

Passenger comfort, safety, and convenience are all impacted by bus stop features that are located off the street or roadway, commonly referred to as curbside improvements. This section outlines how developers and jurisdictions can appropriately locate bus stops and choose the correct stop type, as well as information on general preferred and recommended curbside improvements.

#### 3.1.1 Bus Stop Types

The design of a bus stop can often impact the amount of ridership at that particular location. A stop must be accessible, safe, and convenient for passengers. NCTD has developed three distinct bus stop types – the basic stop, the bench stop, and the shelter stop – as well as stops associated with transit stations/centers.

**BASIC STOPS** are characterized by the presence of a bus stop sign only, and do not contain passenger amenities like benches or shelters. These stops are generally utilized in rural areas or those areas with lower density and lower ridership. Basic stops are required to meet ADA design requirements.

**BENCH STOPS** are basic transit stops with the addition of a bench for waiting passengers and trash receptacles. In some cases, additional amenities such as lighting or bicycle racks may be warranted. Bench stops are best suited for areas with low to medium density and ridership.

	Required Amenities	Recommended Amenities	Optional Amenities
<b>Bench Stops</b>	<ul style="list-style-type: none"> <li>Bus stop sign</li> <li>ADA accessible pad</li> <li>Bench</li> <li>Connection to adjacent sidewalks/pathways</li> <li>Trash receptacle</li> </ul>	<ul style="list-style-type: none"> <li>Lighting</li> <li>Bicycle racks/lockers</li> <li>Transit route information</li> </ul>	<ul style="list-style-type: none"> <li>Screening from sun / elements (landscaping)</li> <li>Transit system information</li> </ul>

**SHELTER STOPS** are located in areas with higher ridership and medium to high density developments. In addition to a sign, ADA compliant concrete pad, and bench, these stops include a shelter and trash receptacle, at a minimum. Additional amenities like lighting and bicycle racks are highly encouraged. The design of a shelter stop is dependent upon the existing features of the site, including sidewalk design, right-of-way, and proximity to existing structures.

Shelter Stops	Required Amenities	Recommended Amenities	Optional Amenities
	<ul style="list-style-type: none"> <li>• Bus stop sign</li> <li>• ADA accessible pad</li> <li>• Bench</li> <li>• Shelter</li> <li>• Connection to adjacent sidewalks/pathways</li> <li>• Trash receptacle</li> </ul>	<ul style="list-style-type: none"> <li>• Lighting</li> <li>• Bicycle racks/lockers</li> <li>• Transit route information</li> <li>• Screening from sun / elements (landscaping)</li> <li>• Transit system information</li> </ul>	<ul style="list-style-type: none"> <li>• Digital messaging signs</li> </ul>

**STATION STOPS** are associated with branded services like BREEZE Rapid. These stops have enhanced passenger amenities, including more robust transit system information signage and branded shelters.

Station Stops (BREEZE Rapid)	Required Amenities	Recommended Amenities
	<ul style="list-style-type: none"> <li>• All requirements of shelter stops, plus:</li> <li>• Single shelter or double shelter with integrated station marker</li> <li>• Station marker with integrated seats</li> <li>• Solar-powered LED lighting</li> </ul>	<ul style="list-style-type: none"> <li>• Transit route and schedule information</li> <li>• Transit system information</li> <li>• Wayfinding signage</li> <li>• Digital messaging signs</li> </ul>

The dimensions for each stop type above have been provided as guidelines for the development of new bus stops. District staff understands that some stops may not be able to be retrofitted to meet these standards, or alternative designs may be more feasible based on existing conditions. When a developer has been required to upgrade an existing stop, District staff should be contacted to help create an appropriate design.

### 3.1.2 Bus Stop Type Selection Criteria

The type of stop provided is primarily driven by route frequency and land use density – routes with higher frequency are typically located in areas with more intensive development, and generally result in more daily boardings. The table below shows the recommended attributes for each of the four stop types. District staff will assist developers in determining the appropriate stop type on a case-by-case basis.



Table 1: Bus Stop Type Location Recommendations

Criteria	Basic Stop	Bench Stop	Shelter Stop
<b>Minimum Daily Boardings</b>			
Rural Stop	<5 daily boardings	5 – 10 daily boardings	10+ daily boardings
Suburban Stop	<10 daily boardings	10 – 20 daily boardings	>20 daily boardings
Urban Stop	<20 daily boardings	20 – 30 daily boardings	>30 daily boardings
<b>Density Considerations</b>	Low density residential; Rural	Low to Medium Density Residential; Commercial; Industrial	Medium to High Density Residential; Mixed-Use; Commercial Core
<b>Land Use and Development:</b> Located ¼-mile (max.) from employment center, retail/commercial center, mixed use development or other major activity center			✓
<b>Population Considerations:</b> Youths, seniors, disabled persons, low-income households		Within ¼-mile of population concentrations	Within 1/8-mile of population concentrations
<b>Connections with other NCTD mode or transit provider</b>		✓	✓
<b>Located within Planned Enhanced Development Corridor</b>			✓

In addition, NCTD's system also includes Station Stops, which are generally characterized by service from multiple routes and/or providers, enhanced facilities, and higher ridership. Stops that are served by BREEZE Rapid are also categorized as Station Stops. New stations should be focused in urban and more developed suburban areas with a mix of uses, commercial core development, and medium to higher density housing, particularly with affordable and multi-family housing, in addition to the provision of enhanced transit service or connections to multiple transit options. In suburban settings, a minimum of 100 daily boardings may warrant a general station, while in urban settings, a minimum of 500 daily boardings should be generated.

### 3.1.3 Design and Access

Providing defined, safe, and direct access to a bus stop is critical to maintaining and increasing transit usage. Access to a bus stop from an intersection or land use should be as direct as possible, and provide essential security and safety along the route. General guidelines for access are as follows:

**GENERAL ACCESS AND SITE DESIGN**

- Pedestrian access should be finished with impervious, non-slip material (such as concrete or asphalt) and be well drained, and should not require passengers to walk through grass or exposed soil.
- All sidewalks and pathways should be designed to accommodate wheelchair and other mobility devices
- Intersections near bus stops should include defined pedestrian crosswalks and signals at intersections to allow for safe access. In situations where there is no signalized intersection, pedestrian signals may be warranted based upon the stop usage and development type.
- In areas with disjointed sidewalk networks, new bus stops should include new sidewalks or pedestrian pathways that connect the stop with existing intersections, at a minimum.
- Defined pathways from the sidewalk and/or bus stop waiting area to the curb (bus loading area) should be provided in compliance with ADA requirements.
- A minimum of 5 feet should be kept clear between bus stops and utility poles, fire hydrant, and other similar features.

**LANDSCAPING**

- Landscaping near the passenger area should be used to maximize shade and overall aesthetics, however should be located so as not to interfere with bus operations or obstruct shelters or lines of sight.
  - Preferred locations for larger landscape elements, like shade trees, are at the back of a sidewalk, behind shelters and/or benches.
- The use of landscaping is encouraged to help define pathways, buffer pedestrians from adjacent traffic, and provide shade; however, landscaping should be designed in a manner that eliminates barriers and impediments to pedestrian access, visibility, or safety.
  - Plants should be kept open and trimmed low to enhance line of site for passengers. Dense hedges that restrict view are discouraged.
  - Visibility around and through landscaping should be maintained for surveillance and security.

**SECURITY**

- Bus stops and sidewalks should be coordinated with existing streetlights to provide a minimum level of lighting and security.
  - In areas without existing lighting, new stops should provide solar lighting, where feasible.
- Views to and from sidewalks or pathways through bus stops and waiting areas should not be blocked by walls, structures, or landscaping.

**NEW DEVELOPMENTS**

- New developments should be designed to provide clear and direct access to bus stops (existing or new), and should emphasize pedestrian access, activity, and safety.
  - Gated or walled developments should provide openings through walls to minimize the walk distance and provide a more direct route to bus stops.
  - Developments with parking lots should be designed with clear pedestrian walkways.
  - Distinct walkway networks should be provided where bus stops and/or transit centers can be linked with building entrances.



- Entrances to buildings should face the street with pedestrian access located close to the nearest bus stop.

Rural areas may present challenges for bus stop design and placement, as many areas are lacking sidewalk networks or have other potential impediments such as drainage ditches along the roadway. In these cases, efforts should be made to find the most level and open area for the bus stop to ensure customer safety for access and waiting. When funding is available, at a minimum, new stops should include ADA accessible waiting pads and any necessary ramps constructed of concrete or asphalt, and where feasible, connections to existing intersections or developments. When funding is not available, waiting areas along the shoulder should be comprised of compacted and stabilized decomposed granite, if feasible.

#### *Compliance with Americans with Disabilities Act*

The Americans with Disabilities Act of 1990 (ADA) “prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation.”

28 CFR § 36.402 – Alterations: General (1): Any alteration to a place of public accommodation or a commercial facility, after January 26, 1992, shall be made so as to ensure that, to the maximum extent feasible, the altered portions of the facility are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.

\*The quoted text above is an excerpt. The full CFR text shall be considered when performing any alterations.

The following bus stop specifications are to be used as guidance when constructing or improving bus stops. A complete list of enforceable accessibility standards shall be referenced from <https://www.ada.gov/index.html>.

### **810 Transportation Facilities**

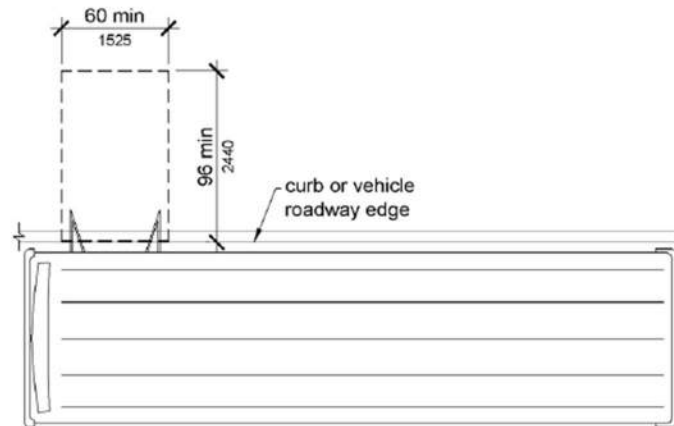
**810.1 General.** Transportation facilities shall comply with 810.

**810.2 Bus Boarding and Alighting Areas.** Bus boarding and alighting areas shall comply with 810.2.

**Advisory 810.2 Bus Boarding and Alighting Areas.** At bus stops where a shelter is provided, the bus stop pad can be located either within or outside of the shelter.

**810.2.1 Surface.** Bus stop boarding and alighting areas shall have a firm, stable surface.

**810.2.2 Dimensions.** Bus stop boarding and alighting areas shall provide a clear length of 96 inches (2440 mm) minimum, measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches (1525 mm) minimum, measured parallel to the vehicle roadway.

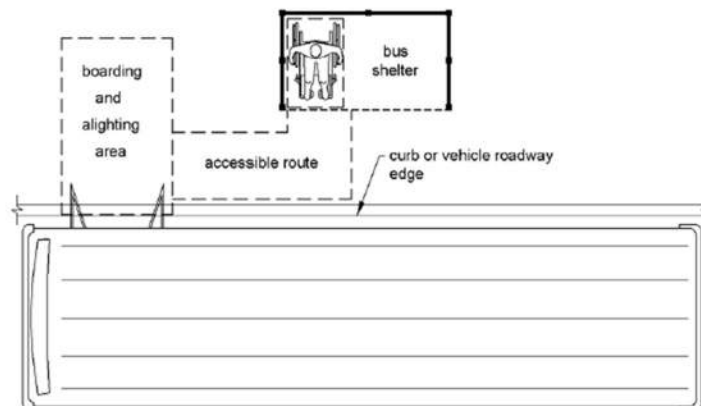


**Figure 810.2.2 Dimensions of Bus Boarding and Alighting Areas**

**810.2.3 Connection.** Bus stop boarding and alighting areas shall be connected to streets, sidewalks, or pedestrian paths by an accessible route complying with 402.

**810.2.4 Slope.** Parallel to the roadway, the slope of the bus stop boarding and alighting area shall be the same as the roadway, to the maximum extent practicable. Perpendicular to the roadway, the slope of the bus stop boarding and alighting area shall not be steeper than 1:48.

**810.3 Bus Shelters.** Bus shelters shall provide a minimum clear floor or ground space complying with 305 entirely within the shelter. Bus shelters shall be connected by an accessible route complying with 402 to a boarding and alighting area complying with 810.2.



**Figure 810.3 Bus Shelters**



## **903 Benches**

**903.1 General.** Benches shall comply with 903.

**903.2 Clear Floor or Ground Space.** Clear floor or ground space complying with 305 shall be provided and shall be positioned at the end of the bench seat and parallel to the short axis of the bench.

**903.3 Size.** Benches shall have seats that are 42 inches (1065 mm) long minimum and 20 inches (510 mm) deep minimum and 24 inches (610 mm) deep maximum.

**903.5 Height.** The top of the bench seat surface shall be 17 inches (430 mm) minimum and 19 inches (485 mm) maximum above the finish floor or ground.

## **402 Accessible Routes**

**402.2 Components.** Accessible routes shall consist of one or more of the following components: walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable requirements of Chapter 4.

**Advisory 402.2 Components.** Walking surfaces must have running slopes not steeper than 1:20, see 403.3. Other components of accessible routes, such as ramps (405) and curb ramps (406), are permitted to be more steeply sloped.

## **403 Walking Surfaces**

**403.1 General.** Walking surfaces that are a part of an accessible route shall comply with 403.

**403.2 Floor or Ground Surface.** Floor or ground surfaces shall comply with 302.

**403.3 Slope.** The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48.

**403.4 Changes in Level.** Changes in level shall comply with 303.

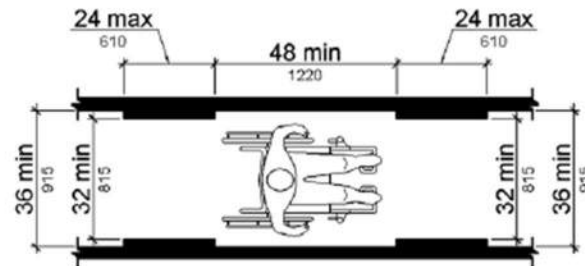
**403.5 Clearances.** Walking surfaces shall provide clearances complying with 403.5.

**EXCEPTION:** Within employee work areas, clearances on common use circulation paths shall be permitted to be decreased by work area equipment provided that the decrease is essential to the function of the work being performed.

**403.5.1 Clear Width.** Except as provided in 403.5.2 and 403.5.3, the clear width of walking surfaces shall be 36 inches (915 mm) minimum.



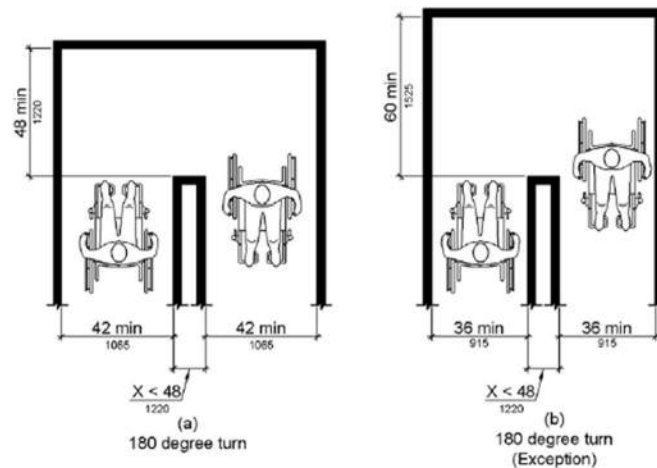
**EXCEPTION:** The clear width shall be permitted to be reduced to 32 inches (815 mm) minimum for a length of 24 inches (610 mm) maximum provided that reduced width segments are separated by segments that are 48 inches (1220 mm) long minimum and 36 inches (915 mm) wide minimum.



**Figure 403.5.1 Clear Width of an Accessible Route**

**403.5.2 Clear Width at Turn.** Where the accessible route makes a 180 degree turn around an element which is less than 48 inches (1220 mm) wide, clear width shall be 42 inches (1065 mm) minimum approaching the turn, 48 inches (1220 mm) minimum at the turn and 42 inches (1065 mm) minimum leaving the turn.

**EXCEPTION:** Where the clear width at the turn is 60 inches (1525 mm) minimum compliance with 403.5.2 shall not be required.



**Figure 403.5.2 Clear Width at Turn**

**403.5.3 Passing Spaces.** An accessible route with a clear width less than 60 inches (1525 mm) shall provide passing spaces at intervals of 200 feet (61 m) maximum. Passing spaces shall be either: a space 60 inches (1525

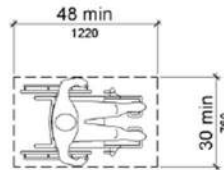
mm) minimum by 60 inches (1525 mm) minimum; or, an intersection of two walking surfaces providing a T-shaped space complying with 304.3.2 where the base and arms of the T-shaped space extend 48 inches (1220 mm) minimum beyond the intersection.

### **305 Clear Floor or Ground Space**

**305.1 General.** Clear floor or ground space shall comply with 305.

**305.2 Floor or Ground Surfaces.** Floor or ground surfaces of a clear floor or ground space shall comply with 302. Changes in level are not permitted.

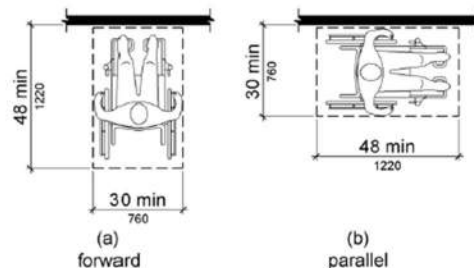
**305.3 Size.** The clear floor or ground space shall be 30 inches (760 mm) minimum by 48 inches (1220 mm) minimum.



**Figure 305.3 Clear Floor or Ground Space**

**305.4 Knee and Toe Clearance.** Unless otherwise specified, clear floor or ground space shall be permitted to include knee and toe clearance complying with 306.

**305.5 Position.** Unless otherwise specified, clear floor or ground space shall be positioned for either forward or parallel approach to an element.

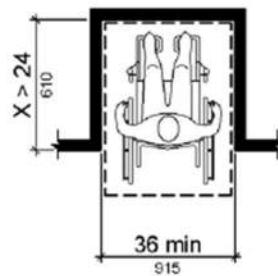


**Figure 305.5 Position of Clear Floor or Ground Space**

**305.6 Approach.** One full unobstructed side of the clear floor or ground space shall adjoin an accessible route or adjoin another clear floor or ground space.

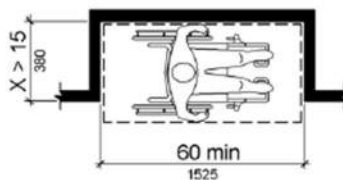
**305.7 Maneuvering Clearance.** Where a clear floor or ground space is located, an alcove or otherwise confined on all or part of three sides, additional maneuvering clearance shall be provided in accordance with 305.7.1 and 305.7.2.

**305.7.1 Forward Approach.** Alcoves shall be 36 inches (915 mm) wide minimum where the depth exceeds 24 inches (610 mm).



**Figure 305.7.1 Maneuvering Clearance in an Alcove, Forward Approach**

**305.7.2 Parallel Approach.** Alcoves shall be 60 inches (1525 mm) wide minimum where the depth exceeds 15 inches (380 mm).



**Figure 305.7.2 Maneuvering Clearance in an Alcove, Parallel Approach**

## **304 Turning Space**

**304.1 General.** Turning space shall comply with 304.

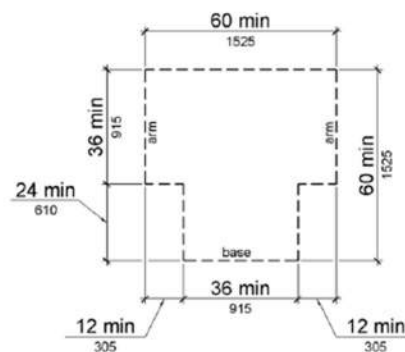
**304.2 Floor or Ground Surfaces.** Floor or ground surfaces of a turning space shall comply with 302. Changes in level are not permitted.

**Advisory 304.2 Floor or Ground Surface Exception.** As used in this section, the phrase "changes in level" refers to surfaces with slopes and to surfaces with abrupt rise exceeding that permitted in Section 303.3. Such changes in level are prohibited in required clear floor and ground spaces, turning spaces, and in similar spaces where people using wheelchairs and other mobility devices must park their mobility aids such as in wheelchair spaces, or maneuver to use elements such as at doors, fixtures, and telephones. The exception permits slopes not steeper than 1:48.

**304.3 Size.** Turning space shall comply with 304.3.1 or 304.3.2.

**304.3.1 Circular Space.** The turning space shall be a space of 60 inches (1525 mm) diameter minimum. The space shall be permitted to include knee and toe clearance complying with 306.

**304.3.2 T-Shaped Space.** The turning space shall be a T-shaped space within a 60 inch (1525 mm) square minimum with arms and base 36 inches (915 mm) wide minimum. Each arm of the T shall be clear of obstructions 12 inches (305 mm) minimum in each direction and the base shall be clear of obstructions 24 inches (610 mm) minimum. The space shall be permitted to include knee and toe clearance complying with 306 only at the end of either the base or one arm.



**Figure 304.3.2 T-Shaped Turning Space**

### 3.1.4 Bus Stop Amenities

In addition to stop type, the amenities provided are highly dependent upon the number of passengers that use the stop. As activity and ridership increase, expanded amenities beyond the required bench or shelter are typically warranted. District staff will assist developers in determining the appropriate amenities on a case-by-case basis.

In an attempt to standardize the look of street furniture, as well as minimize potential damage from the elements and vandalism, NCTD has identified the following standards for certain stop amenities:

**BUS STOP SIGN** – Bus stop signs must be placed at all designated stops, and must include service type (BREEZE, LIFT, and/or FLEX) and route number associated with the stop. All bus stop signs, including dimensions and



placement, must comply with ADA requirements as defined in Sections 810.4 of the ADA Accessibility Guidelines, to the maximum extent feasible.

**ADA ACCESSIBLE PAD** – All bus stops should be designed to comply with ADA requirements. When new development activity occurs adjacent to a non-compliant bus stop, efforts shall be made to upgrade the stop to comply with ADA.

**BENCH** –ADA guidelines for benches are not enforceable, but shall comply with ADA Standards where applicable, (903). New benches should be constructed of perforated metal with no back, and of solid welded construction using heavy-duty pipe. Benches must be 4-, 6-, or 8-feet in length, and may either have center or multiple divider tubes. Finishes must be sandblasted and powder coated, and ground smooth with no sharp corners. Each bench should be surface mounted. Colors selected for benches should be consistent with the design requirements of the appropriate jurisdiction where the stop is located. In some cases, specific designs may be approved to ensure consistency with overall project design.



Figure 2: Bench Stop Examples

**SHELTER** – New shelters should be consistent with NCTD’s standard specifications, unless the shelter is part of a larger project with an approved design. Dimensions are dependent upon the specific installation location, but generally should range between 8-feet and 13-feet in length. Additionally, design styles are dependent upon the specific project environment, however the dome style is the standard acceptable design. Walls (back and sides) should be constructed of perforated metal with vertical columns, and where required, should include LED lighting



(conventional or solar powered). Roofing should be comprised of durable materials, such as LEXAN or aluminum. Each shelter must include a built-in ADA compliant aluminum bench and the overall structure must be surface mounted. Colors selected for the shelters should be consistent with the design requirements of the appropriate jurisdiction where the stop is located.



Figure 3: Shelter Stop Examples

**TRASH RECEPTACLE** – All ground-mounted trash receptacles located at bench and shelter stop locations are required to be 32-gallon perforated metal construction with a flat bar top and bottom pedestal mount. Trash receptacles must be constructed of aluminum, steel, or stainless steel, and finished with a galvanized powder primer and secondary powder coat. Lids must be 11-gauge thick laser cut with a 10-inch center hole and locking hasp. To comply with ADA requirements, trash receptacles should not be placed within the required minimum clear area or in a manner that would obstruct walking paths. Colors for the trash receptacles should be consistent with the design requirements of the appropriate jurisdiction where the stop is located.

**LIGHTING** – For shelter stops, solar lighting panels mounted on the roof of approved shelter designs are recommended. Bench stops may provide pole mounted lighting if located in an area with limited lighting, or instead, may take advantage of existing street lights or lighting from adjacent buildings by locating the stop appropriately.

**BIKE RACKS / LOCKERS** – Bike racks and secured storage lockers should be designed to complement other street furniture used at the stop in terms of construction, style, and colors. All bicycle facilities should be placed outside of the required minimum ADA clear area.

**TRANSIT ROUTE AND SYSTEM INFORMATION** – Transit route schedules and maps (for stops served by a specific route) are recommended to be displayed at bench stops with higher daily boardings and shelter stops. For shelter stops with higher ridership and/or served by multiple routes, it is recommended that system map and schedule information be displayed. For bench stops, route information should be displayed with pole-mounted cases; approved shelter designs incorporate mountings for map and system information display cases.

**SCREENING FROM SUN / ELEMENTS** – Weather in San Diego County is associated with exposure to sun year-round, with increased intensity during the summer months. When shelters are not provided or warranted, other shade-

providing elements should be installed, where feasible, such as trees or other fixed screens. If additional screening is provided, safety of passengers must also be considered – dense hedges or non-transparent materials are not recommended.

**WAYFINDING SIGNAGE** – Wayfinding signage is recommended at high ridership stops that serve multiple transit modes, such as Station Stops/Transit Centers. Signage should provide clear direction for passengers to key features, such as boarding areas for different modes and fare payment resources (i.e. TVMs).

**DIGITAL MESSAGE SIGNS** – Electronic messaging information should be included at BREEZE Rapid stops, as well as Station Stops/Transit Centers and high ridership shelter stops that serve multiple routes. Signs may be LED panels and/or LCD screens and should display bus arrival/departure information and passenger alerts.

## 3.2 Street-Side Improvements

Improvements within the roadway that may impact bus operations are considered street-side improvements. This includes adequate stop spacing, stop location and placement, stop design, and other roadway characteristics like intersection design. While developers and jurisdictions are encouraged to follow the guidelines below, NCTD understands that in some cases, existing roadway design and characteristics may present challenges; in these cases, NCTD can advise on acceptable solutions.

### 3.2.1 Stop Spacing

The spacing between bus stops can impact both transit vehicles and the overall system’s performance, as it can impact overall travel time and, as a result, demand for transit. Stops that are located closer together (such as every block or ¼-mile apart or less) provide for short walk distances but more frequent stops and longer bus trips. Stops that are farther apart result in longer walk distances but higher speeds and shorter bus trips.

These tradeoffs will impact where a bus stop is located along a route, in addition to other factors such as development type and potential ridership generated. In a dense residential or commercial environment, closer stop spacing may be required in order to serve passenger demand. Conversely, the street network in suburban or rural may force stops to be located further apart than desired. Higher frequency services like BREEZE Rapid generally have increased stop spacing in order to minimize travel times.

NCTD’s general recommended stop spacing for BREEZE and BREEZE Rapid is as follows:

Table 3: Recommended Bus Stop Spacing

Service Type	Area Type	Distance Between Stops
<b>BREEZE</b>	Rural	0.5 miles
	Suburban	0.3 miles
	Urban	0.25 miles
<b>BREEZE Rapid</b>		0.5 – 2.0 miles

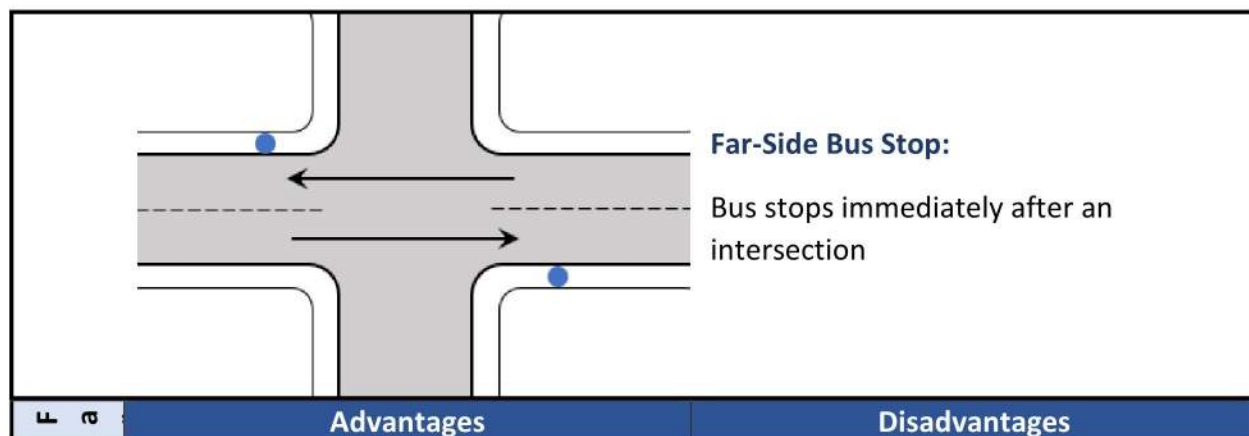


### 3.2.2 Stop Location and Placement

A bus stop is a linear curbside area that is specially designed for bus passenger boardings and alightings. It is identified by a bus stop sign and may be accompanied by a red curb zone and/or no-parking sign, as well as amenities like benches or shelters. ***NCTD staff must be consulted before placing, relocating, removing, or enhancing a bus stop.*** The placement of new bus stops should not only consider spacing and ridership potential, but also safety to pedestrians, bicyclists, and vehicle traffic, as well as the right-of-way's ability to accommodate the required stop type and associated amenities. In general, the following factors<sup>1</sup> should be considered when determining the appropriate bus stop location and placement:

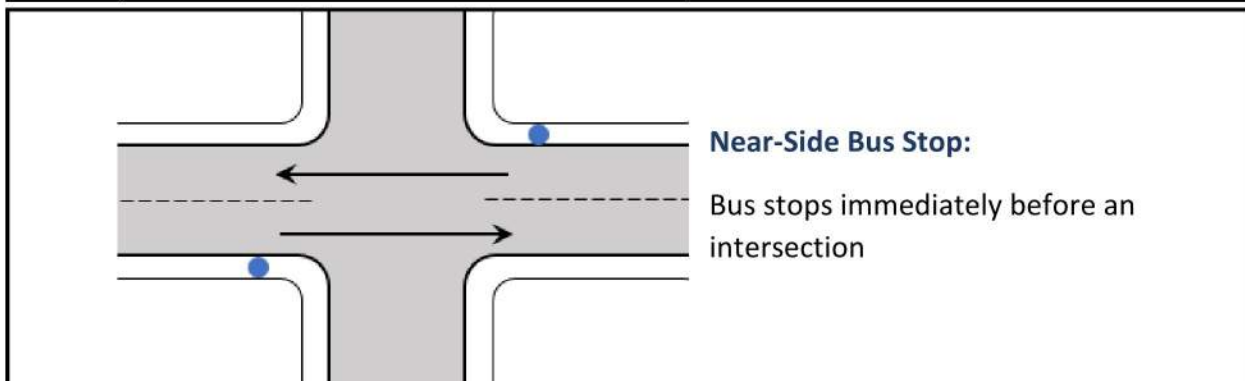
- Adjacent land use and activities
- Bus route operations and movements
- Bus signal priority
- Impact on intersection operations
- Intersecting transit routes
- Intersection geometry
- Parking restrictions and requirements
- Passenger origins and destinations
- Pedestrian access, including accessibility for disabled persons
- Physical roadside constraints, such as trees, utility poles, or driveways
- Potential ridership
- Presence of bus bypass lane
- Traffic control devices

Stop locations fall within three categories: far-side, near-side, and mid-block. ***Far-side*** stops are characterized by bus stops located after an intersection. ***Near-side*** stops are located immediately before an intersection. ***Mid-block*** stops are located within the block. NCTD staff will determine which stop location is the most appropriate based on individual situations.

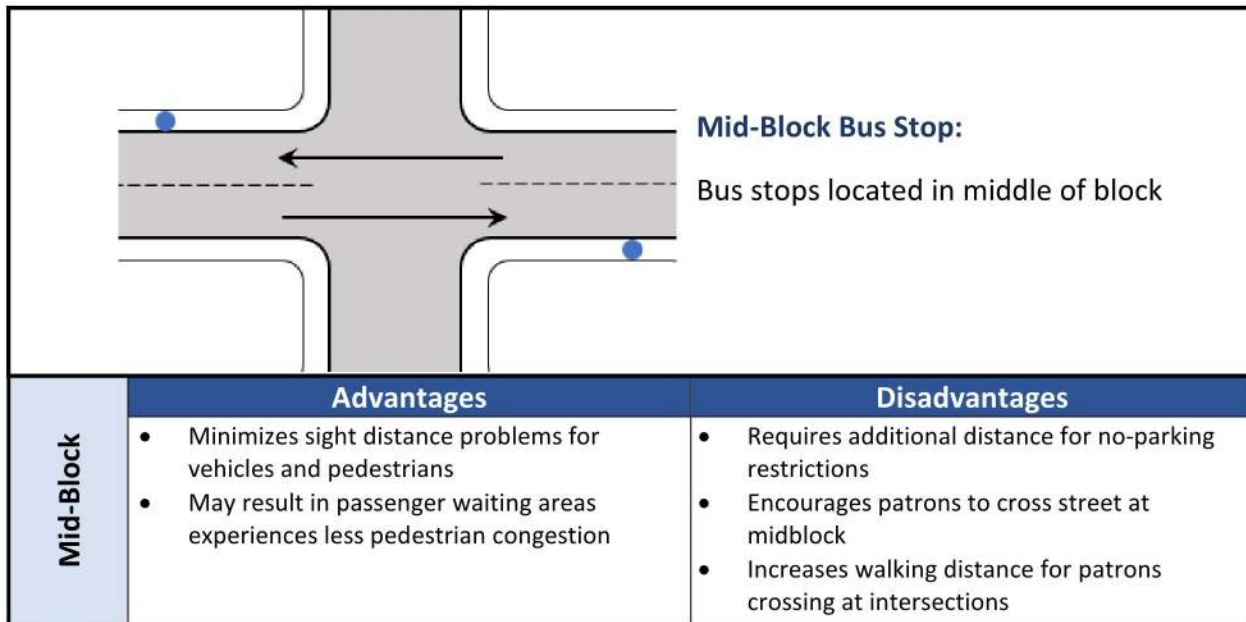


<sup>1</sup> TCRP Report 19: Guidelines for the Location and Design of Bus Stops

<ul style="list-style-type: none"> <li>Minimizes conflicts between right turning vehicles and buses</li> <li>Provides additional right turn capacity by making curb lane available for traffic</li> <li>Minimizes sight distance problems on approaches to intersection</li> <li>Encourages pedestrians to cross behind the bus</li> <li>Creates shorter deceleration distances for buses since the bus can use the intersection to decelerate</li> <li>Results in bus drivers being able to take advantage of the gaps in traffic flow that are created at signalized intersections</li> </ul>	<ul style="list-style-type: none"> <li>May result in the intersections being blocked during peak periods by stopping buses</li> <li>May obscure sight distance for crossing vehicles</li> <li>May increase sight distance problems for crossing pedestrians</li> <li>Can cause a bus to stop far-side after stopping for a red light, which interferes with both bus operations and all other traffic</li> <li>May increase the number of rear-end accidents since drivers do not expect buses to stop again after stopping at a red light</li> <li>Could result in traffic queued into intersection when a bus is stopped in travel lane</li> </ul>
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Near-Side	Advantages	Disadvantages
	<ul style="list-style-type: none"> <li>Minimizes interferences when traffic is heavy on the far side of the intersection</li> <li>Allows passengers to access buses closest to crosswalk</li> <li>Results in the width of the intersection being available for the driver to pull away from the curb</li> <li>Eliminates the potential of double stopping</li> <li>Allows passengers to board and alight while the bus is stopped at a red light</li> <li>Provides driver with the opportunity to look for oncoming traffic, including other buses with potential passengers</li> </ul>	<ul style="list-style-type: none"> <li>Increases conflicts with right-turning vehicles</li> <li>May result in stopped buses obscuring curbside traffic control devices and crossing pedestrians</li> <li>May cause sight distance to be obscured for cross vehicles stopped to the right of the bus</li> <li>May block the through lane during peak period with queuing buses</li> <li>Increases sight distance programs for crossing passengers</li> </ul>



Whenever possible, bus stops should be located at the far-side of an intersection to facilitate bus and traffic operations, and to maximize pedestrian safety. Under the following special circumstances, near-side stops may be necessary:

1. If accumulation of buses occasionally exceed the length of bus zones, far-side stops should be avoided and the zone placed on the near-side.
2. At transfer points of two crossing routes, placing one stop on the near-side and the stop for the crossing route on the far-side is an advantageous arrangement. This places both stops on the same corner and minimizes street crossings by transferring passengers.
3. When a large percentage of bus passengers using a stop destined to a single large generator, the bus stop should be located so that pedestrian traffic is minimized in the intersection. The proper bus stop location could be either near-side or far-side.

NCTD staff should be consulted whenever special circumstances regarding bus stop placement arise. Bus stop zones can usually be accommodated on-street in the parking lane or bike lane.

### 3.2.3 In-Street Bus Stop Design

NCTD utilizes three main types of bus stop designs – curbside stops, bus bulb (curb extension), and bus turnout (bus bay). The application of each stop design type is dependent upon the current or planned roadway conditions and design, as required stop zone lengths and operational impacts vary.

#### *Curbside Stop Design*

Bus stops located directly along the roadway curb and within a travel lane are referred to as curbside stops. Curbside stops can allow one or multiple buses to be stopped at a given time, depending on the length of curb

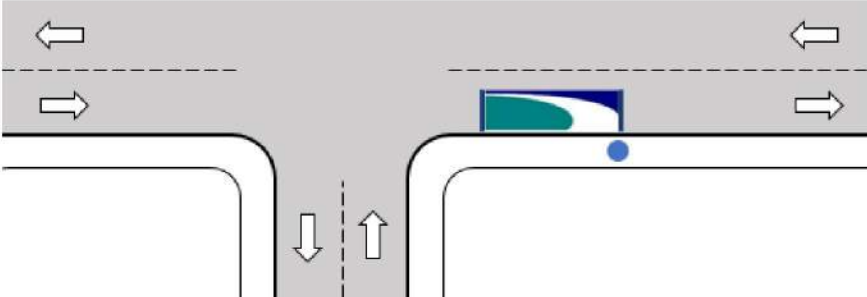


available, passenger service time at the stop, and the rate of bus arrivals. To ensure that adequate space is provided for the bus, no parking zones must be included at curbside stops as follows:

- **Near-side stops:** 100 ft. minimum no parking zone
- **Far-side stops:** 90 ft. minimum no parking zone
  - *Stop after a bus turn:* 130 ft. minimum no parking zone, including 60' clear space from the rear of the bus at the stop to the curbline of the intersecting street.
- **Mid-block stops:** 130 ft. minimum no parking zone

New curbside stop locations must ensure that adequate space is available for ADA design requirements, as well as any warranted passenger amenities. Additionally, where feasible, connections to existing pedestrian and bicycle facilities should be incorporated to increase access to the stop. In general, curbside stops should be located in a manner that considers the following:

- Stop does not result in passengers waiting for a bus in the middle of a driveway, or so that the stopped bus does not block a driveway.
- Stop is near a major intersection that is signalized, includes a stop sign, or near an existing pedestrian crossing signal to increase passenger safety.
- Stop allow passengers to board or alight the bus directly from a curb (where present) rather than from a driveway.

		
<b>Curbside</b>	Advantages	Disadvantages
	<ul style="list-style-type: none"> <li>• Provides easy access for bus drivers and results in minimal delay to the bus.</li> <li>• Simple design is easy and inexpensive to install.</li> <li>• Easy to relocate.</li> </ul>	<ul style="list-style-type: none"> <li>• Can cause traffic to queue behind stopped bus, thus causing traffic congestion.</li> <li>• May cause drivers to make unsafe maneuvers when changing lanes in order to avoid a stopped bus.</li> </ul>

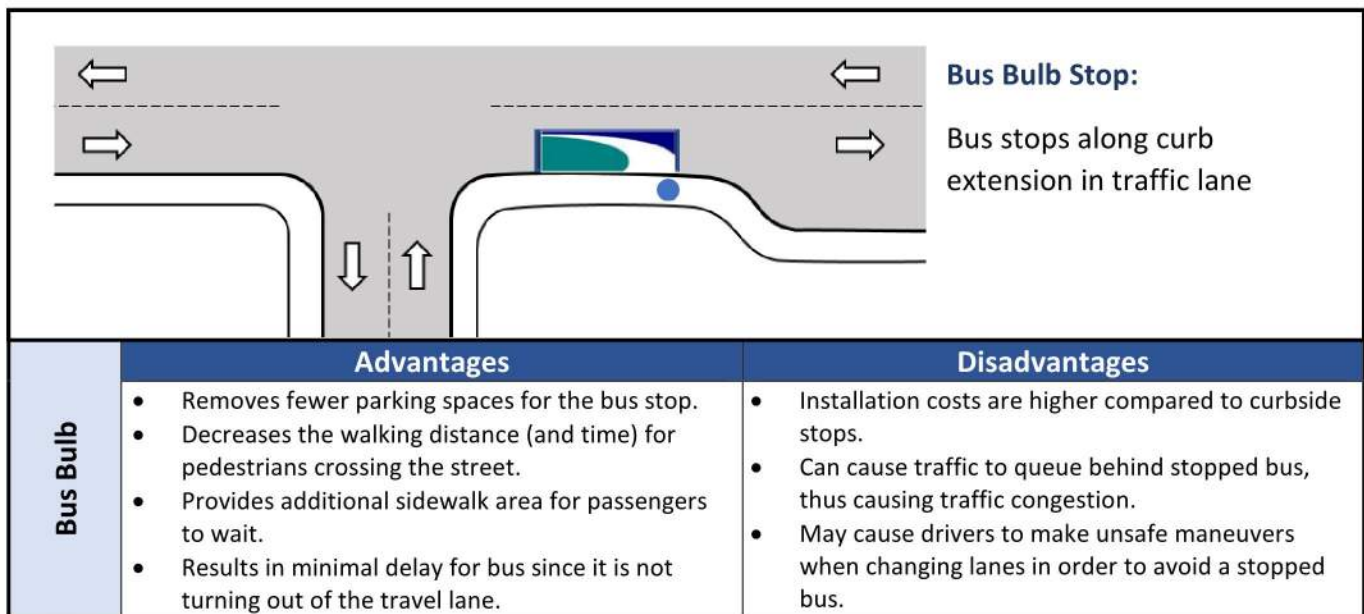
#### *Bus Bulb Stop Design*

A bus bulb is a section of sidewalk that extends from the curb of a parking lane to the edge of a through lane, and are also known as curb extensions. A bus bulb allows buses to stop in the traffic lane instead of weaving in and out of a parking lane or shoulder. The following list outlines reasons for constructing bus bulbs:

- Additional space for bus passengers, benches, shelters, and other amenities are needed;
- Reduces congestion at busy sidewalks;

- Shortens crossing distance for pedestrians at intersections and crosswalks;
- Reduces bus stop spacing requirements at bus stop (shared traffic lane and stop);
- Improves safety by eliminating bus-weaving maneuver in and out of traffic; and/or
- Saves time by reducing conflicts between bus and through traffic.

NCTD recommends bus bulbs at bus stops that have high passenger volumes, crowded sidewalks, and at streets with permit curbside parking.



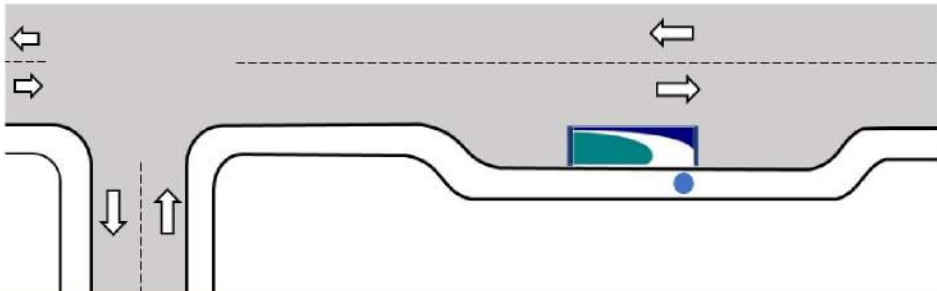
#### *Bus Turnout / Bus Bay Stop Design*

Bus turnouts are widened sections of roadway designed for buses to pull out of the traffic stream. In cases where there are no parking or right-turn lanes, or where traffic speeds or passenger boardings/bus volumes are high, a bus turnout may be necessary. Bus turnouts should be considered at a location when the following factors are present:

- Traffic in the curb lane exceeds 250 vehicles during the peak hour;
- Traffic speed is greater than 45 mph;
- Bus volumes are 10 or more at peak hour period on the roadway;
- Passenger volumes exceed 25 boardings per hour;
- Potential for auto/bus conflict warrants separation of transit and passenger vehicles;
- History of repeated traffic and/or pedestrian accidents at stop location; and/or
- Sight distances (i.e. hills, curves) prevent traffic from stopping safely behind a stopped bus.

NCTD suggests installing bus turnouts sparingly and only when assessing the issues mentioned above. Buses removed from the roadway will often have difficulty merging back into traffic, thus negatively impacting on-time performance and the quality of transit service. NCTD staff can provide more information regarding when construction of a bus turnout is necessary.

Due to the large amount of stress that buses place on our roadways, NCTD recommends that concrete bus pads be installed at all bus turnouts. This will reduce the amount of necessary street maintenance due to pavement damage at bus stops.

		
<b>Bus Turnout</b>	Advantages	Disadvantages
	<ul style="list-style-type: none"> <li>• Allows passengers to board and alight out of the travel lane.</li> <li>• Provides a protected area away from moving vehicles for the stopped bus and passengers.</li> <li>• Minimizes delay to through traffic by pulling out of the travel lane to stop.</li> </ul>	<ul style="list-style-type: none"> <li>• May present problems to bus drivers when attempting to re-enter traffic, especially during periods of peak travel, that result in on-time performance issues.</li> <li>• Installation costs are higher compared to curbside stops.</li> <li>• Difficult and expensive to relocate.</li> </ul>

### 3.2.4 Vehicle and Roadway Design Considerations

Roadway design is a critical consideration when siting and developing bus stops. The following section outlines various general characteristics related to roadway design.

#### *Vehicle Considerations*



**NCTD FLEET CHARACTERISTICS** – Currently, NCTD operates vehicles ranging in length, with the largest bus extending 40 feet. NCTD may purchase larger articulated buses in the future for specific routes and corridors. All vehicles are equipped with bicycle racks and wheelchair lifts. NCTD’s vehicles are fueled with either CNG, gasoline, or diesel; vehicle height varies depending on the fueling type, and is an important consideration due to horizontal clearance requirements. In addition to height, the vehicles width, weight, and turning radius are all additional features that can influence a bus stop design. NCTD recommends that new bus stops be designed to accommodate 40 foot vehicles, with the following specifications:

- **Length:** 40’-0”
- **Width:** 102”
- **Height:** 11’-1”

However, certain corridors may warrant stops that can accommodate larger buses to remain consistent with longer-range NCTD service plans. As such, planners and developers should coordinated with NCTD to ensure that the most appropriate specifications are considered during the planning stage.

**TURNING RADII** – In order for buses to safely execute turning movements in and out of bus stops, adequate roadway clearances, and more specifically, bus turning radii, are required. Bus turning radii refers to an outside and inside turning arc, both of which must be considered when designing any turning movements associated with bus stops. Below is a sample template for a turning radius for a 40-foot bus.



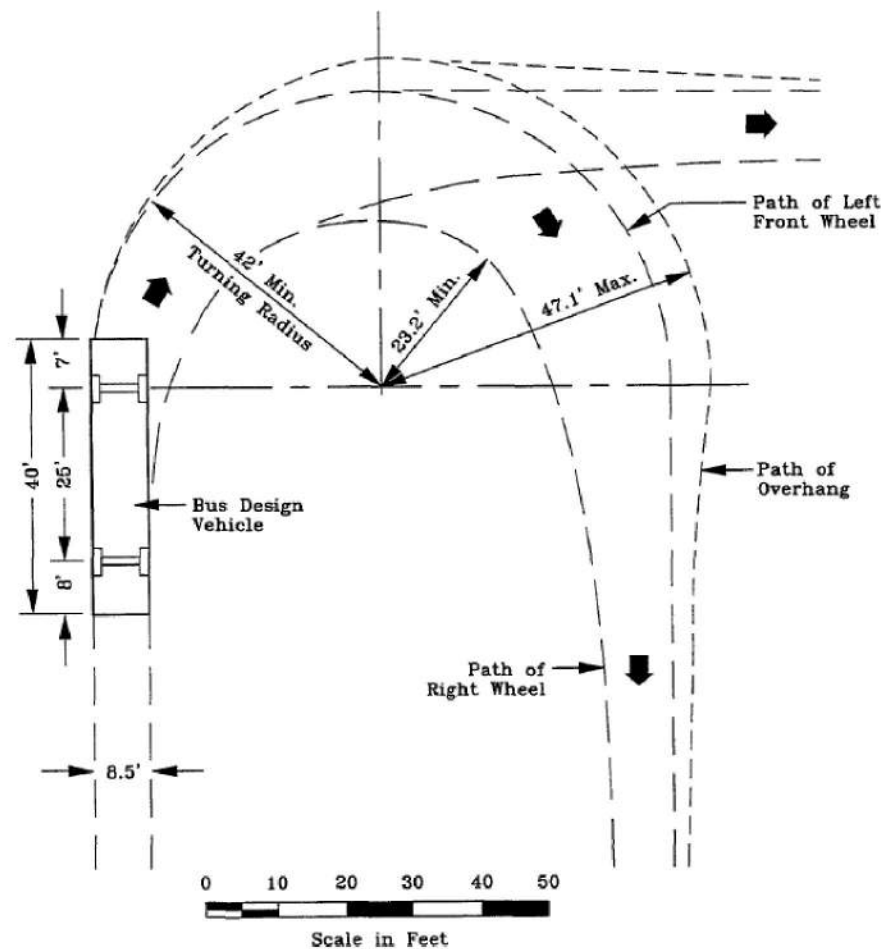


Figure 4: Bus Turning Radii Specifications

### *Roadway Considerations*

**ROADWAY DESIGN** – Bus stops should be designed in a manner that accommodates the size, weight, and turning requirements of NCTD’s buses. Doing so helps to improve the safety and operation of the overall roadway, not just the transit vehicle. Frequent stops along the roadway necessitate buses to travel in the lane that is closest to the curb, resulting in bus clearance and other design requirements, as follows:

- Minimum 14 ft. vertical clearance for overhead obstructions (i.e. trees, signs, or utilities) above the street surface
- Minimum 2 ft. horizontal clearance from the edge of the street to avoid strikes from bus mirrors
- Minimum 12 ft. traffic lane for lanes used by buses to accommodate total maximum bus width (body + mirrors)
- Ideal total width (travel lane + curb + gutter) of 14 ft.
- Maximum 6 percent grade for uphill roadways and 12 percent grade for downhill roadways
- Maximum 6 percent grade change between street and driveway
- Ideal curb height of 6 to 9 in.

**VERTICAL AND HORIZONTAL  
CLEARANCES FOR BUSES**

Scale 1" = 6" (approximate)

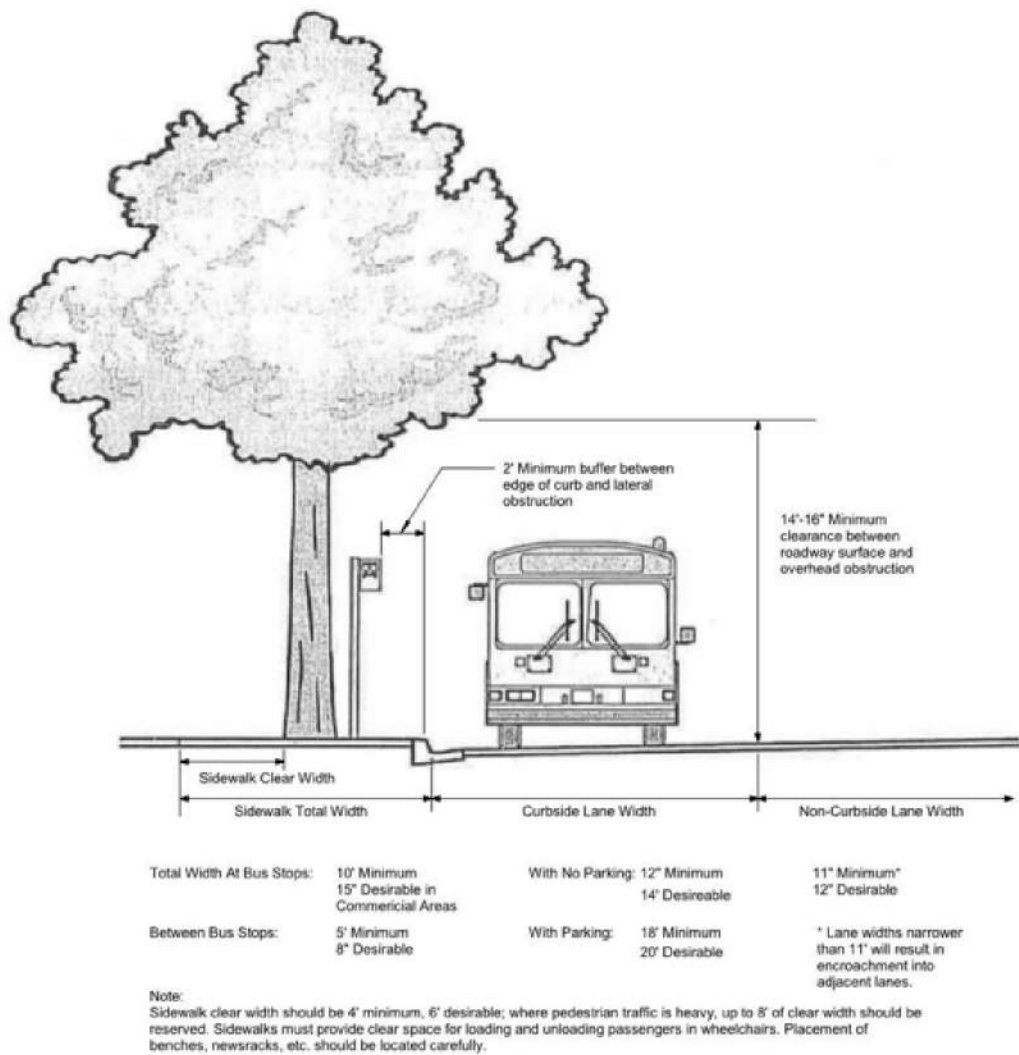


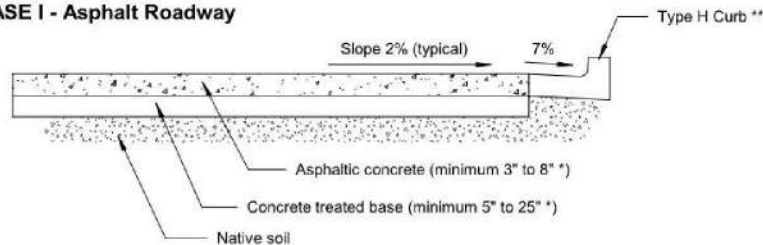
Figure 5: Specifications for Vertical and Horizontal Clearances

**PAVEMENT** – To accommodate the repetitive bus axle loads of 25,000 pounds, roadways pavements must be of sufficient strength. Concrete is the preferred material for bus pads to avoid failure problems that are common with asphalt, and is more apt to withstand the load and shear force applied during bus starting and stopping movements.

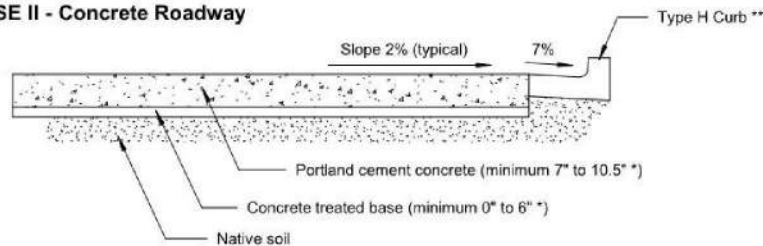
## PAVEMENT COMPOSITION

Scale 1" = 4'

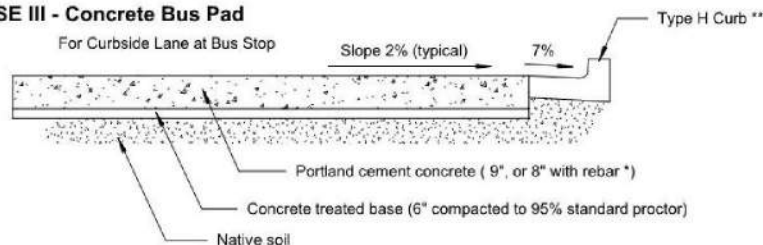
### CASE I - Asphalt Roadway



### CASE II - Concrete Roadway



### CASE III - Concrete Bus Pad



Note:

\* Thickness of layers depends upon average daily traffic volume and resistance value of native soil.

\*\* Type G curb is acceptable on collector streets.

Figure 6: Pavement Composition Specifications



## 4.0 Coordinating Transit and Land Use

When transit and land use work seamlessly together, the quality of life for residents and visitors increases. NCTD places a priority on coordinating transportation and land use decisions as a means to increase transit access, and to ensure that development considers and plans for transit from the very beginning. With nine separate jurisdictions in NCTD's service area, this coordination is essential, as each community has a unique vision for how their community will be shaped over time.

Those in the private sector proposing new development at or adjacent to existing transit stops and stations, as well as new development with new transit facilities, should become familiar with the standards throughout this document to ensure that their projects will accommodate transit. Alternately, as transit accessibility and pedestrian accessibility are closely linked, developments should at a minimum, provide pedestrian and bicycle access to existing transit facilities. The design of our communities must recognize possibilities that may exist several years into the future. Ideally, land use development and planning professionals should work together with the transit agency to ensure that the new development is well positioned in relation to transit services. When buses do not serve a proposed project at the present time, designing for buses is still desirable by considering the transit program's short-term and long-term plans for service and expansion. Proper location decision-making during the planning stage of a project will assure that future extensions of service, if needed, are consistent with the transit agency's service plans and can be accommodated economically.

There are many ways in which the design of new development can encourage greater use of public transit. Most involve little cost or effort if they are followed early enough.

### 4.1 Location

The location of a development is an especially important consideration when thinking about transit usage and service. Developments with high intensity uses, for example, are incredibly valuable to the economic health and quality of life within a community, however when located in areas with minimal to no transit service, this value is greatly diminished. As a result, developers and planners should include transit as a decision-making criteria when selecting development sites or broader planning initiatives to ensure that the value of both the transit service and the community's health are fully realized.

New developments should carefully consider what the transit needs may be based upon the uses involved. Uses that would generate transit ridership, such as employment centers, social services/community resources, or multifamily residential, should ideally be located within ½-mile of an existing bus route so that passengers can easily access the service, or so that transit service may be realigned (if possible) to serve the development. Planners and developers should take care not to site large-scaled developments far from existing (or planned) transit service, highlighting the importance of involving NCTD early on in the planning process to assess 1) whether transit can easily be provided within a cost efficient manner, 2) what types of amenities would be required, or 3) whether future transit service plans would positively or negatively impact the success of the development.



## 4.2 Density and Land Use

### 4.2.1 Transit-Supportive Design and Development

Transit-supportive development not only includes mixed land use and higher densities, but also incorporates design strategies that bring the development to a pedestrian scale. The design and orientation of buildings can both contribute to or discourage transit usage in ways which are not always obvious. Most suburban buildings are oriented to people arriving by automobile, with parking facilities located along the street and buildings set back. In contrast, buildings and



Figure 7: Vista TOD with affordable housing

developments should be designed and sited in ways that cater to transit riders, pedestrians, and cyclists, as well as those arriving by car. Building entrances should be clearly visible to those arriving on foot, bicycle, or transit, and access to entrances should include clearly defined and direct pedestrian paths from the street. Further, public spaces that include pedestrian walkways, bicycle routes, street furniture, and streetscaping are vital to transit supportive developments and should be integrated into developments at or adjacent to bus stops and stations.

Quite often, transit service is relegated to the periphery of a development as a practical necessity. A bolder approach is to bring transit service to the heart of a community, integrated into its fabric and treated as an asset to be embraced rather than a nuisance. Neighborhoods with attributes that lend to potential transit success –



Figure 8: Carlsbad Poinsettia Station TOD

efficient street networks, adequate pedestrian and bicycle facilities, mixed uses, and/or transit supportive densities – should be prioritized. Transit should be incorporated in the developments where it “makes sense” – pulling transit onto streets that are difficult for buses to navigate, such as winding through walled communities or through low-density developments – is not good practice and should be avoided. Instead, developments should be designed for transit service, or at a minimum, be located adjacent to quality bus service with direct and clear access to existing stops and stations.

Transit-oriented developments (TODs) focus on providing a mix of elements that are conducive to transit usage, and incorporate many (if not all) of the concepts discussed in this section.



### Key Transit Supportive Design and Development Guidelines Supported by NCTD

- Orient developments towards the street, with parking located to the rear of buildings rather than along the street frontage.
- Building design and circulation plans should minimize the need for parking and increase the opportunity for transit and active transportation.
- Bus stop and station elements should be incorporated into the design, in addition to other public spaces like walkways, bicycle paths, and street furniture.
- Emphasize compatible and compact land uses that enable convenient access to and from bus routes, and that are designed to provide connections to a variety of uses (i.e. residential, employment, educational, and commercial).
- Minimize walk distances through developments to bus stops, especially those with walls or gates, so that transit is accessible to most patrons or residents.

#### 4.2.2 Transit Supportive Densities

Higher density development, particularly when paired with mixed-use development, is a factor that is often associated with high transit ridership. Appropriate levels of density vary between neighborhoods and communities, and does not mean that only high-rise apartments and office buildings should be constructed near bus stops. Instead, certain thresholds of development should be encouraged that complement the surrounding area and community goals. As the relationship between transit usage and density varies by mode and frequency of service, development must consider the both the existing and planned land uses in concert with the available and planned transit services.



Figure 9: North City Master Plan rendering, San Marcos



Figure 10: North Beach Promenade development rendering, Oceanside

NCTD encourages development of at least 12 to 18 residential dwelling units per acre to generate transit ridership, ideally within ¼-mile of a bus or rail stop/station. Where densities of a project vary, the highest densities should be located closest to existing or potential bus stops to encourage transit usage. Please check with local Planning Departments to determine appropriate project density.



### Key Development Density Strategies Supported by NCTD

- Low-density development or developments with low rates of employment are discouraged from locating near existing bus stops and stations.
- Higher density developments with affordable housing and a mix of uses are encouraged at or near existing bus stops and stations.
- Land use density should be maximized within transit walksheds/bikesheds and should minimize parking requirements.
- Densities should be matched to the available and planned services in order to maximize ridership potential generated by new developments. For example, employment and service-related development densities may be more appropriate near COASTER stations, while higher residential densities may be more beneficial near BREEZE stations and stops.

#### 4.2.3 Land Use Diversity

A basic element often overlooked in creating a more multimodal focused environment is the importance of mixing different types of land use – housing, retail commercial, restaurants, office, etc. Mixed use developments increase connectivity between these elements, in turn strengthening the potential for transit success, as well as pedestrian and bicycle activities. Providing a mix of uses reduces the need for car ownership, increases opportunities to walk or cycle for everyday trips, promotes transit usage, and creates an overall public transit friendly environment vital to community sustainability. Important to public transit usage, diverse uses along a street increase foot traffic that lends a sense of security for those waiting for a bus.



Figure 11: North City Master Plan, San Marcos



Figure 12: Pacific Station Development, Encinitas

Retail uses are a key component of effective mixed-use developments, and in particular, ground floor retail. These uses optimally should be located as close to a bus stop as possible in order to generate ridership. Additionally, a mix of uses that combines retail and restaurant within close proximity to employment centers can greatly encourage a shift towards transit for both lifestyle and commute trips. Employees are more likely to use transit services when they have walkable access to other amenities during the day. For other residents or visitors, a mix of uses allows for the ability to



combine multiple errands or activities together in a single location, further reducing the need for an automobile to complete their trip.

Key Land Use Guidelines Supported by NCTD	
<ul style="list-style-type: none"> <li>Limit auto-oriented uses near transit. For developments already in place, incorporate shared parking strategies like park-and-ride lots near transit stops with existing parking lots to encourage transit usage.</li> </ul>	
<ul style="list-style-type: none"> <li>Encourage TOD development at or near existing transit stops or stations, especially those with multimodal options, higher frequency transit routes, or with service by multiple bus routes/providers.</li> </ul>	
<ul style="list-style-type: none"> <li>Street corners should be developed with transit supportive commercial uses, like restaurants, services, and shopping, along with bus stops.</li> </ul>	
<ul style="list-style-type: none"> <li>When evaluating new developments near existing bus stops or along designated/planned development corridors, mixed-use developments should be provided within ½-mile of a bus stop or station, with retail uses as close to the stop as possible.</li> </ul>	
<ul style="list-style-type: none"> <li>Concentrate employment centers near existing or planned transit routes, as well as near other services like retail and restaurant uses.</li> </ul>	

### 4.3 Access and Walksheds

The simplest way of increasing the use of public transportation is to establish communities where walking and biking are more attractive. Transit combined with pedestrian and bicycle access is critical not only for creating a complete and sustainable transportation network, but also to encourage passengers to use transit to complete daily trips and activities. The factors that encourage people to walk are often subtle, but they all focus upon the creation of a pleasant environment for the pedestrian. New or existing developments that are within close proximity to transit should incorporate plans for improved pedestrian access to nearby bus stops, which may include pedestrian walkways/entrances separate from the street network.

Adequate sidewalks, pathways, and crosswalks will assist in the creation of a pedestrian and bicycle environment, and will reinforce safety for users. Sidewalks in residential areas should be of sufficient width for two people to walk side-by-side comfortably, and multiuse pathways should be designed to accommodate both pedestrians and bicyclists safely. Please check with the local jurisdiction, as required sidewalk and bicycle facility widths may vary.

The walkable area surrounding a bus stop or station (or “walkshed”) differs between pedestrian and bicyclists, as well as between general transit modes. In general, acceptable pedestrian walksheds are ¼-mile for local fixed route bus (BREEZE, FLEX) and ½-mile for higher capacity transit (BREEZE Rapid, SPRINTER, COASTER), while a 3-mile radius is suitable for bicycles, regardless of mode. To ensure connectivity with land uses, new developments with transit supportive densities and associated bus stops should be focused within these walkshed targets, and investments should be made to expand stop area walksheds at existing stops. Combined with investments like street furniture, lighting, and landscaping, clear and direct pathways from the bus stop to employment centers or other high-intensity uses within the walkshed often help to improve the public’s perception of transit and serve as a catalyst to usage.

Major streets and arterials accommodate and encourage high levels of traffic, and also pose special problems for transit. Many of the streets in North County are wide, lack access to abutting land uses, cater to high-speed traffic, are difficult places for buses to stop, and present safety challenges for pedestrians and bicyclists to cross.





Street crossings must be allowed at frequent intervals to increase safety and include pedestrian access to all abutting land uses.

#### **Key Access Guidelines Supported by NCTD**

- Focus developments within ¼-mile to ½-mile of existing bus routes to provide walkable access to transit.
- While walled and gated developments are generally discouraged from a transit perspective, new such developments should include openings for pedestrian and bicycle access to major corridors with transit service.
- Provide designated pathways for pedestrians to access existing bus stops and stations.

## Melinda Dacey

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**From:** drhfseldin@aol.com  
**Sent:** Sunday, September 11, 2022 1:10 PM  
**To:** Melinda Dacey  
**Subject:** Public Comment for ECR Specific Plan Task Force - September 13, 2022.. OPPOSE  
(PLEASE ONLY DISTRIBUTE THIS VERSION)

[NOTICE: Caution: External Email]

Dear Ms. Dacey: Please share these comments with the ECR Specific Plan Task Force.

As a New Encinitas D3 Resident who drives on ECR, commutes via ECR, and shops and visits medical and veterinary offices on ECR very frequently—I drive through the corridor every day—I OPPOSE the draft plan.

I had hoped that the people driving this process at the City would have aimed to achieve balance and would have listened to local residents, especially those of us who live in the residential communities surrounding the project. I haven't see that yet, hope you are early in the process. I did very much appreciate that the city had a small amount of outreach to residents in several of our neighborhood commercial areas, but wish there could have been more time for resident-input and consideration. And honestly, I don't think those handful of residents/shoppers were asked their opinion on the current plan, but rather on the earlier less overwhelming proposal per workshop 2. I hope you switch directions. This process has been a bait-and-switch from the beginning; I urge you to change this. Originally, per the first of the City's ECR Workshops, the plan was focused on improving the commercial aspects of the corridor, looking to modernize and beautify commercial areas to serve local residents. Suddenly, the second Workshop completely switched direction, *without resident buy-in*, to high-density housing. Through a childish exercise that involved little pieces of paper on a board, we were led to believe that small areas of housing would be added to a couple of strip malls in the corridor. Instead, the proposal appears to eliminate LA Fitness and other highly used businesses, and replace them with unwanted radical increases in housing that exceed municipal building height limitations. We didn't want that; we didn't ask for that; we didn't vote for that.

We are overwhelmed with professional planner-speak, acronyms, and unfamiliar terms like NOP, "Scoping," and EIR. Personally, I am somewhat familiar with the term "EIR," as I served the City as a member of the Environmental Commission about 10 years ago. However, most residents are unfamiliar with any of this jargon. We live near the corridor, and there are many families, working people who commute on ECR and retired people whose quality of life would be impacted severely by a major change to building heights and residential housing density that is being proposed. Give us a real voice, don't just listen to the developers and planners.

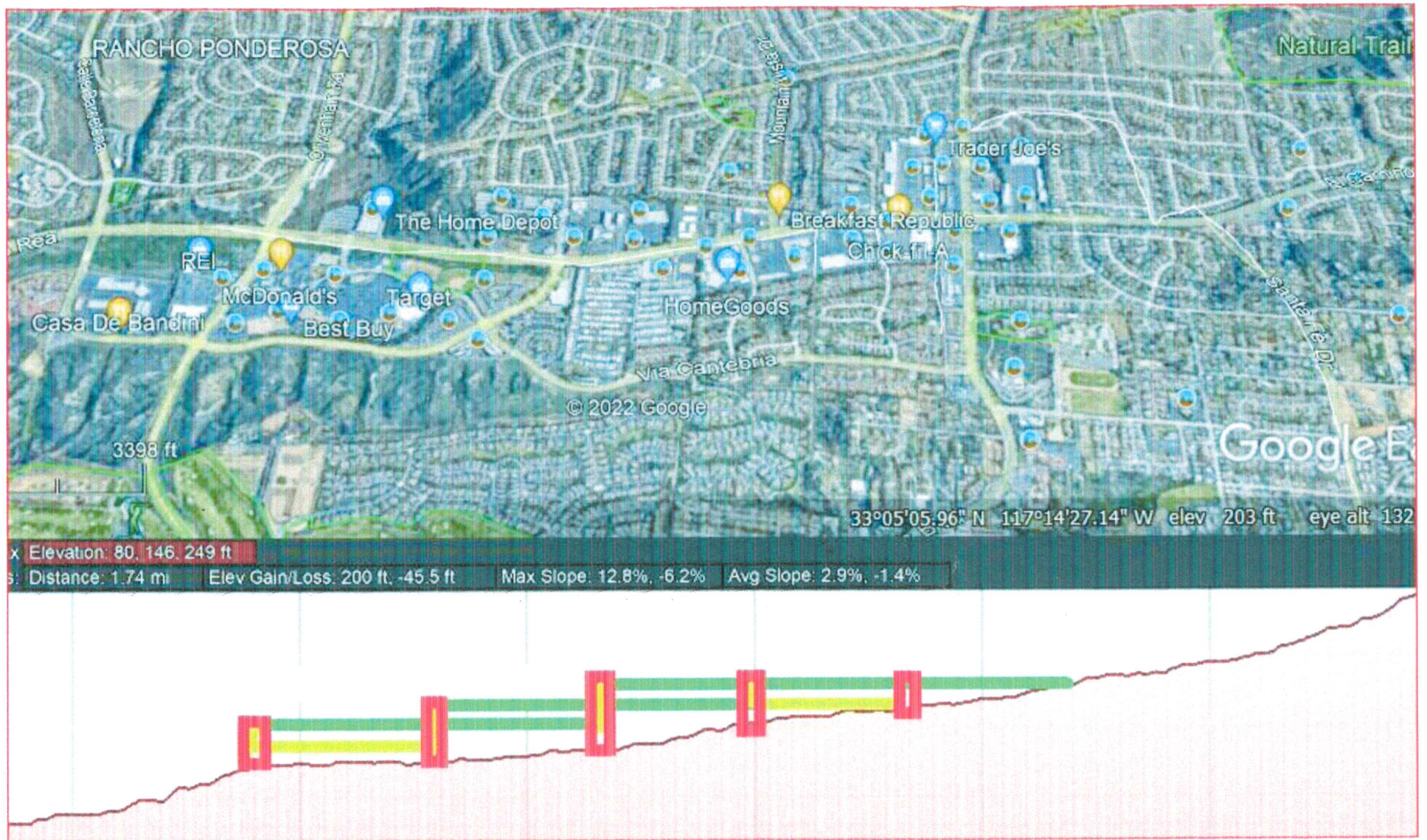
In terms of the topics addressed in an EIR, we would be negatively impacted in the following areas: aesthetics, air quality, greenhouse gas emissions, noise, transportation, wildfires, and probably other areas as well. High-density development would eliminate open space and views. With less of the natural world, we'll lose the sound of birds and the current ecosystem. Air quality would significantly worsen, and greenhouse gas emissions would significantly increase. This region of Encinitas would become a stagnant heat sink instead of an open breathing environment. The increase in asphalt and concrete would contribute to unhealthy rising temperatures. All of this development would cause noise pollution,

decrease the ability to drive to where we need to go, and increase our risk during wildfires as it will be so much more difficult to evacuate. This is not what I would call "revitalization."

Not everywhere needs to be a dense urban downtown; New Encinitas is largely a residential suburban community. Let us maintain our community character. Task Force, please recommend a pause on this ill-advised plan. If the project does move forward, please take it to a Prop A vote of the people.

Harriet Seldin  
New Encinitas Resident, District 3  
cell 760 613-2483  
drhfseldin@aol.com





Topography and Pedestrian Access Exhibit submitted by Susan Sherod at the EIR Scoping Meeting



## Melinda Dacey

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**From:** Jennifer Gates  
**Sent:** Wednesday, September 14, 2022 1:35 PM  
**To:** Melinda Dacey  
**Subject:** FW: comment on El Camino Real Specific Plan

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**From:** Barbara Swanson <baswanson100@hotmail.com>  
**Sent:** Wednesday, September 14, 2022 1:07 PM  
**To:** Jennifer Gates <jgates@encinitasca.gov>  
**Subject:** comment on El Camino Real Specific Plan

**[NOTICE: Caution: External Email]**

Hello Ms. Gates,

Please see my comments below regarding the El Camino Real Specific Plan.

While I understand the city's interest in getting more tax revenue from the El Camino corridor, as a resident living only a few blocks from this area I have several concerns:

1. Increased traffic. Already El Camino is a heavily trafficked area, especially during commute times and weekends. As I use this corridor regularly to go to and from my residence, I am very concerned about more traffic, pollution and noise.
2. Potential loss of wildlife habitat. While plants, birds and other wildlife don't pay taxes, they are an important part of our community. The small riparian area and adjacent hillside on the west side of El Camino just north of Garden View Road is a wonderful pocket of native plants, birds, insects and other wildlife that make it their home. I often walk there from my home (and always see others walking or biking along the path) as it is a unique area within walking distance and connects to the large native hillside habitat on the west side of Garden View. There is a huge contrast with this lovely area compared to the lifeless concrete drainage area along El Camino on the other side of Garden View Road. Please don't turn this unique riparian area into another concrete creek.
3. Choice of landscaping plants. So much of what is considered landscaping uses plants that are practically useless to wildlife. Native plants that support our local wildlife should be used as much as possible, making corridors to connect the few remaining pockets of native plants in the area. Encinitas wants to be considered "green" but putting in bicycle lanes while eliminating native plants and not supporting wildlife is not environmentally friendly.
4. Awareness of the Plan. As a local resident, I only found out about this Plan very recently from someone who doesn't even live here. I have asked a couple neighbors if they know about this plan, and they did

not. It seems that there should have been more of an outreach to the residents who will be most affected by this re-development.