

RESOLUTION NO. 2024-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, AMENDING FIGURE 4 LAND USE POLICY: NEW ENCINITAS MAP OF THE LAND USE ELEMENT OF THE GENERAL PLAN AND AMENDING THE LOCAL COASTAL PROGRAM

WHEREAS, on June 10, 2020, the City Council of the City of Encinitas, adopted Resolution No. 2020-44 to authorize the City Manager to apply for and receive Local Early Action Planning (LEAP) Grant funds from the California Department of Housing and Community Development (HCD) to develop the El Camino Real Specific Plan (ECRSP); and

WHEREAS, on October 16, 2020, the City of Encinitas, was awarded LEAP Grant funds from HCD in an amount of \$300,000; and

WHEREAS, on November 18, 2020, the City Council of the City of Encinitas, directed City staff to initiate the solicitation of a Request for Proposals (RFP) for the ECRSP; and

WHEREAS, an RFP was released via PlanetBids, the City's web-based procurement system, where five proposals were received and evaluated by City staff based on the selection criteria identified in the RFP, and of the five proposals RICK (previously RICK Engineering) was selected as the qualified consultant to complete the ECRSP scope of work; and

WHEREAS, on June 23, 2021, the City Council of the City of Encinitas, approved the ECRSP contract with RICK; and

WHEREAS, on November 15, 2021, a publicly noticed community workshop took place with various pop-up events occurring throughout the Fall and Winter of 2021 to gather community input and feedback relating to the existing conditions within the ECRSP commercial corridor, as well as provide information relating to the analysis conducted in relation to opportunities for improvement, constraints and gain insight on the community's vision for the area. Public comments were gathered through December 13, 2021; and

WHEREAS, on December 7, 2021, a publicly noticed developer roundtable discussion took place with participants from the affordable housing and market-rate development community to understand their perspectives in regard to development barriers and design regulations that prevent the revitalization of the ECRSP commercial corridor, and discuss options that would make the corridor an attractive investment opportunity; and

WHEREAS, on January 26, 2022, the City Council of the City of Encinitas received an informational update on the progress of the ECRSP and directed City staff to review similar past work efforts within the City where community task force groups were utilized and return at a future hearing date; and

WHEREAS, on May 11, 2022, the City Council of the City of Encinitas directed City staff to create a nine-member advisory task force to assist with the review and help guide the development of the ECRSP; and

WHEREAS, on June 7, 2022, the first publicly noticed El Camino Real Task Force (ECR Task Force) meeting was held to introduce members to the project and provide an overview of work completed; and

WHEREAS, on June 20, 2022, a second publicly noticed community workshop was held to gain community input on preferred development types and site design within the ECRSP, with public comments gathered through July 15, 2022; and

WHEREAS, on August 2, 2022, the ECR Task Force held a duly noticed public meeting to receive a summary of public feedback from the second workshop, visioning statements for the corridor, and provide input on the draft preferred design alternative; and

WHEREAS, City staff conducted several additional pop-up outreach events throughout the 2022 calendar year, including at various locations within the ECRSP corridor, and at community events such as the Leucadia Farmer's Market, Cyclovia, and EcoFest; and

WHEREAS, on October 8, 2022, the ECR Task Force held a duly noticed public meeting with City staff to conduct a walkabout along El Camino Real and discussed key topics and opportunities; and

WHEREAS, on December 6, 2022, the ECR Task Force held a duly noticed public meeting to receive a recap on the walkabout, and review of the draft community benefits program and draft development standards; and

WHEREAS, in the 2022 State legislative session, the California State Governor, Gavin Newsom, signed into law Assembly Bill (AB) 2011 "Affordable Housing and High Roads Jobs Act of 2022" and Senate Bill (SB) 6 "Middle Class Housing Act," which, effective July 1, 2023, allow housing development as a use by-right on properties that are zoned with a principally permitted use of parking, office or retail, in addition to meeting the specific provisions outlined within the Bills; and

WHEREAS, on June 21, 2023, the City Council and Planning Commission held a duly noticed public meeting for a special joint study session regarding AB 2011 and SB 6 at which the City Council determined the mixed-use overlay originally contemplated for the ECRSP was no longer be necessary and directed the overlay to be removed since these legislative bills provide a pathway to allow housing within the ECRSP area, and further directed a focus on streetscape while continuing to develop objective development and design standards for future development within the ECRSP area; and

WHEREAS, on January 23, 2024, the ECR Task Force held a duly noticed public meeting to receive a project status update, a change in the scope of the ECRSP as directed by City Council on June 21, 2023, and to obtain feedback from ECR Task Force members and the public on proposed streetscape improvements; and

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15105(b) the City prepared an Initial Study (IS) that determined that no significant environmental impacts would result from the proposed project with mitigation measures incorporated into the project; therefore, a Mitigated Negative Declaration (MND) was prepared for the ECRSP project, with mitigation measures for Biological Resources and Tribal Cultural Resources, and made available for public review from June 3, 2024, to July 2, 2024, in accordance with CEQA Guidelines requirements ; and

WHEREAS, a public review draft of the ECRSP was made available for public comment beginning on June 3, 2024; and

WHEREAS, on June 10, 2024, the Traffic and Mobility Safety Commission held a duly noticed public meeting and received an informational update regarding the mobility improvements proposed within the ECRSP; and

WHEREAS, on June 11, 2024, a publicly noticed community workshop was held to inform the public about the removal of the mixed-use overlay, present the public review draft of the ECRSP and IS/MND and provide an opportunity for public comment on the draft documents; and

WHEREAS, on June 26, 2024, the City Council and Planning Commission held a duly noticed special joint meeting to receive a project update, an introduction to the public review drafts of the ECRSP and IS/MND, and an opportunity to provide early feedback on the draft documents; and

WHEREAS, the implementation of the ECRSP requires amendments to the Zoning Regulations and Figure 4 Land Use Policy: New Encinitas Map of the Land Use Element of the General Plan to incorporate reference to the ECRSP (SP-6); and

WHEREAS, the Zoning Regulations and Figure 4 Land Use Policy: New Encinitas Map are components of the City's Local Coastal Program; therefore, the amendments constitute amendments to the Local Coastal Program; and

WHEREAS, a Public Notice of Availability of proposed Local Coastal Program Amendments (LCPA) was issued which opened a six-week public review period that ran from July 26, 2024 through September 6, 2024; and

WHEREAS, on August 15, 2024, and August 22, 2024, the Planning Commission conducted a duly noticed public hearing to discuss and consider the El Camino Real Specific Plan and the proposed amendments to the Zoning Regulations, Figure 4 Land Use Policy: New Encinitas Map of the General Plan, and the Local Coastal Program, and adopted Resolution No. PC 2024-11 recommending approval of the Specific Plan, with modifications, and the proposed amendments; and

WHEREAS, the City Council conducted a public hearing on September 11, 2024, for the purpose of considering the El Camino Real Specific Plan and proposed amendments to the Zoning Regulations, General Plan, and Local Coastal Program; and

WHEREAS, the City Council has duly considered the totality of the record and all evidence submitted into the record, including public testimony and the evaluation and recommendations by staff and Planning Commission, presented at said hearings; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law; and

WHEREAS, on September 11, 2024, the City Council adopted Resolution No. 2024-83 adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the ECRSP project prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15105(b).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Encinitas, California, that:

Section 1. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Figure 4 Land Use Policy: New Encinitas Map of the Land Use Element of the General Plan is hereby amended to incorporate the El Camino Real Specific Plan (SP-6) as shown in "Exhibit A" to this Resolution for the purpose of implementing the Encinitas General Plan for the Specific Plan area.

Section 3. The City Council finds that this Resolution is intended to be carried out in a manner in full conformance with the California Coastal Act of 1976 and the Development Services Director is hereby authorized to submit this Resolution as part of the Local Coastal Program Amendment to the California Coastal Commission for their review and adoption.

Section 4. This Resolution will become effective following certification by the California Coastal Commission as being consistent with the Local Coastal Program for the City of Encinitas and California Coastal Act.


PASSED, APPROVED, AND ADOPTED this 11th day of September, 2024, by the City Council of the City of Encinitas, State of California.

DocuSigned by:

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Tony Kranz, Mayor

ATTEST:

DocuSigned by:

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Kathy Hollywood, City Clerk

APPROVED AS TO FORM:

Signed by:

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Tarquin Preziosi, City Attorney

CERTIFICATION: I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the City Council on the 11th day of September, 2024, by the following vote:

AYES: **Blackwell, Ehlers, Kranz, Lyndes**

NOES: **None**

ABSENT: **Hinze**

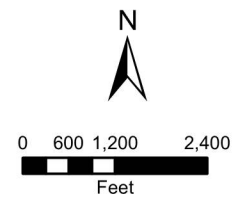
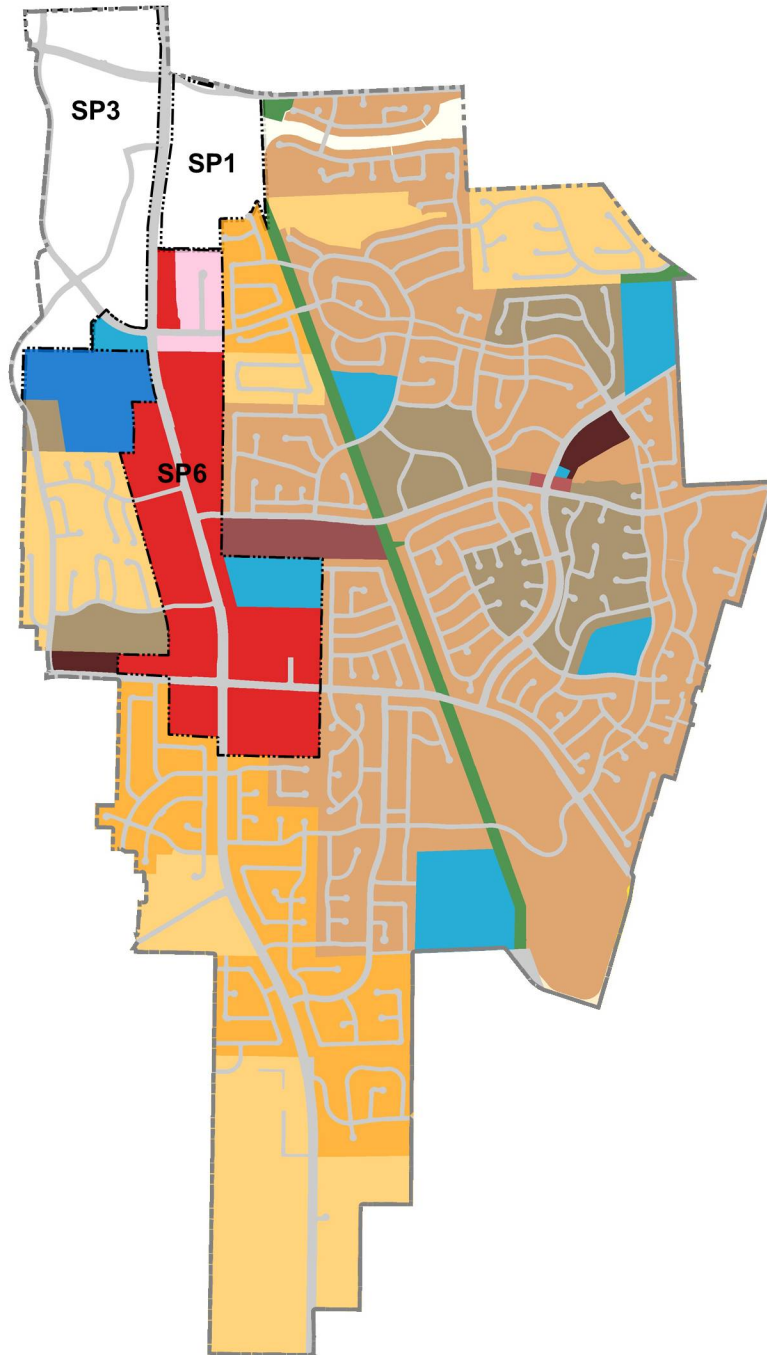
ABSTAIN: **None**

DocuSigned by:

Kathy Hollywood

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Kathy Hollywood, City Clerk

Exhibit A



Legend

- Rural Residential 0.00-0.25 du/ac (RRFP)*
- Rural Residential 0.26-0.50 du/ac (RR)*
- Rural Residential 0.51-1.00 du/ac (RR1)
- Rural Residential 1.01-2.00 du/ac (RR2)
- Residential 2.01-3.00 du/ac (R3)
- Residential 3.01-5.00 du/ac (R5)
- Residential 5.01-8.00 du/ac (R8)
- Residential 8.01-11.00 du/ac (R11)
- Residential 11.01-15.00 du/ac (R15)
- Residential 15.01-25.00 du/ac (R25)
- Mobile Home Park (MHP)
- Office Professional (OP)
- Local Commercial (LC)
- General Commercial (GC)
- Visitor Serving Commercial (VSC)
- Light Industrial (LI)
- Public/Semi Public (P/SP)
- Transportation Corridor (TC)
- Ecological Resource/Open Space/Park (ER/OS/PK)
- Specific Plan Boundary

Note: Special Study Overlay shown in Figure 1 Also applies to Land Use Policy for this community

Figure 4
Land Use Policy:
New Encinitas

Encinitas

General Plan
Amended 09/11/2024



Please refer to the General Plan Land Use Policy Map in the Encinitas Development Services Department for parcel specific designations.

DISCLAIMER:
This map should not be used for Engineering, Survey, or Site-Specific Analysis.

- Map Coordinates: Stateplane NAD83 Feet, CA Zone 6
- Parcel lines are not survey accurate, and some parcels can be positionally off up to +/- 40 feet
- Photo flight dates: July 2009. 4 inch pixel resolution. Digital true color.
- Orthophoto and Topo positional accuracy meet the precision adequate to support National Map Accuracy Standards for 1" = 100' mapping.

Every reasonable effort has been made to assure the accuracy of the data provided; nevertheless, some information may not be accurate. The City of Encinitas assumes no liability or responsibility arising from the use of or reliance upon this information.