



City of Encinitas

Development Services Department

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

April 26, 2018

Department of Housing and Community Development
Division of Housing Policy Development
Attn: Ms. Robin Huntley
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833

**RE: PUBLIC COMMENTS RECEIVED ON THE CITY OF ENCINITAS APRIL 13, 2018
DRAFT HOUSING ELEMENT SUBMITTAL**

Dear Ms. Huntley:

Thank you for forwarding correspondence received by HCD from Mr. Glen D. Johnson on April 24, 2018 in reference to the city's April 13, 2018 Draft Housing Element submittal. Our response below is intended to provide further clarification of the City's evaluation process, methodology, and other pertinent information regarding the sites discussed in Mr. Johnson's letter.

General Comments Regarding Selected Sites. Many of the comments appear to question whether the sites are suitable for lower income housing, citing in particular distance to transit and services.

In Encinitas, the sites located closest to transit and services are non-vacant sites. AB 1397, however, effectively requires that at least 50% of the sites designated for lower income housing be vacant sites. Some of these are located somewhat farther from transit and services.

At the public meetings regarding the selection of adequate sites, the City heard testimony from an affordable housing developer that, because Encinitas is not a major job center and is not developed at high densities, persons living in affordable housing in the City would, in most cases, own an automobile. Given the need to designate vacant sites and to meet the requirement that the sites be suitable for development within the planning period, the City believes that the selected candidate sites are the most suitable sites for affordable housing in the City.

Additionally, all of the selected sites are located in areas designated as either 'highest resource' or 'high resource' areas on the 2018 TCAC/HCD Opportunity Area Map for San Diego County prepared by the California Tax Credit Allocation Commission and HCD. These are the areas given higher priority for allocation of tax credits based on education, economics, mobility, and mobility in the area. Affordable housing proposed on any of these sites would be given higher priority and would be a strong candidate for tax credits. The 2018 TCAC/HCD Opportunity Area Map can be found at:

http://www.treasurer.ca.gov/ctcac/opportunity/maps/san_diego.pdf

As discussed in more detail below and as shown in Appendix C, the constraints discussed in Mr. Johnson's letter have been considered in determining the capacity of each site designated for lower income housing. Net acreage for these sites is approximately 27.5% less than the gross acreage of the sites, given various site constraints, planned mixed use development, and other factors such as municipal code standards that may limit the use of a site. All of these factors are reflected in determining the capacity of each site.

Process and Meetings. Since the formation of the Housing Element Task Force in February 2017, a total of 15 public meetings have been held by the Task Force, four of which were joint meetings with the City Council, in addition to regular updates to the City Council. All meetings were open to the public, and topics of discussion included candidate sites, policies, programs, and potential development standards as part of the Housing Element update. Two meetings were held with local building industry professionals, including market-rate and affordable housing developers and BIA representatives, to discuss effective and appropriate development standards related to the feasibility of constructing multi-family housing at a density of 25-30 dwelling units per acre. These meetings were open to the public. The meeting notes and list of attendees are included in Appendix A of the Draft Housing Element and were made available to the City Council and public.

The City Council and the Housing Element Task Force met on April 4, 2018 at a special meeting to review and select the programs and policies as well as the candidate sites for inclusion in the Draft Housing Element submission to HCD on Friday, April 13, 2018. The sites were again discussed at a regular City Council meeting held on April 18, 2018. This has been a productive and unusually transparent public process that achieved significant public participation, with the Council Chambers often full. Appendix A of the Housing Element provides a summary of meetings and the minutes from the various meetings.

Candidate Sites. We have provided responses regarding each of the individual sites identified in Mr. Johnson's letter. Please note the net acreage calculated for all sites was based on known constraints from past studies, knowledge of sites, and aerial photography. Each site was visited and photographs are provided of all sites in Appendix C.

Site 1 (Greek Orthodox Church): There is a letter of interest on file from the property owner included in Appendix C. The Church has been a regular participant in City meetings, and its representatives have repeatedly expressed their desire to develop multifamily affordable housing on the site. While the site could accommodate more units than shown, the unit yield was based upon the actual intent of the property owner.

The Church's requirements for residents of the proposed housing are not related to the suitability of the site for lower income housing.

Site 2 (Cannon Property): There are no constraints to development of this site. The City has received a letter of interest from the property owner to build multi-family housing. The letter is included in Appendix C. This site is currently partially graded in the southern portion, providing generally flat graded areas. Additionally, analysis of the topography showed slopes of less than 25%. Based on Municipal Code standards, no deduction of the site capacity for steep slopes is required.

Site 3 (L-7): Subsequent to the April 13th HCD submittal, the L-7 site was removed from the candidate sites for upzoning to 25 – 30 du/ac. A revised Draft Housing Element has been delivered to HCD to reflect the removal of the site.

Site 5 (Encinitas Blvd & Quail Gardens): The City has previously received a letter of interest from the property owner to build multi-family housing. This letter is provided in Appendix C. The existing on-site structure will be demolished. Known site constraints, including the applicable steep slopes, have been deducted from net acreage. Based on Municipal Code standards, the net usable area of the parcel was reduced from 4.93 acres to 4.78 acres to accommodate these slope considerations.

Site 7 (Jackel Properties): A letter of interest from the property owner to build multi-family housing is provided in Appendix C. Site yield estimates have been reduced from 74 units to 33 units to accommodate the potential for mixed use on the site. There are no plans to utilize the vacant on-site structure. The proposed multimodal improvements on Highway 101 associated with the streetscape project will not increase the right-of-way or otherwise reduce site capacity.

Site 8 (Rancho Santa Fe – Gaffney/Goodsen): A letter of interest from the property owner to build housing is provided in Appendix C of the Housing Element. Known site constraints reduced the site acreage from 6.63 acres to 6.02 acres. There are no general commercial operating businesses on this property, and, as noted in Mr. Johnson's letter, the site is close to many services.

Site 9 (Echter Property): A letter of interest from the property owner to build an agri-hood project, which will include multi-family housing with agricultural themed amenities and maintain another portion of the property as agricultural use, is provided in Appendix C of the Housing Element. The property proposed for residential development is reflected in the net acreage consistent with the property owner's intentions. The site acreage has been reduced from 21.49 acres to 9.85 acres in consideration of the portion of the site the property owner intends to use for housing. The property owner has prepared preliminary conceptual site plans for the site and has presented these concepts to the City Council.

Site 10 (Strawberry Fields): Only 9.85 acres of the total site area of 16.90 acres are designated for housing. The site is in agricultural use with close freeway access and located next to the local community college. The gross acreage has been reduced to take into account some steep slopes and Caltrans' use of a portion of the property.

Site 12 (Sunshine Gardens): A letter of interest from the property owner to build multi-family housing, which includes removing existing structures and businesses, is provided in Appendix C of the Housing Element. The site is currently developed, demonstrating that storm drainage issues do not constrain development of the site.

AD1 (Sage Canyon): A letter of interest from the property owner to build multi-family housing is provided in Appendix C of the Housing Element. The steep slopes noted by Mr. Johnson have been deducted from gross site area.

AD2 (Baldwin and Sons): A letter of interest from the property owner to build multi-family housing is provided in Appendix C. Known site constraints, including steep slopes and the existing utility easement, have reduced the usable site acreage from 11.59 acres to 9.05 acres.

The owner has indicated that the existing underground storm drain does not reduce the ability to achieve the capacity shown in Appendix C.

AD8 (Vulcan and La Costa): A letter of interest from the property owner to build multi-family housing is provided in Appendix C of the Housing Element. The existing greenhouse/floral operation does not pose a constraint to development of the site. The majority of the site is occupied by temporary agricultural structures to housing seasonal agricultural products. The property owner does not believe that these pose a constraint to development on the site.

Moderate and Above Moderate Income Sites. Appendix B, Section 10, beginning on page B-77, discusses the projections for development of the moderate-income sites designated in the various specific plan areas, with a conservative projection of development potential. As noted in various tables, the City has nearly met its RHNA for above-moderate income housing, with only 15 units remaining.

Should you have any further questions or comments, please feel free to contact me directly at 760/633-2714 or dlangager@encinitasca.gov.

Sincerely,



Diane S. Langager
Principal Planner

Barbara Kautz

From: Huntley, Robin@HCD <Robin.Huntley@hcd.ca.gov>
Sent: Tuesday, April 24, 2018 9:47 AM
To: Diane Langager; Barquist, Dave; Barbara Kautz
Subject: FW: City of Encinitas 2013-2021 Housing Element Update Draft
Attachments: Encinitas Johnson comments 1.pdf; Encinitas Johnson comments 2.pdf

Attached are comments received by HCD from Mr. Glen Johnson. I am forwarding to a few members of Encinitas' housing element team. Please forward as appropriate.

I look forward to receiving the City's response to these comments.

Robin Huntley
Housing Policy Manager, Housing Policy Division Housing & Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: 916.263.7422

-----Original Message-----

From: Glen Johnson [mailto:Glen_D_J@pacbell.net]
Sent: Tuesday, April 24, 2018 9:13 AM
To: Huntley, Robin@HCD <Robin.Huntley@hcd.ca.gov>
Subject: City of Encinitas 2013-2021 Housing Element Update Draft

Glen D. Johnon
537 Kristen Court
Encinitas, California 92024
(760)943-8002

April 24, 2018

Ms. Robin Huntley
Housing Policy Manager
Housing Policy Division
Department of Housing and Community Development
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833

Subject: City of Encinitas 2013-2021 Housing Element Update Draft

Dear Ms. Robin Huntley,

The Development Services Department of City of Encinitas recently submitted to HCD a draft of a proposed Housing Element.

The April 13 submission is premature, It was rushed, inaccurate, not reviewed by the community and the City Council for even a first reading.

The document resulted from unpublicized meetings between City Staff and Special Interests and is not the will of the community.

I wish to help inform HCD of issues with the city's draft. To help familiarize you with this I am attaching a brief essay on the city of Encinitas. Other information on this area can be found on the Internet, in the local library, and the Encinitas Historical Society.

What Has Gone Before

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HCD had previously reviewed and approved a Housing Element for the City of Encinitas. This plan was put it on the November 2016 ballot as "Measure T", which would have placed density close to the public transportation center. Measure T was voted down by a majority of the citizens.

This vote was required by Encinitas Proposition A, adopted by the voters in 2013, which requires a citizen vote on any plan to increase zoning or raise height above 30 feet.

The new City Council established a Task Force of two City Council members, two public representatives, City Staff, and Consultants. The Task Force was pledged to an Open Process and held regular meetings to develop a plan. However, after February 2018 the process has veered into uncharted territory and at least two meetings were held between City Staff, Developers, and Housing Consultants. These meetings were held with no public notice yet the City states that these were public meetings not required to be noticed under the Brown Act. This extinguished the Open Process.

Current Status

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In the last week I visited each of the 12 sites proposed by the city and inspected them. A report on this is attached to give somewhat more information than the city supplied you in its Appendix C. I would like to invite you or one of your staff to visit Encinitas to view the proposed sites and this community. I would be happy to escort you or you can come incognito. A same day trip would suffice unless you can make time to meet with Citizens, Council, and City Staff. I don't know how you can evaluate our city without this.

Particular concerns are a follows:

a. Sites that host businesses and generate local employment:

SITES 08, 09, 12, AD8

This is important because these sites host businesses that provide vital services to the local community. This is part of the rich texture of our town.

b. Sites with environmental or terrain issues that may make it difficult to develop within the timeframe:

SITES 05, 12, AD2

This is important because we profess to honor our environment. These 3 sites are within the California Coastal Commission area.

c. Sites with traffic and parking concerns:

SITES 03, AD2

This is an important issue because the level of service on major arterials has already dropped below the levels set by the Circulation Element of Encinitas General Plan and the new housing units will only increase the need.

d. Sites lacking nearby public transit:

SITES 01,02, 03, 07, AD1, 08 (twice daily only), 10, AD8 This is important because using public transit can reduce emissions and reduce air pollution and congestion.

The concerns with parking and public transit is in part due to the proposal that lower income housing have reduced parking requirements.

Some form of transportation is vital to all residents.

We are tasked to provide lower cost housing but the special interests have proposed larger which means that they will be more expensive.

In order to facilitate your evaluation I am providing the Encinitas Street Map produced by the Chamber of Commerce:
<http://knowthisplace.com/ca/encinitas-ca-map/>

Bus and other public transportation are provided by the North County Transit District and the route plan is found at:
<http://www.gonctd.com/wp-content/uploads/Schedules/NCTDSystemMap.pdf>

Thank you for your attention to this matter.

Glen D. Johnson
Resident of Encinitas

attachments:

1. Description of Encinitas
2. Chamber of Commerce Map of Encinitas
3. Comments on the 12 sites
4. Link to the NCTD System Map PDF file

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Comments on ENCINITAS Sites

SITE 01: GREEK CHURCH PARCEL
3459 Manchester Avenue
Near intersection with El Camino Real
This site is not served by NCTD.

Saints Constantine and Helen Greek Orthodox Church grounds include apartments for senior citizens. The apartments are managed for the church by the Cardiff Orthodox Housing Foundation. The site includes some vacant land proposed for additional housing. The Greek Orthodox Church site is adjacent to the San Elijo Campus of the MiraCosta College, which offers Certificate Programs, Associate Degrees and has one Bachelor's Degree in Biomanufacturing.

Question: What are the requirements to be tenant, that is, must an applicant be of the Greek Orthodox faith?

SITE 02: CANNON PROPERTY (PIRAEUS)
no address given
corner of Piraeus Street and Plato Place
Just East of I5
This site is not served by NCTD.

This is vacant land with rough terrain. Piraeus is a 2-lane paved road with dirt shoulders just east of I5. There are no services within walking distance. There is a park-and-ride lot near the I5 about 1/2 mile north of this site.

SITE 03: L-7 PARCEL
634 Quail Gardens Lane
This site is not served by NCTD.

This is a city owned property on the 2-lane road Quail Gardens Drive Street with no on-street parking and the Quail Gardens Lane private street. The site has some minor slopes and is surrounded on three sides by single-family residential properties. To the East is residential agriculture on larger lots and to the West is a vineyard owned by the Leichtag Foundation.

Note: On April 18, 2018 the Encinitas City Council voted to withdraw this site from the housing element.

SITE 05: ENCINITAS BLVD & QUAIL GARDENS PARCELS
550 Encinitas Blvd, 696 Encinitas Blvd, Quail Gardens Dr
This site is well served by NCTD Line 309.

This site has quite rough terrain and is significantly higher than Encinitas Blvd. Across Encinitas Blvd is a Smart & Final market. There are also a CVS pharmacy, restaurants, an urgent care clinic, and other amenities. The site is next to a veterinary hospital and south of an apartment complex. There is an old boarded-up house on the site.

SITE 07: JACKEL PROPERTIES

1950 HWY 101

To the East is 101, then the Railroad Line.

This site is not served by NCTD.

This site has a restaurant that has been closed for several years, otherwise the site is vacant. From the restaurant there are partial views of the Pacific Ocean. The site has some slope issues. This property is adjacent to a taco stand. The City of Encinitas is in the process of a streetscape project for the north 101 corridor that will narrow it from 4 lanes to 2.

SITE AD1: SAGE CANYON

South of Sage Canyon Drive

East of El Camino Real

This site is not served by NCTD.

This site is vacant with some steep slopes.

SITE AD2: BALDWIN & SONS PROPERTIES

195 Quail Gardens Drive and adjacent properties.

This site is within 3 blocks of NCTD Line 309.

The site is crossed east-west by a SDG&E high voltage transmission line and north-south by an underground storm drain for Cottonwood Creek. During heavy rains water freely crosses the surface. Site is adjacent to a protected wetland and hosts owls, hawks, and other wildlife. Concerns include traffic and lack of on-street parking on Quail Gardens Drive.

SITE 08: RANCHO SANTA FE PARCELS (GAFFNEY/GOODSEN)

Rancho Santa Fe Drive and three adjacent properties
on Encinitas Boulevard

This site is served by NCTD Line 304 twice daily Mon - Fri as school bus service to and from La Costa Canyon High School.

The northwest intersection of Encinitas Blvd and RSF is the long-established business center of Olivenhain, hosting many businesses that provide vital services, including Olivenhain a 7-11 market, dry cleaner, dentist, notary/printer post office, fitness center, and head-start school. Nearby Encinitas Blvd businesses include a private preschool, real estate, music school etc. The site does have some steep slopes.

SITE 09: ECHTER PROPERTY

1150 Quail Gardens Drive

This site is served by NCTD Line 304.

This site is at present intense agriculture employing about 100. The site is near a golf course with clubhouse cafe, and has no other services. The greenhouses and other facilities look quite permanent and the Southeast corner hosts a seasonal strawberry stand.

SITE 10: STRAWBERRY FIELDS PARCEL

3111 Manchester Avenue

This site is not served by NCTD.

Part of the site is being used by CALTRANS through at least 2019 to support an I5 freeway widening project. It is adjacent to the community college and gas station. There are no other services around here. The site is mostly vacant with some steep slopes forming the toe of high bluffs.

SITE 12: SUNSHINE GARDENS PARCELS

630 Encinitas Boulevard

This site is well served by NCTD Line 309.

This site has challenging terrain because is located lower than Encinatas Blvd. at the low place in the valley. The site has underground storm drain pipes. This is a retail nursery housing a number of small craft businesses, a florist and post office, Betty's Pie Whole shop, Twiggs gift shop, Koi sales, North County Olive Oil, Bailey's workshop (wood sculpture), a summer art camp, and has owl boxes. This site is near a Szechuan restaurant and the Smart & Final market center.

SITE AD8: VULCAN & LA COSTA

1967 N Vulcan Ave

Just South of La Costa

This site is not served by NCTD.

This is the "Jesus Christ Is Lord" site seen by southbound travelers on 101. It houses Matteson's Florist, a quite well established business. The number of jobs it generates is not known.

OTHER SITES

section C-2 lists many other candidate site in the Moderate and Above Moderate range. None of these were selected for the Draft Housing Element but most are small sites that are unlikely to develop.

About Encinitas

Encinitas is one of several towns along the San Diego Pacific Ocean coastline. It was originally agricultural with small nurseries and greenhouses that today have mostly been converted into small housing developments. Other than specialty nurseries and agriculture there are no major industries. This is primarily a bedroom community serving the technology and bio-science industries in the city of San Diego.

These coastal communities grew along the coastal railroad line over 100 years ago. Encinitas was incorporated some 31 years ago by the joining of its 3 founding communities of Cardiff-By-The Sea, Old Encinitas and Lucadia, each with its own shopping district along the 101 Coast Highway together with the two inland communities of New Encinitas and Olivenhain. New Encinitas is an inland area along the El Camino Real shopping corridor with tracts of homes on the land to the East. Olivenhain is a still rural area along Rancho Santa Fe road with a small shopping area at Encinitas Blvd.

The sixth community, Encinitas Ranch, was annexed and converted from agriculture to housing and shopping about 20 years ago. It features a golf course, a shopping area, and homes and apartments. The 2-lane street Quail Gardens Drive was built as a local collector road for this development and the 4-lane street Via Cantabria was extended to support the shopping area and apartments.

To the North are the cities of Carlsbad and Oceanside and to the South are Solana Beach and Del Mar. To the East of Encinitas is the unincorporated community of Rancho Santa Fe which features large homes on multi-acre sites, orange groves, and horse properties.

Unlike the larger cities of Carlsbad and Oceanside, Encinitas does not reach far into undeveloped land in the interior. Most of the remaining open space in Encinitas is protected habitat and slopes unsuited to development.

To the North and South of Encinitas are lagoons that support diverse ecosystems. Most of the undeveloped areas of Encinitas have difficult topography and many are considered protected natural wildlife habitat. The California Coastal Commission sets rules that impede development of these areas.

The street network in Encinitas dates from the farming days and barely support today's traffic load. The streets cannot be widened without removing homes and businesses.

Encinitas is further constrained by the coastal railroad and the I5 freeway which create choke points for traffic. Caltrans is widening the Freeway and double-tracking the railroad but none of the improvements will increase the capacity of crossing streets. Through the middle of Encinitas the North-South El Camino Real joins the freeway to the benefit of through traffic coming from developments in Carlsbad and beyond.

Most recent development in Encinitas has been infill where greenhouse and agricultural properties of a few acres have been converted by small builders into plots of perhaps 8 homes.

Traffic generally flows through this town rather than to it. Other resources such as water are limited and the city was impacted by the recent drought.

Encinitas does provide beaches and parks that are admired throughout the region. However, there is no professional sports team and no airport or harbor. Almost all of the developable land in Encinitas has been developed and there are no remaining large vacant plots of land.