

Appendix A: Community Engagement Summary

Section 65583 (c) (7) of the Government Code states that, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." A discussion of citizen participation is provided below.

The City of Encinitas conducted an extensive public outreach process beginning in 2014 to prepare a 2013-2021 Housing Element. Outreach efforts included 45 presentations, numerous mailers and ads, and community dialogue sessions attended by 479 persons. That effort culminated in the adoption of a 2013-2021 Housing Element by the City Council in June 2016 and its placement on the November 2016 ballot as Measure T. However, the voters did not approve Measure T.

The City immediately began an effort to adopt a revised 2013-2021 Housing Element to be submitted to the voters in the November 2018 election. On November 16, 2016, even before the certification of the Measure T election results on December 13, 2016, the City Council approved the formation of a Housing Element Subcommittee to work with all groups to adopt a Housing Element. The City Council held a special community workshop on February 1, 2017, attended by well over 100 people, to discuss adoption of an adequate Housing Element and also held a special meeting on February 6, 2017, at which it appointed a Housing Element Update Task Force, comprised of the Council Subcommittee and two public members, including one supporter and one opponent of Measure T. Eleven public meetings were held by the Task Force in 2017, two of which were joint meetings with the City Council, in addition to regular updates to the City Council. In 2018, two Task Force meetings, two joint Task Force-City Council meetings and one community informational open house have occurred or have been planned. All meetings were advertised to an extensive mailing list (hard copy and email/e-alert) and the City maintained a web site with all information submitted to the Task Force. The meetings were attended by, among others, representatives of the San Diego Housing Federation, Building Industry Association, affordable housing and market-rate developers, and many community members. Additionally, two stakeholder meetings were held. Refer to Appendix A for the public notice mailing list, public notices, Council meeting minutes, and stakeholder meeting notes.

As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council.

Table A-1 shows the date or anticipated date of each meeting for the housing element. Summary notes for each meeting shown in the table are provided within Appendix A.



Table A-1: Summary of Public Comments from Housing Element Meetings

HOUSING ELEMENT TASK FORCE(HETF)	NOTES			
February 13, 2017	HETF meeting			
February 23, 2017	HETF meeting			
March 9, 2017	HETF meeting			
April 10, 2017	HETF meeting			
May 4, 2017	HETF meeting			
August 10, 2017	HETF meeting			
September 5, 2017	HETF meeting			
September 26, 2017	HETF meeting			
October 16, 2017	HETF meeting			
February 28, 2018	HETF meeting			
CITY COUNCIL	NOTES			
February 6, 2017	Special meeting			
November 8, 2017	Regular meeting			
December 16, 2017	Joint meeting with Task Force			
January 10, 2018	Joint meeting with Task Force			
April 4, 2018	Joint meeting with Task Force			
STAKEHOLDER	NOTES			
February 28, 2018	Stakeholder meeting #1			
April 4, 2018	Stakeholder meeting #2 (Pending)			
WORKSHOPS/OPEN HOUSE	NOTES			
February 1, 2017	Special Council Meeting/Housing Element Workshop			
May 10, 2018	(Pending)			

City of Encinitas [DRAFT]



A.1 Housing Element Task Force Public Comments

This section contains a summary of the public comments provided during each of the Housing Element Task Force (HETF) meetings. Opportunities for public comment were provided at the beginning and end of each meeting.

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – FEBRUARY 13, 2017

PUBLIC COMMENTS:

Beginning of meeting -

- Community Member Short buildings and low density.
- Bob Supports ADU policy and recommended reading report on ADUs.
- Robin Concern with parcels in Cardiff. Not appropriate for the plan. Traffic and building height concerns.
- Richard Commends the task force for their work.
- Steve Suggests focusing on the best plan market will decide. Also suggests hiring staff to get ADUs built.
- Amy presented ideas for creating ways to build affordable housing for artists.
- Ron Suggested putting HCD rules/regulations on website to help the public understand what
 HCD is looking for to approve the housing element.

- Bob consider more sites than just our shopping centers. Consider long-term study through HCD to achieve low cost housing.
- Glen Need feedback mechanism for public comments. Get a good expert for housing element.
 Should be able to go more than 2-stories. Mixed use does not work. Preserve historic sites and community character.
- Mark You need a process. Establish milestones and due dates. Have structure. Concerned about density calculations.
- Community Member Likes the open approach to the meetings.
- Sheila ADUs are grandfathered. Look at Oceanside bonds. Use the original General Plan, not overlay. Downtown site should be off the table. Why start with existing sites?
- Glenn Look at Los Gatos regulations to understand background on thoughts. We never had a workshop on inclusionary and affordable housing, which had been discussed.
- Russ Talked about a style of proto-type developments to consider that worked in La Jolla.

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – FEBRUARY 23, 2017

PUBLIC COMMENTS:

Beginning of meeting -

- Kathleen Simply thanked the task force for their work.
- Bob Provided information regarding ADUs built in the City.
- Damien Affordable builder. He has an affordable plan for his property and wants it considered.
- Peter Based on court case (CBA vs San Jose) consider 15% inclusionary housing ordinance.
- Community Member Suggested affordable housing at the Encinitas Community Park.
- Community Member Why can't we just take city property and build affordable housing.

- Ron Wants staff to confirm the effort to notify the public of upcoming meetings.
- Bob Wants to know how the new laws will affect the ADUs regulations.
- Sheila No RFP until we know what we want in the plan. Wants specifics. Can we have an HCD rep?
- C.J. Are the meeting minutes on the website? (Staff explained meetings are recorded and posted on the Subcommittee's webpage).
- Community Member Suggested the buffer be doubled to gain HCD's acceptance.
- Glenn Talked about the housing element consultant's role.
- Cardiff Resident What is the vision as we grow? Need good planning efforts.
- Glenn Plan needs to be confined in order to pass.
- Community Member There needs to be educational materials on the City's homepage.

PUBLIC COMMENTS - FEBRUARY 28, 2018

PUBLIC COMMENTS:

Beginning of meeting

- Peter Stern This Housing Element process has been the most transparent process. Remember that zoning is very important and that you need to work beyond selection of sites.
- Lois Recommends keeping L-7 on the list.
- Richard L-7 should be rezoned to R-3 and funds from project could be used for affordable housing project near bus lines. Too much increased density proposed on Quail Gardens Drive.
 Use public works site.
- Sylvia Recommends keeping L-7 on the list.
- Glen Should be a rational planning process. Concerned about density on Quail Gardens Drive.
- Kevin Concerned about L-7 site.
- Encinitas Resident Affordable housing supporter.
- Tom City needs to have affordable housing available.
- CRC Affordable housing advocate spoke in support of affordable housing.
- Ron Could we use the El Camino Real Home Depot open space?
- Angela Recommends L-7 site and supports affordable housing.

- Sue Reynolds Suggested keeping L-7 on the list.
- Bob K. Spoke on behalf of Leichtag and supported keeping the L-7 site on the list, with the understanding that any housing intensification would include the implementation of the recommendations of the previously prepared traffic calming plan.
- Peter Curry Suggested considering the use of an overlay.
- Resident Spoke of her concerns with low-income development.

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS - MARCH 9, 2017

PUBLIC COMMENTS:

Beginning of meeting -

- Bob Consider the landfill site as an option for affordable housing.
- Damien Presented a spreadsheet on sites and options based on land value the 30 DUA.

- Glenn Asked various questions about the consultant selection and if they will work with staff and the task force.
- Community Member Expressed concerns about affordable housing and that many teachers can't afford to live in Encinitas.

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – April 10, 2017

PUBLIC COMMENTS:

Beginning of meeting -

None

- Citizen Parking ordinances. Required 2 for 1 bedroom currently. He ran numbers at 1.5 per bedroom. Reanalyzing the parking
- Glenn 15 vs. 16 Adopted the environmentally friendly map but there was no option to change it. Should look at more than one outside site. Give Council the discretion to look at other outside sites.
- Citizen 16 to 20 sites then add more that were on other maps?
- John Gjata Looking at cost per square foot. Looking at it financially. Coordinate with the more elderly population.
- Ron Map 4 most sustainable. We need a final EIR approved.

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – May 4, 2017

PUBLIC COMMENTS:

Beginning of meeting -

 Citizen - Hearing Encinitas anti-affordable housing in the media...but ironic because we shut down Measure T. Suggests City should help itself in the process of setting the record straight. More affordable housing mandated. City should be more vocal.

- Damien Max density could be governed by height.
- Citizen is there a range the state requires two/three bedrooms? Percentage of types of units?
- Citizen Any example in communities of affordable units owned by the city? How is the affordable unit in perpetuity after someone passes away?

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – AUGUST 10, 2017

PUBLIC COMMENTS:

Beginning of meeting -

- Brisbane SF Small City by choice (Baylands Project).
- Community Member Why sites on Coast Highway 101? Does not support.
- Kevin J. (SELC) No upzoning near the lagoon.

- Community Member Are you tracking legislation related to housing?
- Community Member Legal definition of "affordable"? Can underground parking be used? Any mechanisms in place to prevent marketeering?
- Glenn Measure T tried to change this city by making small sites larger, but the Consultant is working with small sites and change standards. Does DB give developer opportunity to change the size of the box?
- Glenn O. Does HCD give credit from public participation from Measure T? Only certain dates for elections.
- Jerry Are we trying to get truly affordable housing, did not hear Consultant talk about that.
- Ron Share the burden across the community and be aware of AB 72
- Community Member Why include mixed use? Do we need it?

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – SEPTEMBER 5, 2017

PUBLIC COMMENTS:

Beginning of meeting -

- Damien M. Discussed his property as an option for consideration and an affordable housing project for the site.
- Faith Interested in adding sites west of the I-5 off Manchester Ave.
- Richard S. –
- Glenn J. We need to get going on selecting the sites R25 for small and R30 for larger? Do not include City Hall.
- Lansing Interested in adding sites.
- Property Owner of 7-11 on Encinitas Blvd. wanted his site considered
- Community Member The Kimley Horn analysis will not work with the development stds.
 proposed. Need to look closer at what is being proposed.

End of meeting -

None

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – SEPTEMBER 26, 2017

PUBLIC COMMENTS:

Beginning of meeting -

- Glen J. Get this Housing Element Plan approved
- Damien M. Discussed his property as an option for consideration and his partnership with Community Housing Works
- Angela Talked about the importance of affordable housing opportunities

- Louise Does not want access from County burn site off Shields Avenue
- Kathleen L. Does not want the Sprouts site or Ralphs site considered
- Property Owner of 7-11 on Encinitas Blvd. Can't City build the affordable housing?
- Ron Task Force should use an even hand for the distribution of sites in the 5 communities
- Gerald S. Made a suggestion on a site to consider (not clear which)
- Nancy N. Wants affordable housing on City owned vacant properties
- Community Member Stated that we should want affordable housing
- Angela repeated the need for affordable housing

HOUSING ELEMENT TASK FORCE PUBLIC COMMENTS – OCTOBER 16, 2017

PUBLIC COMMENTS:

Beginning of meeting -

- Glen J. Provided a comment letter (in project file) encouraging the Task Force not to get caught up in the small details and get a plan together.
- Doug G. (SELC) Encouraged the Task Force to consider protecting the lands around the lagoon.
- Kevin J. (SELC) Highlighted multiple sections in the General Plan's Resource Mgmt. Element, which encourage protection of areas around the lagoon.
- Steve H. Does not support upzoning vacant sites near Sienna Canyon Drive.
- Nikki (Greek Orthodox Church) Would like to have portion of the church's property included as one of the sites for consideration.
- Damien M. Encouraged the Task Force to support projects with true affordable housing.
- Kathleen L. Stressed the need for affordable housing in the City.

- Glen O. Asked that the Task Force consider the economic viability of the sites.
- Property Owner of 7-11 on Encinitas Blvd. Had a question related to 30 units per acre.
- Kathleen L. Requested the Task Force consider the Vons Shopping Center site.
- Glen J. Can Density Bonus be used as an option?
- Community Member Requested to have the sites the Task Force selects posted on the City's website.
- Community Member Asked if public support of the Task Force process is necessary at the City Council meeting.

City of Encinitas



A.2 City Council Meeting Notes

This section contains the meeting minutes and all public comments from each of the City Council meetings related to the Housing Element Update.

Note: The April 4, 2018 meeting minutes are currently being processed and will be added when available.

MINUTES OF THE ENCINITAS CITY COUNCIL SPECIAL MEETING FEBRUARY 6, 2017, 6:00 P.M., 505 SOUTH VULCAN AVENUE

CALL TO ORDER/ROLL CALL

Mayor Blakespear called the meeting to order at 6:00 P.M.

Present: Mayor Catherine S. Blakespear, Deputy Mayor Tony Kranz, Council

Members Tasha Boerner Horvath, Joe Mosca and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Special Counsel Barbara Kautz,

Principal Planner Langager, City Clerk Hollywood and Deputy City Clerk

Bingham

There being a quorum present, the meeting was in order.

PLEDGE OF ALLEGIANCE

AGENDA ITEMS

1. <u>City Council discussion on next steps regarding the development of a legally compliant Housing Element Update.</u>

RECOMMENDED ACTION: Provide direction to the Council subcommittee of Mayor Blakespear and Deputy Mayor Kranz and staff regarding next steps for developing a legally compliant Housing Element Update.

SPEAKERS:

Bob Bonde, Gene Chapo, Eileen Troberman, Nancy DeGhionno, Kathleen Lees, Richard Boger, Rhonda Graves and Glen Johnson.

Special Counsel Barbara Kautz and Principal Planner Langager responded to questions and comments from the public and Council.

COUNCIL CONSENSUS:

There was Council Consensus to direct staff to bring back the Inclusionary Housing Ordinance and In-Lieu Fees for Council consideration.

SPEAKERS CONTINUED:

Bruce Ehlers, Gene Chapo, Glen Johnson, Bob Bonde, Glenn O'Grady, Kathleen Lees, Andrew Matuszeski, Audrey, Tom Cozens and Linda Durham.

ACTION:

Blakespear moved, Boerner Horvath seconded to: 1) Convene a Housing Element Update Task Force consisting of Mayor Blakespear, Deputy Mayor Kranz, Bruce Ehlers and Kurt Groseclose to bring forward an alternative proposal with flexibility to add members as needed; 2) Direct the Task Force to prepare a time line; 3) Direct staff to place a standing agenda item on the City Council agenda beginning with the first meeting in March; 4) Authorize the Task Force to commission studies as necessary; and 5) Include timely check-ins with the Planning Commission. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir, Nays: None.

Mayor Blakespear asked if there was Council Consensus to tie the Strategic Planning sessions to the budget and to schedule these sessions ahead of the budget presentations. There was Council Consensus.

ADJOURNMENT

Mayor Blakespear adjourned the meeting at 8:45 P.M.

Kathy Hollywood, City Clerk

By: Claudia Bingham

Deputy City Clerk

Catherine S. Blakespear, Mayor

MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING NOVEMBER 8, 2017, 6:00 P.M., 505 SOUTH VULCAN AVENUE

CALL TO ORDER

Mayor Blakespear called the meeting to order at 6:00 P.M.

ROLL CALL

Present:

Mayor Catherine S. Blakespear, Deputy Mayor Tony Kranz,

Council Members Tasha Boerner Horvath, Joe Mosca and Mark

Muir

Absent:

None

Also present: City Manager Brust, City Attorney Sabine, Director of

Development Services Wisneski, City Clerk Hollywood, Principal Planner Langager, Special Counsel Kautz, consultants Dave Barquist and Nick Chen of Kimley Horn, consultants Mike Singleton and John Holloway of KTUA, Special Counsel Skinnell, consultant Doug Johnson of National Demographics

Corporation, Project Manager O'Grady, Fire Chief Stein

There being a quorum present, the meeting was in order.

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no presentations or proclamations.

5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF

John Hyde spoke regarding damage to the wetlands along Escondido Creek.

James McDonald spoke regarding bees.

REPORT FROM CLOSED SESSION

No Closed Session meeting was held.

7. CHANGES TO THE AGENDA

There were no changes to the posted agenda.

CONSENT CALENDAR

Council Member Mosca stated that he would abstain from voting on Agenda Item 8B due to his employment with SDG&E.

Item 8H was removed from the Consent Calendar by a member of the public.

COUNCIL ACTION:

Kranz moved, Muir seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca (8B).

8A. Approval of the Minutes of the October 11, 2017 Regular Meeting, October 11, 2017 Special Closed Session, October 18, 2017 Regular Meeting and October 30, 2017 Special Closed Session. Contact Person: City Clerk Hollywood

Recommended Action: Approve the Minutes.

8B. Approval of the Warrants List. Contact Person: Finance Manager Lundgren

Recommended Action: Approve the Warrants.

Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca.

8C. Amendment 11 to the Agreement with Tyler Technologies, Inc. for the purchase of licenses and re-configuration of existing Tyler Content Management (TCM) software to enable new functionality. Contact Persons: IT Supervisor Van Pelt and IT Project Manager Salmon

Recommended Action: Approve Amendment 11, in substantial form, in consultation with the City Attorney, and authorize the City Manager to enter into the amended agreement with Tyler Technologies, Inc. for software licenses and professional services not to exceed \$39,250 and annual software maintenance fees in the amount of \$7,290 beginning in FY 18-19.

8D. <u>Caltrans Adopt-A-Highway northbound Interstate 5 on/off ramps at</u> Birmingham Drive. Contact Person: Interim Public Works Director Lamb

Recommended Action: Recommend that the City of Encinitas apply to enter into an agreement with Caltrans for adoption of the northbound Interstate 5 on/off ramps for litter removal.

*8E. Public Hearing - Request to vacate/abandon an existing biological open space easement historically consisting of Diegan coastal sage scrub and non-native grassland. Contact Person: City Planner Sapa'u

Recommended Action: Adopt attached Resolution No. 2017-76 (Attachment CC-1) approving the Final Mitigated Negative Declaration (Attachment CC-3) for the project, certifying the abandonment fee of \$87,500 the landowner must pay to the County Treasurer, and approving the request to abandon the existing biological open space easement.

There were no public speakers on this item.

8F. <u>Contract Amendment for Construction Inspection Services. Contact Person: City Engineer Magdosku</u>

Recommended Action: Authorize the Director of Development Services, or the Director's designee, in consultation with the City Attorney, to execute an amendment to an existing agreement with Geopacifica in the amount of \$35,380 plus 15% contingencies, for a total contract amount not to exceed \$220,687.

8G. Easement Agreement for Use of Rail Right-of-Way and Memorandum of Understanding for Construction of the Cardiff Coastal Rail Trail Improvements. Contact Person: Associate Civil Engineer Kellar

Recommended Action: 1) Authorize the City Manager, in consultation with the City Attorney, to execute the Easement Agreement with North County Transit District (NCTD) (in substantial form as provided in Attachment 1) for construction and maintenance of improvements in the rail right-of-way; and 2) Authorize the City Manager, in consultation with the City Attorney, to execute the Memorandum of Understanding (MOU) with San Diego Association of Governments (SANDAG) (in substantial form as provided in Attachment 2) to facilitate the construction of the Cardiff Coastal Rail Trail improvements by SANDAG and ultimate maintenance of the improvements by the City.

9. ITEMS REMOVED FROM THE CONSENT CALENDAR

8H. <u>Mobility Project Update - Capital Improvement and Traffic Engineering Divisions. Contact Person: City Engineer Magdosku</u>

Recommended Action: 1) Receive report on the status of Capital Improvement and Traffic Engineering projects; and 2) Receive report on the status of the effort to develop a publicly available GIS map of active projects.

Michael von Neumann expressed appreciation to the City for its efforts to improve bike and pedestrian safety.

COUNCIL ACTION:

Blakespear moved, Boerner Horvath seconded to: 1) Receive report on the status of Capital Improvement and Traffic Engineering projects; and 2) Receive report on the status of the effort to develop a publicly available GIS map of active projects. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: None.

ACTION ITEMS

10A. Housing Element Task Force/City Council discussion regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

Recommended Action: Staff and the Housing Element Task Force (HETF) recommend that the Council: 1) Provide comments on the sites proposed for inclusion as part of the Housing Element Update and give direction to the HETF regarding their scope of work; and 2) Request that Kimley-Horn prepare a revised scope of work regarding the tasks required to complete the Housing Element update, and direct staff to return with a new contract or contract amendment, for Council review and approval, for completion of a draft Housing Element.

Principal Planner Langager; Housing Element Task Force Members Mayor Blakespear, Deputy Mayor Kranz, Bruce Ehlers and Kurt Groseclose; Special Counsel Barbara Kautz; and consultants Dave Barquist and Nick Chen from Kimley-Horn provided the report and responded to questions.

SPEAKERS:

James Kozak, Glen Johnson, Bob Bonde, Bob Echter, Daron Joffe, Lee Vance, David Gaffney and Randy Goodson

COUNCIL ACTION:

Council consensus to request that Kimley-Horn prepare a revised scope of work regarding the tasks required to complete the Housing Element update, and direct staff to return with a new contract or contract amendment, for Council review and approval, for completion of a draft Housing Element.

Council consensus to authorize the Housing Element Task Force to meet with HCD.

Council consensus to direct the consultant to prepare and provide more realistic numbers regarding sites and site constraints.

Council consensus to schedule an additional City Council meeting with the task force to receive and discuss additional information.

Mayor Blakespear called a recess from 8:43 p.m. to 8:56 p.m.

10B. <u>Presentation, review, discussion and direction on the first draft of the Coastal Mobility & Livability Study (CMLS) related to the Active Transportation Plan (ATP). Contact Person: Principal Planner Langager</u>

Recommended Action: Staff recommends that the Council: 1) Receive the report and provide input on the first draft of the CMLS specific to the ATP; and 2) Provide staff direction, as desired.

Principal Planner Langager and consultants Mike Singleton and John Holloway from KTUA provided the report and responded to questions.

SPEAKERS:

Marty Benson, Kellie Shay Hinze, Julie Hinze, Judy Berlfein, Elena Thompson

COUNCIL ACTION:

Council received the report and provided input on the first draft of the CMLS specific to the ATP.

10C. <u>District-Based Elections / Content of Draft Maps, Sequence of Elections – Receive input from the community and introduce an ordinance to adopt a district boundary maps and sequence of elections pursuant to Elections Code § 10010. Contact Person: Project Manager O'Grady and Special Counsel Skinnell</u>

Recommended Action: 1) Receive a report from National Demographics Corporation, the City's demographic consultant, concerning the maps proposed to date and potential election sequencing for a district-based election process pursuant to Elections Code § 10010; 2) Open the public hearing and invite members of the public to provide feedback on the draft maps and potential election sequencing presented; 3) Close the public hearing and select a preferred map and set the sequence of elections; and 4) Introduce Ordinance 2017-15, entitled "An Ordinance of the City of Encinitas, California, Establishing a By-District Election Process in Four Council Districts Pursuant to California Elections Code § 10010 & California Government Code §§ 34871(C) & 34886," incorporating the adopted map and sequence of elections.

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Mtg. #2017-	, Bk#32, Page

Project Manager O'Grady, Special Counsel Skinnell and consultant Doug Johnson from National Demographics Corporation provided the agenda report and responded to questions.

SPEAKERS:

Kevin Dolan, Kevin Doyle, Kathleen Lees

COUNCIL ACTION:

Mosca moved, Blakespear seconded to close the public hearing and introduce Ordinance 2017-15, entitled "An Ordinance of the City of Encinitas, California, Establishing a By-District Election Process in Four Council Districts Pursuant to California Elections Code § 10010 & California Government Code §§ 34871(C) & 34886," incorporating Citizen 016 map and the sequence of elections - Districts 3 & 4 in 2018 and Districts 1 & 2 in 2020. Motion carried. Ayes: Blakespear, Boerner Horvath, Mosca. Nays: Kranz, Muir.

10D. Reduce Fire Department Response Times in the North Leucadia/Saxony Canyon area by adding a Peak Hour Fast Response Vehicle (Type-6 Engine). Contact Person: Fire Chief Stein

Recommended Action: City Council authorize the City Manager and Fire Chief to establish a pilot program for a peak hour Fast Response Vehicle (FRV) program in the North Leucadia/Saxony Canyon area.

This item was continued to a future City Council meeting.

10E. Marijuana-Related Activities and Uses—Consideration and Possible Adoption of a Draft Ordinance Prohibiting the Same to the Extent Authorized by California Law. Contact Person: City Attorney Sabine

Recommended Action: Take action to introduce draft Ordinance No. 2017-16 entitled, "An Ordinance of the City Council Adding Chapter 9.21 to the Encinitas Municipal Code to Prohibit Commercial and Personal Marijuana Related Activities and Uses to the Extent Authorized by California Law, and thereby, Prevent and Invalidate any State License or Authorization Regarding the Same."

City Attorney Sabine provided the agenda report and responded to questions.

SPEAKERS:

Randall Sims spoke.

Kelly McCormick and Judi Strang spoke in support of the ordinance. Jeff Taylor and Sam Humeid spoke in opposition to the ordinance.

Mtg #2017-	Bk#32 Page	

COUNCIL ACTION:

Muir moved, Mosca seconded to introduce Ordinance No. 2017-16 entitled, "An Ordinance of the City Council Adding Chapter 9.21 to the Encinitas Municipal Code to Prohibit Commercial and Personal Marijuana Related Activities and Uses to the Extent Authorized by California Law, and thereby, Prevent and Invalidate any State License or Authorization Regarding the Same." Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: None.

11. INFORMATIONAL ITEMS

11A. <u>Housing Element Update Status Report. Contact Person: Council Subcommittee Members Blakespear and Kranz</u>

This item was discussed as part of Agenda Item 10A.

12. COUNCIL MEMBER INITIATED AGENDA ITEM

There were no Council Member Initiated items.

13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS

No future agenda items were added.

14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF

No reports were given.

15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS

No report was given.

16. CITY ATTORNEY REPORTS

No report was given.

17. ADJOURNMENT

Mayor Blakespear adjourned the meeting at 11:32 P.M.

Kathy Hollywood, City Clerk

Catherine S. Blakespear, Mayor

MINUTES OF THE ENCINITAS CITY COUNCIL SPECIAL MEETING DECEMBER 16, 2017, 8:30 A.M., ENCINITAS COMMUNITY CENTER, 1140 OAKCREST PARK DRIVE

CALL TO ORDER/ROLL CALL

Mayor Blakespear called the meeting to order at 8:33 A.M.

Present: City Council: Mayor Blakespear, Deputy Mayor Kranz, Council Members

Boerner Horvath, Mosca, and Muir

Housing Element Task Force: Mayor Blakespear, Deputy Mayor Kranz,

Bruce Ehlers, and Kurt Groseclose

Absent: None

Also present: City Manager Brust, City Attorney Sabine, City Clerk Hollywood, Director of

Development Services Wisneski, City Planner Sapa'u, Principal Planner Langager, Special Counsel Barbara Kautz, and consultants Dave Barquist

and Nick Chen of Kimley Horn.

There being a quorum present, the meeting was in order.

AGENDA ITEM

1. Housing Element Task Force/City Council continued discussion regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

RECOMMENDED ACTION: Staff and the Housing Element Task Force (HETF) recommend that the Council: 1) Discuss and provide comments on the sites proposed for inclusion as part of the Housing Element Update and give direction to the HETF regarding their work efforts; and 2) Direct staff to return with a new contract or contract amendment with Kimley-Horn, and a budget adjustment for Council review and approval for completion of the a draft Housing Element.

SPEAKERS:

- Richard Boger, Jim Gillie, Kathleen Gillie, spoke in opposition to the cityowned Quail Gardens site (L-7).
- Glen Johnson spoke regarding sites on Quail Gardens Drive and in opposition to the city-owned site (L-7).
- Helmut Kiffman spoke about process and community engagement.

12/16/17 Spec. Mtg.	Page 1	Mtg. #2017	, Bk#32, Page
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- Damien Mavis spoke in support of including the Cannon Family/Piraeus site plus adding two additional parcels.
- Ruben Flores spoke regarding equal distribution of housing throughout the five communities of Encinitas.
- Alicia Bazzano, Bob Echter, and Jackie Kim spoke regarding the Echter property.
- Peter Stern spoke regarding the need for housing and preserving community character.
- Mike Andreen spoke regarding the dump site.
- Dennis Cook spoke regarding the burn site and dump site.
- Sheila Cameron spoke regarding the Sunshine Gardens site and the dump site.

Special Counsel Kautz provided a summary of the meeting with HCD and reviewed changes to State Housing Law that will impact and govern the City's Housing Element.

Housing Element Task Force Members Blakespear, Kranz, Ehlers, and Groseclose provided a summary of their meeting with HCD.

Sue Reynolds of Community Housing Works provided a presentation on affordable housing.

Mayor Blakespear called a recess from 10:30 a.m. to 10:40 a.m.

The City Council and Housing Element Task Force reviewed the list of properties and determined which properties would move forward with further analysis and consideration and which properties would be removed from further analysis and consideration.

COUNCIL ACTION:

Council and Task Force consensus to move forward the following properties for further analysis and consideration:

Cardiff by the Sea:

- Manchester Avenue Sites
- Greek Church Site
- Strawberry Fields Site

Leucadia:

- Cannon Property (Piraeus) Site
- Highway 101 Sites

New Encinitas:

Armstrong Site

Old Encinitas:

- Encinitas Boulevard & Quail Gardens Sites
- Sunshine Gardens Sites

Olivenhain:

- 7-11 Center and Surrounding Sites
- Rancho Santa Fe Sites (Gaffney/Goodsen)

COUNCIL ACTION:

Council and Task Force consensus to remove the following properties from further analysis and consideration:

Leucadia:

- Echter Property
- L-7 Site
- Additional Cannon parcels (property owner presented at the meeting)

New Encinitas:

County Burn Site

Olivenhain:

- Coassin/Lansing Site
- 105 Rancho Santa Fe Site (letter received and staff presented at the meeting)

COUNCIL ACTION:

Direction to staff to: 1) schedule a meeting in January to bring back the sites identified for further analysis and consideration; and 2) suggestions for vacant or developed land citywide that have owner interest with emphasis on New Encinitas and bring back for City Council/Task Force review.

ADJOURNMENT

Mayor Blakespear adjourned the meeting at 12:40 P.M. Catherine S. Blakespear, Mayor Kathy Hollywood, City Clerk

Mtg. #2017-____, Bk#32, Page ____ Page 3

12/16/17 Spec. Mtg.

MINUTES OF THE ENCINITAS CITY COUNCIL REGULAR MEETING JANUARY 10. 2018. 6:00 P.M., 505 SOUTH VULCAN AVENUE

1. CALL TO ORDER

Mayor Blakespear called the meeting to order at 6:10 P.M.

2. ROLL CALL

Present: Mayor Catherine S. Blakespear, Deputy Mayor Joe Mosca,

Council Members Tasha Boerner Horvath, Tony Kranz and Mark

Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Development Services

Director Wisneski, Principal Planner Langager, City Engineer Magdosku, Special Counsel Kautz, Dave Barquist with Kimley/Horn, City Clerk Hollywood and Deputy City Clerk

Bingham

There being a quorum present, the meeting was in order.

3. PLEDGE OF ALLEGIANCE

4. SPECIAL PRESENTATIONS AND PROCLAMATIONS

There were no presentations or proclamations.

5. ORAL COMMUNICATIONS / POSSIBLE DIRECTION TO STAFF

Susan Hagen spoke regarding Starlight Drive.

Leslie Schneider and Judi Strang spoke regarding the Rohrabacher/Leahy amendment.

There was Council consensus to direct Senior Management Analyst McSeveney to prepare a report on the Rohrbacher/Leahy amendment for Council consideration.

Glen Johnson spoke regarding the Pledge of Allegiance.

6. REPORT FROM CLOSED SESSION

Mayor Blakespear reported the following from the 4:30 P.M. Closed Session meeting:

Regarding Agenda Item 1, on a 3-2 vote (Kranz, Muir voted no), Council authorized payment of fees to Shenkman & Hughes.

Regarding Agenda Item 2, there was Council consensus to direct staff to meet with the residents of Starlight Drive.

Regarding Agenda Items 3, 4 & 5 there was no reportable action and reported that the February 8th court hearing regarding these items had been rescheduled to April 30th.

Regarding Agenda Item 6, there was Council consensus to continue negotiations.

7. CHANGES TO THE AGENDA

There were no changes to the posted agenda.

8. CONSENT CALENDAR

City Clerk Hollywood announced that Agenda Item 8D was removed from the Consent Calendar by members of the public and Deputy Mayor Mosca announced that he would abstain from voting on Agenda Item 8B due to his employment with SDG&E.

COUNCIL ACTION:

Muir moved, Boerner Horvath seconded to close and adopt the amended Consent Calendar. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None. Abstain: Mosca (8B).

Approval of the Minutes of the December 16, 2017 Special Meeting and 8A. December 20, 2017 Regular Meeting. Contact Person: City Clerk Hollywood

Recommended Action: Approve the Minutes.

Approval of the Warrants List. Contact Person: Finance Manager 8B. Lundgren

Recommended Action: Approve the Warrants.

Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Muir. Navs: None. Abstain: Mosca.

8C. <u>Proposals for Public Art. Contact Person: Arts Program Administrator</u>
Gilliam

Recommended Action: That the City Council approve: 1) Three (3) proposals for public art to be donated to the City and added to the Encinitas Public Art Collection; and 2) One (1) proposal for a sculpture pedestal to be donated to the City, and the loan of a sculpture by artist Jeffrey Laudenslager for one (1) year.

8E. Adoption of Resolution 2018-06 approving an off-cycle budget appropriation of \$546,027 to provide additional funding to the Housing Plan Update project budget, and authorization for the City Manager to sign contract Amendment #1 with Kimley-Horn for additional costs and a revised scope of work to complete the Housing Plan Update. Contact Person: Principal Planner Langager

Recommended Action: Staff recommends that the Council: 1) Adopt Resolution 2018-06 approving an off-cycle budget appropriation of \$546,027 to the Housing Plan Update (WC14B) project budget; and 2) Authorize the City Manager, in consultation with the City Attorney, to sign contract amendment #1 (in substantial form) with Kimley-Horn for additional costs and a revised scope of work for the completion of the Housing Plan Update.

9. ITEMS REMOVED FROM THE CONSENT CALENDAR

8D. <u>Mobility Project Update - Capital Improvement and Traffic Engineering</u>
Divisions. Contact Person: City Engineer Magdosku

Recommended Action: Receive the report on the status of Capital Improvement and Traffic Engineering projects.

City Engineer Magdosku presented the staff report.

SPEAKERS:

Kellie Hinze, Elena Thompson, Peter Curry and Marty Benson spoke in support of the recommended action.

COUNCIL ACTION:

Mosca moved, Muir seconded to receive the report on the status of Capital Improvement and Traffic Engineering projects. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.

10. **ACTION ITEMS**

10A. Resolution 2018-12 Establishing a No Parking Zone on Seeman Drive between the Hours of 10 PM and 6 AM. Contact Person: City Engineer Magdosku

Recommended Action: Adopt Resolution 2018-12, entitled "Establishing a No Parking Zone on Seeman Drive between the Hours of 10 PM and 6 AM, daily."

City Engineer Magdosku presented the staff report.

Joe Weber, Larry Saker, Russ Wilson and Marty Benson spoke in support of the recommended action.

Lee Vance was in support of the recommended action, but chose not to speak.

COUNCIL ACTION:

Muir moved, Mosca seconded to adopt Resolution 2018-12, entitled Establishing a No Parking Zone on Seeman Drive between the Hours of 12:00 A.M and 6:00 a.m. daily, and to direct staff to work with the community regarding fire lanes. Motion carried. Ayes: Blakespear, Boerner Horvath, Kranz, Mosca, Muir. Nays: None.

Housing Element Task Force (HETF)/City Council continued discussion 10B. regarding the Housing Plan Update and associated analysis to achieve a State-certified Housing Element. Contact Person: Principal Planner Langager

Recommended Action: Discuss and finalize the sites proposed for inclusion as part of the Housing Element Update and give direction to the HETF regarding their work efforts.

Consultants Dave Barquist and Nick Chen with Kimley/Horn presented the report.

Special Counsel Kautz reviewed changes to State Housing Law that would impact the City's Housing Element.

SPEAKERS:

Glenn Johnson spoke regarding El Camino Real sites.

Nicki Cometa requested Council to consider adding the Greek Church site.

Austin Delana, Bob Echter, Carris Rhodes, Tashi MacMillen, Melina Domingues and Brian Grover spoke in support of including the Dram/Echter (Fox Point Farms) site.

Sue Reynolds, Doug Gibson and Damien Mavis spoke in support of including the L-7 property.

Susan Turney spoke.

Robert Dyer and Stephen Lord spoke in support of including the Rancho Santa Fe (Gaffney/Goodsen) site.

Barry Pedler, Angelica Pedler, Christine Hawes and Jackie Kim spoke in opposition to the Dram/Echter property.

Greg Lansing spoke in support of including the Coassin/Lansing site.

Sheila Cameron spoke in opposition to the recommended action.

Mayor Blakespear called a recess from 8:51 P.M. to 9:04 P.M.

Council, along with Housing Element Task Force Members Bruce Ehlers and Kurt Groseclose, reviewed the list of properties to determine which properties would move forward with further analysis and consideration, and which properties would be removed from further consideration.

COUNCIL CONSENSUS:

There was Council Consensus to use the density of 25-30 units per acre for planning purposes.

COUNCIL CONSENSUS:

There was Council Consensus to move forward with the following properties for further analysis and consideration:

Swartz Property Armstrong Nursery II Site **Credit Union Site** El Camino Real South Sites Village Square Drive Parcels **Jackel Property Harrison Site Greek Church Site** Strawberry Fields Site Cannon Property (Piraeus Site) Armstrong Site

Encinitas Blvd & Quail Gardens Site Sunshine Gardens Site 7-11 Center and Surrounding Sites Rancho Santa Fe Sites (Gaffney/Goodsen) Echter Property L-7 site

11. INFORMATIONAL ITEMS

There were no informational items.

12. COUNCIL MEMBER INITIATED AGENDA ITEM

There were no Council Member initiated items.

13. FUTURE AGENDA ITEMS ADDED BY COUNCIL MEMBERS

No future agenda items were added.

14. CITY COUNCIL MEMBER REPORTS PURSUANT TO AB1234 (GC 53232.3(d)) / POSSIBLE DIRECTION TO STAFF

No reports were given.

15. CITY MANAGER REPORTS / PENDING POSSIBLE FUTURE AGENDA ITEMS

No reports were given.

16. CITY ATTORNEY REPORTS

No reports were given.

17. ADJOURNMENT

Mayor Blakespear adjourned the meeting at 10:47 P.M.

Kathy Hollywood, City Clerk

By: Claudia Bingham Deputy City Clerk

Catherine S. Blakespear, Mayor

PUBLIC COMMENTS – NOVEMBER 8, 2017

PUBLIC COMMENTS:

- James C. (Lansing Companies) requested to include the 10.4 acre site off Manchester and Encinitas Blvd. – the site is shown in the Council Agenda Report on page 35 (Attachment 3) of the report.
- Glen Johnson expressed that a reasonable compromise has been proposed and full disclosure of sites considered.
- Bob Bonde emphasized the reliance of the ADU program to meet our housing needs as well as counting all existing assisted living units in the City.
- Darin Joffe stated he was an agrihood expert and advocate of Bob E. project.
- Lee Vance suggested keeping all 16 sites that were in Measure T. We need affordable housing for seniors.
- David Gaffney recommended keeping Randy Goodson's site as part of the Housing Element.

PUBLIC COMMENTS – DECEMBER 16, 2017

PUBLIC COMMENTS:

- Richard Spoke about L-7 site. Concerned with traffic and other impacts to the neighborhood.
- Jim Resident of Quail Gardens Drive. Spoke about L-7 site and the need for Council to be responsible with their decision.
- Kathleen Upset with all the different uses that have been proposed for the L-7 site.
- Glen J Stated that L-7 and Ecther properties are not appropriate sites. Consider Sunshine Gardens site and sites across from CVS.
- Helmet Resident. Focus on accessory dwelling units and greenhouse sites.
- Damien M Suggested the Council add sites for Cannon property owner.
- Ruben F Sites should be distributed evenly across all communities.
- Peter S Anyone who has a site proposed near them will be a "NIMBY". Santa Fe Plaza must be removed because it was mandated by the State.
- Bob E Explained that his proposed agrihood would not build more than 250 units.
- Fox Point Resident Supports the agrihood concept with conditions related to the surrounding neighborhood.
- Mike A Expressed concern about the County burn site.
- Dennis C Explained that BMW and Ford need the space leased at the County burn site.
- Sheila C Look at other sites, tax credits, change NCTD routes if needed. She further went on to comment on all the other sites being considered.
- Sue R Community Housing Works. Provided a presentation on the importance of affordable housing.

PUBLIC COMMENTS – JANUARY 10, 2017

PUBLIC COMMENTS:

- Glenn J. Does not support sites on El Camino Real. Concern with loss of commercial amenities.
- Nikki C. Requested Council keep the Greek Church site as a Housing Element site.
- Austin D. Explained a number of reasons to support the Fox Point agri-hood site.
- Damien M. Proposed use of L-7 site, has funding and Community Housing Works on board.
- Doug G. Supports Damien M. proposal, which includes easement over Damien's site on Manchester Ave.
- Sue (Community Housing Works) Explained the benefit of a project at L-7 site.
- Susan T. Asked for an explanation for why 1600 units was being considered.
- Robert D. Peppertree Ln. resident concerned with proposed sites above the 7-11 sites. Too much density.
- Barry Wants to ensure if Bob E. site is selected, no cannabis cultivation would be permitted.
- Bob E. Recommended his site and project be included in the Housing Element.
- Steven Olivenhain resident that does not support the proposed density in Olivenhain.
- Greg Lansing Requested his clients site be reconsidered for inclusion in the Housing Element.
- Carris R. Stated reasons for supporting the Fox Point site as Housing Element site.
- Tosh Supporter of the Fox Point site.
- Sandra H. No show to speak.
- Molina Supporter of the Fox Point site.
- Brian G. Explained the rationale and support for the Fox Point site. Stated it meets HCD requirements.
- Shelia C. Support Fox Point site and suggested all long lease sites should be off the table.
- Angelica Does not support Fox Point site. Concerned about impacts and cannabis
- Christina Not in support of Fox Point site.
- Jackie Asked what is perpetuity? No access to Sidona for Fox Point agri-hood project.

SPECIAL CITY COUNCIL MEETING - APRIL 4, 2018

Public Comments:

Susan T – Not happy that a Stakeholder meeting was held on February 28th and was not public.

Glenn – Stated that when he sat in on the Stakeholder meeting, something seemed funny.

Jack – Concerned about L-7 site and potential traffic impacts.

Richard – Representing 519 community members in Quail Gardens area. Concerned about all the sites proposed along Quail Gardens area.

Bill – Concern with L-7. Look at Strawberry Fields. Changing from one type of litigation to another. Remove L-7.

Rob – Concern with L-7 as a site.

Community Member – L-7 is not a suitable site. It's not close to transit or other amenities.

Community Member – L-7 is not a smart way to achieve affordable housing.

Kay – Concerned that her life will be affected. Traffic. No on L-7.

Adam – Explained all the issues along Quail Gardens Drive. No on L-7 and remove from map.

Sherill – Presented video on surrounding area of L-7 site.

Jean – Longtime resident of Quail Gardens. Concern about L-7 site.

Alec – Talked about the negative change that high density could do to Quail Gardens area.

Kevin – L-7 is not appropriate for the type of traffic that would occur from 198 units.

Jim – Lives adjacent to L-7. Provided graphic to Council showing the number of units per community area. How is that fair?

Wife of Jim – Adjacent to L-7. Wants City to sell L-7 and build affordable somewhere else.

Pam – Seacrest Village. Advocating for seniors and consider for affordable housing.

John – Concerned about safety on Quail Gardens Drive and crossing street.

Hugh – Favors affordable housing; however, placing all on QGD is a big impact. Traffic impacts are high already.

Bob – Supports all points that have been made. Concerned with distance to services.

Pat - L-7 is a bad fit for affordable housing.

Glen – L-7 was rejected by the EIR. We do need affordable, but plan is short-sighted. Consider mixed use.

Kathleen – Don't sell city owned land. Add Vons shopping center and the burn site. City and County can work to make it happen this cycle.

Trisha – Thanked Council for their work. But must make smart decisions around smart growth.

QGD is not appropriate as well as L-7.

Joan – Provided an example of a good affordable housing project. Must provide transit close by.

Shared the book of joy. Not have L-7.

Justin – Understands the concerns. Wants to be able to safely walk to parks. Concerned with traffic.

Reed – L-7 is a poor choice and there are better solutions.

Lois – Introduced the audience to people who cannot afford to live in Encinitas. Need diversity and should keep L-7 on the list.

Rebecca – Demystify who needs affordable housing. Does not need to be all or nothing. Balance.

Community Member – Disturbed by what he sees. Discussed Baldwin site and said many reasons why not good. We need more service too and will need to retain them. Why 50% of traffic on QGD?

Mark – Greystar – wants Strawberry Fields removed from the map. Building a senior housing project.

Steve – Traffic on QGD and Encinitas Blvd is very bad.

Keith – Seacoast Community Church would like to help support affordable housing on a site on Regal Road. Leslie – Need to look at infrastructure. L-7 would bring too many cars. Cars speeding. Not appropriate site on this street.

Carol – Report on affordable housing – place in low income areas. Over-polluting our one street.

Patricia – Provided a definition for what affordable housing can be. Should be throughout the City. Legally, we need to do this now. L-7 is a winner.

Sander – Supports Foxpoint Farm project.

Charleen – Leichtag supports L-7. Traffic and safety is a concern. Consider their traffic plan as part of L-7 as a site.

Community Member – Supports Foxpoint Farms.

Sue – Community Housing Works – Explained the importance of affordable housing.

Ron – Traffic concerns in Quail Gardens area. Think about the character that we want. Development should have been along El Camino Real.

Cheryl – Does not think 190 units are possible. Fire hazards?

Patty – L-7 supporter. How about half the number of units?

Damien – Proposing affordable housing project on L-7.

Community Member – Need to understand the traffic concerns on QGD.

Brian – Rep for Foxpoint Farms, justified the project and site location.

Community Member – L-7 needs to be addressed. Traffic is bad on QGD, but if you put in the right transportation, it can be done.

City of Encinitas [DRAFT]



A.3 Stakeholder Workshop Notes

This section contains summaries of the two stakeholder workshops held as a part of the Housing Element Update process. Stakeholder workshops were open to the public and attendees included members of the local development community, low-income housing experts, members of local educational institutions, and non-profit organizations.

Stakeholder Meeting #1

Date: February 28, 2018 **Time:** 3:30 pm – 5:00pm

Attendees:

City of Encinitas

Brenda Wisneski Diane Langager Laurie Winter Nicole Piano

Consultants

Dave Barquist Nick Chen Barbara Kautz Stakeholders

Adam Gutteridge – Chelsea Investment

Corporation Keith Harrison

Moyria Miller - Baldwin & Sons

Norm Miller – USD BMC Real Estate Center Michael McSweeney – Building Industry

Association (BIA)

Sarah Morrell - Shea Homes

Laura Nunn – San Diego Housing Federation

Lori Pfeiler – Habitat for Humanity

Sue Reynolds – Community Housing Works

Meeting Notes

Meeting Overview

The City of Encinitas held the first Stakeholder Meeting as a part of the community outreach effort associated with the current Housing Element Update on Wednesday, February 28, 2018 from 3:30 – 5:00pm in the Poinsettia Room at City Hall. The purpose of the meeting was to gather feedback from people who understand the current development environment in Encinitas on what types of policy and programmatic changes could help encourage development, specifically of low-income housing, within the city.

The meeting consisted of a short presentation by Kimley-Horn, followed by a facilitated discussion amongst all meeting attendees. Major topics discussed at the meeting included development standards, entitlement processing, and fees and exactions. The following is a detailed summary of the information provided by meeting attendees throughout the discussion.

Development Standards

- Reference the City of San Diego Affordable Housing Parking Study
 - o Focus on the proximity of sites to transit
 - Occupancy guidelines
 - o Study shows that affordable housing can require less cars than market-rate housing
- Planning for autonomous vehicles
- Should explore different standards for affordable housing vs. market rate
- Two stories is extremely limiting to potential development
- Senior living includes additional costs (EG elevators) that make development harder
- Rental versus for sale development

- It is not possible for the affordable units of a development to be the same size as the marketrate
 - o Can this be changed?
 - Potentially mesh with tax credit unit size
- Grouping of low-income units as opposed to interspersed Iris example
 - o Private management is a potential option for low-income developments
- What gets in the way of developing more units?
 - Zoning density
 - o Height
 - Differences in how it is calculated make a big difference
 - The type of product (detached/attached/mixed-use)
- Minimum of three stories needed to accommodate parking on affordable units
 - o Ideal height is 37' measure from the pad level
- Common and private usable open space
 - Limiting factor
- Density bonus numbers for parking
 - o Can encourage smaller units through parking requirement changes

Entitlement Processing

- "Not late hits" policy both by the City and the developer
 - Increases efficiency
 - o Counter-level approval for by-right
- Implement a phased submittal process with a first phase that doesn't require as much detail
 - Custom lot process
 - o Pre-application mandatory meeting
- What processes can be done concurrently?
- Add flexibility to mitigate influencing factors
- "Cities are afraid of design" too many constraints

Fees and Exactions

- Fees are comparable to other cities
- Not as important as the type of product (look at S.F. v Per Unit fees)
- Need to look at all fees and ask, "Do current fees encourage development of affordable units?"
- Fee structure limits
- Fee is the same amount regardless of the size of the project, which can create high fees for smaller projects
- Difference between an incentive and an offset
 - o Incentives need to give the developer something of value
 - o Setback example given
 - Avoid creating penalties that can limit development
- Gap financing
 - o Low Income tax credit needed
 - o Gap (amount of time) is growing

- Fee waivers
- o Land donation often needed
- o Deferral of fees until occupancy (current City protocol) is extremely helpful
- Impact fees paid over time instead of front loading
- Potential to create a mechanism to allow developers the ability to transfer low-income units from one development to another
 - o Require more low-income units if done

Conclusion

Meeting attendees expressed that the three most important factors that influence the ability to develop low-income housing in Encinitas are height restrictions, parking requirements, and open space requirements. Attendees also emphasized that a high level of certainty and time are more important than a lowering of the fees associated with development.

Stakeholder Meeting #2

Date: April 4, 2018 **Time:** 3:30pm – 5:00pm

Attendees:

City of Encinitas

- Brenda Wisneski, City of Encinitas
- Diane Langager, City of Encinitas
- Nicole Piano-Jones, City of Encinitas
- Laurie Winter, City of Encinitas

Consultants

- Barbara Kautz, Goldfarb & Lipman
- Dave Barquist, Kimley-Horn
- Nick Chen, Kimley-Horn

Stakeholders

- Ron Brockhoff, Development Manager Chelsea Investment Corporation
- Nick Lee, Baldwin @ Sons/Heritage Building
- Michael McSweeney, BIA San Diego
- Lori Pfeiler, San Diego Habitat for Humanity

Stakeholder Comments on Proposed Development Standards:

Development Standards Table

- Difference between offset (city pays for increased costs) vs incentive (city lowers costs)
- Proposed 25 30 du/ac
 - Potential impact of density bonus after 11% affordability
 - o Could potentially apply for a waiver for additional height
- Lot Area
 - 10,000 SF allows for potential subdivision of a portion of the site (sometimes financing requires separate lots and different owners)
 - Noted that at least 16 units must be achieved on every site
 - o Comfortable with keeping 10,000 sf minimum lot sizes
- Lot width and depth (75' min for both)
 - OK if for exterior site dimensions only
 - Building separation standards can govern internal lot lines
 - Financing and other reasons could impact the actual development and how subdivision of parcels impacts lot lines
- Setbacks
 - o Along Highway 101 move front setbacks closer to the lot line
 - Existing standards and policies regarding irregular lots or other situations should still apply

- Interior lot setbacks at 10' with a subdivision project creates a potential 20' setback between buildings
 - Consider reducing interior lot setbacks and require a larger project perimeter (exterior boundaries) setback similar to how PRDs are handled (20' or 25')

Lot coverage

- 80% lot coverage probably OK; 60 65% would be a problem
 - Assumes uncovered parking is not counted in lot coverage calculation (current policy)
 - Specific plan area sites may permit > 80%
- Setbacks, amenity space, and undulation will dictate building size, so may not need lot coverage
- o Nick Lee noted he would provide example projects he has seen in Long Beach

Parking

- Reduced parking is critical to achieve 30 du/ac in non-structured parking with threestory height limit.
- 3 stories, non-structured parking generally can yield 25 du/ac assuming 1.8 spaces/unit average across all units
- Tough to structure parking for 30 DU/AC unless project is large enough to spread costs
- Affordable housing parking standards (City of San Diego example) lowered parking standards to fit the actual need
- Otay Ranch (Chula Vista) parking example
 - Smaller standards that are inclusive of guest parking
- City's existing parking rates are too high
 - Don't work for an affordable project
 - Density bonus law will limit parking that can be required
- The market will tell how much parking is needed
- Typical costs for structured parking is \$35,000/stall with \$15,000/stall for surface parking
- Example jurisdictions for parking
 - City of San Diego (Affordable standard)
 - Provides different standards for affordable housing (reduced parking ordinance)
 - Below are sample standards that attendees offered as examples they have seen in other jurisdictions
 - Studio: 1 space (inclusive of guest)
 - o 1 bdrm: between 1.5 spaces (inclusive of guest)
 - o 2 bdrm: 2 spaces (inclusive of guest)
 - 3+ bdrm: 2.25 spaces (inclusive of guest)
- o Reduced parking standards are an incentive to do more inclusionary housing units
- Location (proximity to transit facilities) should factor into standards
- o Require that people park in garages, can't be used for storage only
 - Parking is more likely to be used for parking if it is uncovered (can only be used for one thing – parking)

- Open parking is most cost effective for maximum flexibility
- City of San Diego requires 240 cubic feet of storage per unit
- Height standard
 - Existing point of measure Prop A
 - Lower of natural or finished grade
 - Prop A took away standard allowing measurement from pad
 - Want to be able to measure from post-grading pad
 - Fill is often required to achieve adequate drainage
 - Some properties are much lower than street level, and this would have little impact
 - Almost all sites will likely lose at least a couple feet due to existing methodology, 37 feet is a necessity from finish grade
 - Note that the 37-foot limit will not allow pitched roofs
 - Note that density bonus law would allow greater height
- Private space and onsite amenity space
 - o Apartment balconies should count as private open space
 - Only specify per unit total open space 300 sf
 - Provide flexibility when site is in close proximity to open space, parks, beaches
 - Have incentives for creating internal (usable) amenity spaces give some sort of credit for higher quality spaces
 - Depending on the project, it may be beneficial to have a mix of on-site and off-site open space
- Wall plane and Stepback standards
 - o How far does remaining 25% of wall not on single wall plane need to be set back?
 - o Step back be clear on language of where the line is drawn for outdoor space
 - Focus on alleviating the impacts of a third story
 - Simplify step back text
- Private storage
 - With uncovered parking, storage is provided as a closet on the balcony

Fees and Exactions

- Compression of approval time is more important than the fees
- Incentive: Certain timeline (exact timeline) for inclusionary projects
- Quality of the plan check is an important factor
- Ideally would like fees to be paid even after issuance of certificate of occupancy; recognized security problems

City of Encinitas



Workshop/Open House Summary Notes

This section contains the meeting minutes and public comments from the February 1, 2017 Housing Element Workshop. A Housing Element Open House is tentatively scheduled for May 2018. Materials for that meeting will be added upon completion of the Open House.

MINUTES OF THE ENCINITAS CITY COUNCIL SPECIAL MEETING FEBRUARY 1, 2017, 6:00 P.M., 1140 OAKCREST PARK DRIVE

CALL TO ORDER/ROLL CALL

Mayor Blakespear called the meeting to order at 6:08 p.m.

Present: Mayor Catherine S. Blakespear, Deputy Mayor Tony Kranz, Council

Members Tasha Boerner Horvath, Joe Mosca and Mark Muir

Absent: None

Also present: City Manager Brust, City Attorney Sabine, Special Counsel Barbara Kautz,

City Clerk Hollywood, and Principal Planner Langager.

There being a quorum present, the meeting was in order.

PLEDGE OF ALLEGIANCE

AGENDA ITEMS

1. City Council discussion with the community regarding the development of a legally compliant Housing Element Update.

RECOMMENDED ACTION: Discuss the development of a legally compliant Housing Element Update and provide direction to staff as needed.

Mayor Blakespear welcomed everyone to the meeting and introduced Jerry Harmon who was selected by the No on T Committee to serve as the moderator for tonight's meeting.

Mayor Blakespear stated that the purpose of the meeting was to allow the Council and the community to discuss the key components for developing a legally compliant Housing Element that was acceptable to the community.

Sheila Cameron and Bruce Ehlers, representing the No on T Committee, presented their plan for "A Better Plan for Encinitas' Housing Element Update."

Public Speakers:

John Carlson, Bob Bonde, Glen Johnson, Maria Lindley, Steve Boyette, Olivier Canler, John Elmore, Brian Burke, Victoria Balentine, Peter Stern, Peter Zovanyi, Bill Butler, Marco Gonzalez, Erika Chamberlin, Torgen Johnson, Gene Chappo, Nancy DeGhionno, Andrew Matuszeski, Marie Latif, Susan Turney, Kathleen Lindemann, Heather Creider, David Hovis, Jennifer Hewitson, Kurt Groseclose, Damien Mavis, Kathy Roth, Mike Andreen, Eric Gilmer, Kathleen Lees, Dean Turney, Andrew Yancey, Dennis Holtz, Kevin Doyle and Linda Newbert.

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The Mayor, Council, Special Counsel and staff responded to questions and comments from the public. Themes discussed and identified by the public are included as Attachment 1 to these minutes.

ADJOURNMENT

Mayor Blakespear thanked everyone for attending and adjourned the meeting at 9:10 p.m.

Kathy Hollywood, City Clerk

Catherine S. Blakespear, Mayor

Housing Element Special City Council Workshop City of Encinitas - Community Center February 1, 2017

THEMES

- UNIT TYPE
- STATE COUNCIL COMMUNITY
- MAXIMIZE USE OF ACCESSORY UNITS
- FIND COMMON GROUND
- DENSITY 20-25 DU/AC
- Increase Inclusionary Requirement
- TRAFFIC MINIMIZE IMPACTS
- CITY PARTICIPATION FUNDING AND CITY SITES
- STAFF LIAISON MORE OPPORTUNITIES FOR PUBLIC INPUT COALITION TASK FORCE
- PARKING STANDARDS MAINTAIN
- Two stories vs. Three stories / Maximum Height 30 ft. vs. ?

SHEET No. 1

- CONTEST RHNA NUMBERS
- MAXIMIZE ACCESSORY UNITS
- Define "affordability"
- FLOOR AREA LIMITATION
- "TINY HOUSES" / COTTAGES OPPORTUNITIES √√√
- TIME FRAME FOR ALTERNATE PLAN?

SHEET NO.1A

- CONTEST RHNA
- PLAN NAME (No AT Home In Encinitas)
- Zone with consent of owners
- No infill development
- New accessory units by-right
 - DO MORE IN THIS AREA
- SANTA BARBARA EXAMPLE: BEDROOMS PER ACRE VS. UNITS
- PARTNER WITH NON-PROFIT AFFORDABLE DEVELOPERS

SHEET No. 2

- What is the Transient Occupancy Tax?
- Ban in-lieu fees Build the affordable units
- Maintain 30 FOOT HEIGHT LIMIT

- "50%" OF ALL HOMES IN ENCINITAS RESTRICTED AT 'LOW'/'MODERATE' AFFORDABILITY LEVELS
- CITY TO PURCHASE LAND AND BUILD AFFORDABLE HOUSING PARTNER WITH PRIVATE DEVELOPER

SHEET NO.2A

- Home Depot area?
- TINY HOMES = SHIPPING CONTAINER
- More frequent community meetings (quarterly)?
- THOUGHTFUL PLACEMENT OF DENSITY
- DEDICATED STAFF LIAISON
- RENEWABLE ENERGY/SUSTAINABLE DEVELOPMENT
- AFFORDABLE BY DESIGN

SHEET NO.3

- Charge more in-lieu fees
- 50% AFFORDABILITY NOT FEASIBLE
- START WITH COMMUNITY-BASED IDEAS (I.E. ACCESSORY UNITS)
- "LOW IMPACT" PLAN
- Do not exacerbate existing parking problems
- CREATE A LANDMARK/HISTORIC COMMITTEE
- 1.900-unit buffer in Measure "T" not consistent with RHNA number

SHEET NO.3A

- Accessory unit owners: Help to work with them
- Vons shopping center a good site
- LA FITNESS CENTER A GOOD SITE
- More authority for Planning Commission
- Accessory units a privacy issue
- What comes after compliance?
- PREFERENCE TO OWNERS WHO WILL EXCEED MINIMUM AFFORDABILITY
- NOT CONCENTRATE ALL REDEVELOPMENT IN SHOPPING CENTERS

SHEET No.4

- SPROUTS CENTER NOT A GOOD SITE
- No. 3 or 4 stories
- TOWNCENTER SITE HAS POTENTIAL
- In favor of transit oriented development
- Re-develop El Camino Real corridor with consideration given to traffic calming
- PRESERVATION OF QUALITY LIFE AND OPEN SPACE
- Consider tiny houses on the Pacific View site
- Maintain two-story limit

No.4A

AFFORDABLE HOUSING FOR SPECIAL NEEDS POPULATIONS

ATTACHMENT 1 TO THE FEBRUARY 1, 2017 SPECIAL CITY COUNCIL MEETING MINUTES

- 33 FT AND 3 STORIES: SOME DEVELOPMENTS DONE WELL
- REACH OUT AND ENGAGE MORE OF THE COMMUNITY
- Public transit not there yet
- More affordable housing monitoring
- PRESERVE TRAILER PARKS
- No mixed use everywhere: el camino real a good location
- Developer help pay for traffic and infrastructure on el camino real
- Issues with mixed use: Type of use can cause conflict with residents

SHEET NO.5

- START WITH COMMONALITIES
- TASKFORCE TO REVIEW MEASURE T AND IDENTIFY AGREEABLE POSITIVE ELEMENTS AND MODIFY CONTROVERSIAL ELEMENTS
- CONSIDER GREENHOUSE GAS EMISSION DURING THE REVIEW PROCESS
- "CREATIVE LIVING" CONCEPT
- Do not reduce parking standards
- Low income units should not be for sale

SHEET NO.5A

- EXISTING ZONING DOES NOT SUPPORT TINY HOMES
- BUILDING HEIGHT MAXIMUM OF 30 FEET

SHEET No.6

- PRESERVE EXISTING TRAILER PARKS
- Invite hcd to participate in public forums

City of Encinitas [DRAFT]



A.5 Housing Element Task Force Public Notice Mailing List

Chelsea Investment Corporation Shea Homes **Bridge Housing** 9990 Mesa Rim Rd 2202 30th St 6339 Paseo Del Lago Carlsbad, CA 92011 San Diego, CA 92121 San Diego, CA 92104 Mercy Housing California Wakeland Housing Hitzke Development Corporation 1230 Columbia Street, Suite 950 1500 South Grand Ave, Suite 100 PO Box 1700 Los Angeles, CA 90015 San Diego, CA 92101 Temecula, CA 92953 Solutions for Change Century Housing Corporation New Urban West Development 722 West California Ave 1000 Corporate Pointe 1733 Ocean Avenue, Suite 350 Vista, CA 92083 Culver City, CA 90230 Santa Monica, CA 90401 **Community Housing Works** Corporation for Supportive Housing Sun Country Builders 2815 Camino del Rio South, Suite 350 328 Maple Street, 4th Floor 138 Civic Center Dr San Diego, CA 92108 San Diego, CA 92103 Vista, CA 92084 Habitat for Humanity **Encinitas Preservation Association** San Diego Housing Federation 8128 Mercury Rd. 818 S. Coast Hwy. 101 3939 Iowa Street, Suite 1 San Diego, CA 92111 Encinitas, CA 92024 San Diego, CA 92104 Cardiff 101 Main Street **Encinitas Chamber of Commerce** Downtown Encinitas Mainstreet PO Box 552 535 Encinitas Blvd Association Cardiff, CA 92007 Encinitas, CA 92024 818 S Coast Hwy 101 Encinitas, CA 92024 Leucadia 101 Main Street Association North County Lifeline Fraternity House Inc 386 N Coast Highway 101 200 Michigan Ave 20702 Elfin Forest Rd Encinitas, CA 92024 Vista, CA 92084 Escondido, CA 92029 San Dieguito Alliance Community Resource Center Meals on Wheels P.O. 2448 650 Second St 930 Boardwalk Street, Unit C Del Mar, CA 92014 Encinitas, CA 92024 San Marcos, CA 92078 Catholic Charities-La Posada YMCA Oz North County Casa de Amparo 215 Barnes Street 325 Buena Creek Road 2476 Impala Dr San Marcos, CA 92069 Carlsbad, CA 92010 Oceanside, CA 92054

United Way of San Diego

San Diego, CA 92123

4699 Murphy Canyon Road

North County Community Services

1557 Grand Avenue, Ste. C

San Marcos, CA 92008

Bread of Life Rescue Mission

1919 Apple Street, Suite I

Oceanside, CA 92049

Regional Task Force on the Homeless Alliance for Regional Solutions **Easter Seals** 4699 Murphy Canyon Road 1557-C Grand Ave 1035 E. Valley Parkway Escondido, CA 92025 San Diego, CA 92123 San Marcos, CA 92067 Interfaith Shelter Network **Interfaith Community Services** TERI, Inc. 3530 Camino del Rio North, Suite 301 4770 North River Road 251 Airport Rd San Diego, CA 92108 Oceanside, CA 92057 Oceanside, CA 92058 101 Artists Colony Jonathan Tarr Foundation Seacoast Community Church 1106 Second St, Suite 125 560 North Highway 101 #1 1050 Regal Rd Encinitas, CA 92024 Encinitas, CA 92024 Encinitas, CA 92024 St. John's Catholic Church St John's Catholic Church Affirmed Housing Group 1001 Encinitas Blvd Mexican American Apostolate 13520 Evening Creek Dr N, Suite 160 Encinitas, CA 92024 1001 Encinitas Blvd San Diego, CA 92128 Encinitas, CA 92024 San Dieguito United Methodist Church Jehovah's Witnesses-Kingdom North Coast Presbyterian Church 170 Calle Magdalena 1821 S El Camino Real 1831 S El Camino Real Encinitas, CA 92024 Encinitas, CA 92024 Encinitas, CA 92024 The Vine Church Self-Realization Fellowship: Hermitage Jehovah's Witnesses 267 Quail Gardens Dr 208 Camino De Las Flores 215 W K St Encinitas, CA 92024 Encinitas, CA 92024 Encinitas, CA 92024 Seaside Presbyterian Church Ranch View Baptist Church El Camino Christian Fellowship 367 La Veta Ave 416 Rancho Santa Fe Rd 510 S El Camino Real Encinitas, CA 92024 Encinitas, CA 92024 Encinitas, CA 92024 House of Praise Evangelical Church **Christian Science Society of Encinitas Christian Science Churches & Reading** 511 Encinitas Blvd 912 S. Coast Highway 101 Rooms Encinitas, CA 92024 Encinitas, CA 92024 520 Balour Dr Encinitas, CA 92024 St Mark Lutheran Church Chapel of Awareness Coastal Christian Center 552 S El Camino Real 777 Santa Fe Dr 560 3rd St Encinitas, CA 92024 Encinitas, CA 92024 Encinitas, CA 92024 New Life Christian Fellowship Pacific View Baptist Church St Andrew's Episcopal Church

845 Santa Fe Dr

Encinitas, CA 92024

890 Balour Dr

Encinitas, CA 92024

831 3rd St

Encinitas, CA 92024

Bethlehem Lutheran Church 925 Balour Dr Encinitas, CA 92024 Church of Christ 926 2nd St Encinitas, CA 92024 Self-Realization Fellowship 939 2nd St Encinitas, CA 92024

Encinitas Rotary Club P.O. Box 230223 Encinitas, CA 92023 Encinitas Lions Club 168 Del Mar Shores Terrace Solana Beach, CA 92075 Kiwanis Club P.O. Box 230635 Encinitas, CA 92023

Jewish Family Service 8804 Balboa Ave San Diego, CA 92123 Zephyr 700 Second St Encinitas, CA 92024 Melia Homes 8951 Research Dr. #100 Irvine, CA 92618

Hallmark Communities 964 Urania Ave Leucadia, CA 92024 City Ventures 3121 Michelson Dr Ste 150 Irvine, CA 92612

John DeWald & Associates 1855 Freda Lane Cardiff, CA 92007

National Core 9421 Haven Ave Rancho Cucamonga, CA 91730 CityMark Development 3818 Park Blvd San Diego, CA 92103 Stefan LaCasse 364 Second Street, #5 Encinitas, CA 92024

Dianna Nunnez 399 Hillcrest Dr Encinitas, CA 92024 Dave Meyer DCM Properties P.O.Box 232280 Encinitas, CA 92023 Michael McSweeney Building Industry Association 9201 Spectrum Center Blvd., Suite 110 San Diego, CA 92123-1407

Lennar Homes 25 Enterprise Suite 300 Aliso Viejo, CA 92656 Nick Lee Baldwin & Sons 610 West Ash, Suite 1500 San Diego, CA 92101 Keith Harrison Harrison Properties 364 2nd St. #6 Encinitas, CA 92024

Norm Miller 5374 Linda Vista Rd. San Diego, CA 92024 Debbie Fountain Carlsbad Housing & Neighborhood Services 1200 Carlsbad Village Dr. Carlsbad, CA 92008 Alex Plishner