

Relevant General Plan Policies



A.E RELEVANT GENERAL PLAN POLICIES

General Plan Policy	Environmental Assessment Sections													
	4.01 Aesthetics	4.02 Air Quality	4.03 Biological Resources	4.04 Cultural Resources	4.05 Geology & Soils	4.06 Greenhouse Gas Emissions	4.07 Hazards & Hazardous Materials	4.08 Hydrology & Water Quality	4.09 Land Use & Planning	4.10 Noise	4.11 Population & Housing	4.12 Public Services, Facilities & Recreation	4.13 Transportation & Traffic	4.14 Public Utilities & Service Systems
Land Use Element (* denotes a Local Coastal Program Policy)														
*Policy 1.2: Encourage the development of unified commercial centers and neighborhood commercial centers rather than the continued development of "strip commercial." The Highway 101 corridor may be an exception because of its existing configuration and land uses. (Coastal Act/30250)									X					
Policy 1.12: The residential character of the City shall be substantially single-family detached housing.									X					
*Policy 1.14: The City will maintain and enhance the Hwy 101 commercial corridor by providing appropriate community-serving tourist-related and pedestrian oriented uses. (Coastal Act/30250)									X					
*Policy 2.3: Growth will be managed in a manner that does not exceed the ability of the City, special districts and utilities to provide a desirable level of facilities and services. (Coastal Act/30250)									X					X
Policy 2.8: Development shall not be permitted where it will result in significant degradation of ground, surface, or ocean water quality, or where it will result in significant increased risk of sewage overflows, spills, or similar accidents. (Coastal Act/30231)								X						
Policy 2.10: Development shall not be allowed prematurely, in that access, utilities, and services shall be available prior to allowing the development. (Coastal Act/30252)								X						X
*Policy 2.11: Incremental development of large properties shall not be permitted without a master plan and environmental analysis of the full potential development. (Coastal Act/30250)								X	X					
Policy 3.1: For purposes of growth management, to ensure that existing desirable community character is maintained and to ensure that facilities planning is economical and comprehensive, the ultimate buildout figure for residential dwelling units will be determined by utilizing the total mid- range density figure of the Land Use Element, which shall be derived from the total of all land use acreage devoted to residential categories, assuming a mid- range buildout density overall.									X					
Policy 3.2: The City will designate land use categories/zones for residential development which provide housing opportunities for all segments of society at densities consistent with the goals of this Element.									X					
Policy 3.6: Except where overriding considerations are found to exist, property will not be designated so as to allow or otherwise encourage commercial development along circulation roads in a continuous or "strip" manner.									X					
Policy 3.7: With the exceptions described in Policy 3.12, once acknowledged as being consistent with the General Plan and Local Coastal Program, the allowable maximum density of any property designated for residential use shall not be increased except by the affirmative vote of a majority of those voting in the election approving the proposed increase.									X					
Policy 3.8: With the exceptions described in Policy 3.12, once acknowledged as being consistent with the General Plan and Local Coastal Program, property designated/zoned for non-residential uses shall not be redesignated/rezoned to allow residential uses except by the affirmative vote of a majority of those voting in the election approving the proposed change.									X					

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Policy 3.9: With the exceptions described in Policy 3.12, once acknowledged as being consistent with the General Plan and Local Coastal Program, property designated/zoned for residential use shall not be redesignated/rezoned to any non-residential use except by the affirmative vote of a majority of those voting in the election approving the proposed change.									X					
<p>Policy 3.12: The following may be considered as exceptions to the requirements for voter approval for specified general plan land use map amendments:</p> <ol style="list-style-type: none"> Minor adjustments in land use boundaries to correctly reflect property or development site boundaries, which adjustments do not substantially change intended area development potential – as approved by Council by unanimous vote. Changes to land use designations to correct (a) map omissions and (b) mapping errors which are clearly demonstrated to be errors contrary to the intent of the General Plan - as approved by a unanimous Council vote. A change from any land use designation to the Ecological Resource/Open Space/Parks designation, when property has been purchased or land development rights have been secured for land for open space or parks purposes - as approved by a unanimous Council vote. Minor land use designation changes when approved by affirmative vote of four or more City Council members. For purposes of this paragraph, "minor" is defined as changes for which certified environmental review per the California Environmental Quality Act has determined that there will be no unmitigable significant negative environmental impacts, and one of the following apply: <ul style="list-style-type: none"> (a) <u>Exception for Decrease in Intensity:</u> The change is to a category of lower land use intensity or density than the existing category that results in a reduction in intensity. For purposes of this determination the following hierarchy of categories, from higher to lower, is established: Light Industrial, General Commercial, Visitor-Serving Commercial, Transportation Corridor, Local Commercial, Public/Semi-Public, Office Professional, Residential 25, Residential 15, Residential 11, Mobilehome Park, Residential 8, Residential 5, Residential 3, Rural Residential 2, Rural Residential 1, Rural Residential, Ecological Resource/Open Space/Parks. (b) <u>Exception for Residential Density:</u> The change applies to 5 acres of land area or less, and is a change from a non-residential to a residential category, or from a residential to another higher-density residential category, which would result in the allowance of ten or fewer additional dwelling units (prior to consideration of any density bonus) for the 5 acre site. The change shall also be determined to be compatible with, and generally not exceeding the density of, surrounding planned land use residential densities. (c) <u>Exception for Change Within Land Use Class:</u> The change applies to 5 acres of land area or less, and is a change from one land use category to another when both are within the same class of categories. For purposes of this determination the following classes of categories are established: <ol style="list-style-type: none"> Rural Residential, Rural Residential 1, Rural Residential 2 Residential 3, Residential 5, Residential 8 Residential 11, Residential 15, Residential 25 Office Professional, Local Commercial Visitor Serving Commercial, General Commercial 									X					

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*Policy 6.6: The construction of very large buildings shall be discouraged where such structures are incompatible with surrounding development. The building height of both residential and nonresidential structures shall be compatible with surrounding development, given topographic and other considerations, and shall protect public views of regional or statewide significance. (Coastal Act/30251/30252/30253)									X					
Policy 7.10: Both residential and non-residential development shall be limited to a maximum height of two stories and 30 feet. Limited exceptions for non-residential development may be allowed, but only for designated specific sites as developed and adopted through area specific plans. Exceptions may also be made for Medical Complex development projects at the discretion of the City pursuant to conditional use permit applications as provided by the Zoning Code, to allow building heights up to a maximum height of three stories. An exception is also authorized for a public high school with a minimum 10-acre site.	X													
Policy 8.1: Require that any improvement constructed in an area with a slope of more than 25% and other areas where soil stability is at issue to submit soils and geotechnical studies to the City for review and approval.					X									
<p>Policy 8.2: Development within coastal and flood plain areas identified in the Land Use and Resource Management Elements must be limited, designed to minimize hazards associated with development in these areas, and to preserve area resources. Within the floodway, channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to necessary water supply projects, flood control projects where no other method for protecting existing public or private structures is feasible and where such protection is necessary for public safety or to protect existing development, and other development where the primary function is the improvement of fish and wildlife habitats. No development shall occur in the 100-year Floodplain that is not consistent and compatible with the associated flood hazard. Only uses which are safe and compatible with periodic flooding and inundation shall be considered, such as stables, plant nurseries, a minimum intrusion of open parking, some forms of agriculture, and open space preservation, as appropriate under zoning, and subject to applicable environmental review and consistency with other policies of this Plan. No grading or fill activity other than the minimum necessary to accommodate those uses found safe and compatible shall be allowed. Such grading shall not significantly redirect or impede flood flows or require floodway modifications. Exceptions from these limitations may be made to allow the following:</p> <ul style="list-style-type: none"> a. Minimum private development (defined as one dwelling unit per legal parcel under residential zoning, and an equivalent extent of development under non-residential zoning) only upon a finding that strict application thereof would preclude a minimum use of the property. b. Development of circulation element roads, other necessary public facilities, flood control projects where no feasible method for protecting existing public or private structures exists and where such protection is necessary for public safety or to protect existing development, and other development which has as its objective the improvement of fish and wildlife habitat. c. Limited reconfiguration of the flood plain in previously degraded areas provided it is determined by the City that the reconfiguration of the flood plain is incidental to the improvement of an overall storm water system and that the reconfigured storm water system is substantially based on natural channels with vegetation to accommodate storm water management. This is applicable to the El Camino Real creek corridor draining into Encinitas Creek. <p>These exceptions shall be allowed only to the extent that no other feasible alternatives exist and minimum disruption to the natural floodplain environment is made. The City shall not approve subdivisions or boundary line adjustments which would allow increased impacts for development in 100-year floodplains. For specific policy provisions regarding wetlands which may be associated with floodplains, refer to Resource Management Element Policy 10.6. (Coastal Act/30253) <i>Policy 8.2 amended 1/30/91, 9/21/94 (Reso. 94-29) and 5/11/95 (Reso. 95-32)</i></p>								X						

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*Policy 8.4: Within residentially designated areas, lot averaging and PRDs may be allowed to preserve areas of unique topographic features, riparian woodlands, and other significant open space areas of importance to the community based on the following criteria: Lot averaging and PRDs shall only be used to create a quality development, but shall not increase the overall density of the subdivision; the areas of open space shall be determined and preserved in perpetuity; no further subdivisions of land within lot-averaged subdivisions shall occur. (Coastal Act/30240)									X					
Policy 9.1: Encourage and preserve low-density residential zoning within I-5 Corridor while preserving the best natural features and avoiding the creation of a totally urbanized landscape and maintain I-5 Interchange areas to conform to the specifications of this overall goal. The City will develop an I-5 view corridor plan to implement this policy. (Coastal Act/30240/30251)									X					
Housing Element														
Draft 2013-2021 Housing Element Update (Appendix C)														
Circulation Element														
Policy 1.2: Endeavor to maintain Level of Service C as a basic design guideline for the local system of roadways understanding that the guideline may not be attainable in all cases.													X	
Policy 1.3: Prohibit development which results in Level of Service E or F at any intersection unless no alternatives exist and an overriding public need can be demonstrated.													X	
Policy 1.6: Minimize freeway, prime arterial, major, collector, and augmented local access to encourage their use as throughways rather than as access to adjacent properties.													X	
Policy 1.7: Encourage adjacent properties to use common access points to access prime arterials, major roads, collectors and augmented local streets.													X	
Policy 1.9: Minimize private driveway access onto both major and collector roads.													X	
Policy 1.13: Emergency response routes shall be identified as a basis for implementing an Opticon or other traffic signal control system designed to reduce emergency vehicle response time.							X							
Policy 1.15: The City will actively support an integrated transportation program that encourages and provides for mass-transit, bicycle transportation, pedestrians, equestrians, and car-pooling. (Coastal Act/30252)		X				X							X	
Policy 2.4: When considering circulation patterns and standards, primary consideration will be given to the reservation of character and safety of existing residential neighborhoods. Where conflicts arise between convenience of motorists and neighborhood safety/community character preservation, the latter will have first priority.							X							
Policy 3.1: The needs of the handicapped will be considered in new development plans including handicapped parking, loading, etc.													X	
Policy 3.2: Continue to assist in expanding public transportation and emphasize public transportation in future development with preference given to cost-effective alternatives. (Coastal Act/30252)						X	X						X	
Policy 3.3: Create a safe and convenient circulation system for pedestrians. (Coastal Act/30252)													X	
Policy 3.4: Cooperate with San Diego County, SANDAL, and other jurisdictions to help plan and implement: a regional multi-modal transportation system that is accessible to residents in the City. (Coastal Act/30252)		X				X							X	

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Policy 3.5: Encourage development of mass transit and transit access points along the existing I-5 freeway corridor or along the railroad right-of-way. (Coastal Act/30252)						X								
Policy 3.6: The City should provide and encourage efficient links between possible rail transit service and other transportation modes, including rerouting of bus service to interface with transit stops.						X								
Policy 4.1: Design roads to enhance scenic areas. (Coastal Act/30251)	X													
Policy 4.2: Promote and encourage roadside and median landscaping. (Coastal Act/30251)	X													
Policy 4.5: Design and construct attractive bike paths and pedestrian ways along existing freeway overpasses and underpasses. Discourage separate pedestrian overpasses. (Coastal Act/30252)	X													
Policy 4.9: Prohibit whenever legally possible, or strictly regulate billboards on city streets, roads, freeways, railroad rights-of-way, and lagoons. (Coastal Act/30251/30253)	X													
Policy 4.10: Develop street lighting standards, where appropriate, consistent with neighborhood/community character and night sky viewing.	X													
Policy 4.14: Where feasible, minimize the dependence on private motor vehicles. (Coastal Act/30252)													X	
Goal 7: Every effort will be made to have new development, both in the City and in the region, provide for all costs of the incremental expansion of the circulation system necessary to accommodate that development. Costs include, but are not limited to, costs of right-of-way and construction, including costs of moving utilities and structures, and costs for landscaping and intersection improvement.													X	
Public Safety Element														
Policy 1.8: New residential and commercial construction shall provide for smoke detector and fire sprinkler systems to reduce the impact of development on service levels.												X		
Policy 1.9: Adequate safety service levels shall be maintained and provided for by new development.												X		
Policy 1.10: The public safety program shall provide for a response plan that strives to reduce life and property losses through technology, education, training, facilities and equipment.												X		
Policy 1.11: The public safety system shall provide standards and levels of service guidelines that assure a quality of life and protection of life and property from preventable losses.												X		
Policy 1.13: In areas identified as susceptible to brush or wildfire hazard, the City shall provide for construction standards to reduce structural susceptibility and increase protection. Brush clearance around structures for fire safety shall not exceed a 30-foot perimeter in areas of native or significant brush, and as provided by Resource Management Policy 10.1.							X							
Policy 1.14: Where development creates the need for new public safety services and/or equipment, that development shall be responsible for the cost of such services/equipment.												X		
Policy 1.16: The City and its service districts and agencies shall maintain adequate levels of staffing, materials and equipment to assure timely response to demands for public safety services.												X		
Policy 2.4: Setbacks, easements, and accesses, necessary to assure that emergency services can function with available equipment, shall be required and maintained.							X							

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Policy 2.5: Emergency equipment response routes and evacuation procedures shall be defined and provided for.							X							
Policy 2.6: Except as provided in Public Safety Policy 1.1, no development or filling shall be permitted within any 100-year floodplain.								X						
Policy 3.2: Restrict the transport of hazardous materials to identified truck routes as established by an implementing policy.							X							
Resource Management Element														
Policy 1.1: Require new development to utilize measures designed to conserve water in their construction.						X		X						X
Policy 1.3: The City will implement a program for both the using and sale of treated wastewater from a new wastewater treatment facility. The City should attempt to use the treated wastewater for the landscaping of transportation corridors, parks and recreation areas, and other public uses. (Coastal Act/30231)														X
Policy 1.6: Phase out the use of water softeners which utilize salt in the water-softening process to prevent continued degradation of the water. (Coastal Act/30231)								X						
Policy 1.7: Investigate ways to reduce the reliance of local water users on imported water. The City will seek reductions in per capita water consumption and will support reclaiming sewage effluent for re-use.														X
Policy 1.10: Promote the use of water efficient sprinkling and gardening systems to include ordinances and technology to encourage drought tolerant plants.						X								X
Policy 1.11: If a development can be connected to the sewer system, the system must have the capacity to handle the additional load of the proposed project.														X
Policy 2.1: In that ocean water quality conditions are of utmost importance, the City shall aggressively pursue the elimination of all forms of potential unacceptable pollution that threatens marine or human health. (Coastal Act/30230/30231)								X						
Policy 2.2: In that the San Elijo ocean wastewater outfall lies within the jurisdiction of the City and the Encina outfall lies north of the City, the City shall encourage the highest feasible level of treatment of said wastewater prior to entering the outfalls and continually encourage the reduction of volume of wastewater to said outfalls by this City and other jurisdictions. (Coastal Act/30230/30231)								X						
Policy 2.3: To minimize harmful pollutants from entering the ocean environment from lagoons, streams, storm drains and other waterways containing potential contaminants, the City shall mandate the reduction or elimination of contaminants entering all such waterways; pursue measures to monitor the quality of such contaminated waterways, and pursue prosecution of intentional and grossly negligent polluters of such waterways. (Coastal Act/30230/30231/30233)								X						
Policy 3.1: Mature trees of community significance cannot be removed without City authorization.	X	X												
Policy 3.2: Mature trees shall not be removed or disturbed to provide public right-of-way improvements if such improvements can be deferred, redesigned, or eliminated. This policy is not meant to conflict with the establishment of riding/hiking trails and other natural resource paths for the public good, or with the preservation of views.	X	X												
Policy 3.3: The City will examine ways to aesthetically trim street trees and vegetation within the public right-of-way including the possibility of using contract services or City personnel. (Coastal Act/30240/30251)	X													
Policy 3.6: Future development shall maintain significant mature trees to the extent possible and incorporate them into the design of development projects.	X	X												

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Policy 4.1: The following Vista Points and others will be acquired and developed, as feasible: <ul style="list-style-type: none"> – San Elijo & Kilkenny (overlooking lagoon & coast) – Highway 101, north of La Costa Avenue – Northeast and northwest corner of I-5 and La Costa Avenue – Encinitas Community Park site (Coastal Act/30251) 	X													
Policy 4.2: The following Vista Points will be developed and maintained as feasible: <ul style="list-style-type: none"> – Orpheus Street Park site – Oak Crest Park site – West end of "D" Street – West end of "F" Street – West end of "J" Street (Coastal Act/30251) 	X													
Policy 4.3: The following Vista Points will be maintained as needed, and upgraded as necessary: <ul style="list-style-type: none"> – Leucadia Beach State Park – West end of "I" Street – Moonlight State Beach – Swami's City Park – Existing Vista Point on southbound I-5 – Cardiff Beach State Park (south parking lot) (Coastal Act/30251) 	X													
Policy 4.4: The system of Vista Points will provide for the differing needs of automobile, bicycle, and pedestrian users, and will recognize as a recreational resource, the function of Vista Points as facilities for the passive, and occasionally remote enjoyment of the coastal and inland view. (Coastal Act/30251/30212.5/30210)	X													
Policy 4.5: The City will designate "Scenic/Visual Corridor Overlay" areas within which the character of development would be regulated to protect the integrity of the Vista Points according to the following criteria: <ul style="list-style-type: none"> – Critical viewshed areas should meet the following requirements: <ul style="list-style-type: none"> • extend radially for 2,000 feet (610M) from the Vista Point; and • cover areas upon which development could potentially obstruct, limit, or degrade the view. – Development within the critical viewshed area should be subject to design review based on the following: <ul style="list-style-type: none"> • building height, bulk, roof line and color and scale should not obstruct, limit or degrade the existing views; • landscaping should be located to screen adjacent undesirable views (parking lot areas, mechanical equipment, etc.) (Coastal Act/30251/30253) 	X													
Policy 4.6: The City will maintain and enhance the scenic highway/visual corridor viewsheds. (Coastal Act/30251)	X													

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<p>Policy 4.7: The City will designate the following view corridors as scenic highway/visual corridor viewsheds:</p> <ul style="list-style-type: none"> – Saxony Road, from Leucadia Blvd., north to La Costa Ave. – Highway 101 from Encinitas Blvd. south to Santa Fe Drive – El Camino Real from Encinitas Blvd. north to La Costa Blvd. – Highway 101, La Costa Ave. to South Carlsbad Beach – La Costa Ave. from just west of I-5 to El Camino Real – Highway 101, from Encinitas Blvd. to La Costa Ave. – Leucadia Blvd. between Hwy 101 and El Camino Real – San Elijo Ave. (and Hwy 101) south of Cardiff Beach State Park to Santa Fe Drive – Manchester Ave. from San Elijo Ave. to Encinitas Blvd. – Interstate 5, crossing San Elijo Lagoon (Coastal Act/30251/30253) 	X													
<p>Policy 4.10: It is intended that development would be subject to the design review provisions of the Scenic/Visual Corridor Overlay Zone for those locations within Scenic View Corridors, along scenic highways and adjacent to significant viewsheds and vista points with the addition of the following design criteria:</p> <ul style="list-style-type: none"> – Road Design <ul style="list-style-type: none"> • Type and physical characteristics of roadway should be compatible with natural character of corridor, and with the scenic highway function. – Development Design <ul style="list-style-type: none"> • Building and vegetation setbacks, scenic easements, and height and bulk restrictions should be used to maintain existing views and vistas from the roadway. • Off-site signage should be prohibited and existing billboards removed. • Development should be minimized and regulated along any bluff silhouette line or on adjacent slopes within view of the lagoon areas and Escondido Creek. • Where possible, development should be placed and set back from the bases of bluffs, and similarly, set back from bluff or ridge top silhouette lines; shall leave lagoon areas and floodplains open, and shall be sited to provide unobstructed view corridors from the nearest scenic highway. • Development that is allowed within a viewshed area must respond in scale, roof line, materials, color, massing, and location on site to the topography, existing vegetation, and colors of the native environment. (Coastal Act/30251/30253) 	X													
<p>Policy 4.11: The City will develop a program to preserve views that also preserves the appropriate vegetation and removes obstacles that impact views. Trees and vegetation which are themselves part of the view quality along the public right-of-way will be retained. (Coastal Act/30251)</p>	X													
<p>Policy 5.1: The City will monitor and cooperate with the ongoing efforts of the U.S. Environmental Protection Agency, the San Diego Air Pollution Control District, and the State of California Air Resources Board in improving air quality in the regional air basin. The City will implement appropriate strategies from the San Diego County SIP which are consistent with the goals and policies of this plan.</p>		X	X			X								
<p>Policy 5.2: The City will monitor and cooperate with the ongoing efforts of the U. S. Environmental Protection Agency, the State of California Water Resources Control Board, and the Regional Water Quality Control Board in improving water quality in the San Diego region.</p>			X											

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Policy 6.1: The City will phase in all practical forms of mandatory recycling as soon as possible.						X								X
Policy 7.1: Require that paleontological, historical and archaeological resources in the planning area are documented, preserved or salvaged if threatened by new development. (Coastal Act/30250)				X										
Policy 7.2: Conduct a survey to identify historic structures and archaeological/cultural sites throughout the community and ensure that every action is taken to ensure their preservation. Coastal Act/30250/30253 (5))				X										
Policy 9.1: The City will initiate and pursue the landscaping of appropriate median and parking areas with trees on all new and existing arterial streets. (Coastal Act/30251)	X													
Policy 9.2: All drainage courses should be maintained in natural or semi- natural vegetation utilizing existing topography as opposed to concrete ditches or pipes. (Coastal Act/30231/30240)			X											
Policy 9.3: Where possible, bridges should be used in lieu of pipes, box culverts, or underground channels to preserve the integrity of the natural stream courses, in keeping with community character in the Planning Area. (Coastal Act/30231/30240)			X											
Policy 9.4: Encourage and adopt standards for the use of drought tolerant and/or natural landscaping and efficient irrigation systems throughout the City. (Coastal Act/30231/30240)						X								
Policy 9.5: Encourage and adopt standards for clean-up, landscaping, beautification, utility undergrounding, and additional landscaping in parking facilities where needed in existing commercial areas. (Coastal Act/30251/30252)	X													
Policy 9.6: Require landscaping in the design of new residential, commercial, and industrial areas and buildings as detailed in the City Zoning Code regulations. (Coastal Act/30251/30253)	X													
Policy 9.7: Encourage and adopt standards for landscaping of existing commercial and industrial uses to screen and buffer unsightly and congested commercial/industrial areas from surrounding land uses. (Coastal Act/30251)	X													
Policy 10.1: The City will minimize development impacts on coastal mixed chaparral and coastal sage scrub environmentally sensitive habitats by preserving within the inland bluff and hillside systems, all native vegetation on natural slopes of 25% grade and over other than manufactured slopes. A deviation from this policy may be permitted only upon a finding that strict application thereof would preclude any reasonable use of the property (one dwelling unit per lot). This policy shall not apply to construction of roads of the City' s circulation element, except to the extent that adverse impacts on habitat should be minimized to the degree feasible. Encroachments for any purpose, including fire break brush clearance around structures, shall be limited as specified in Public Safety Policy 1. 2. Brush clearance, when allowed in an area of sensitive habitat or vegetation, shall be conducted by selective hand clearance. (Coastal Act/30240/30250/30251/30253)			X											

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<p>Policy 10.5: The City will control development design on Coastal Mixed Chaparral and Coastal Sage Scrub environmentally sensitive habitats by including all parcels containing concentrations of these habitats within the Special Study Overlay designation. The following guidelines will be used to evaluate projects for approval.</p> <ul style="list-style-type: none"> – conservation of as much existing contiguous area of Coastal Mixed Chaparral or Coastal Sage Scrub as feasible while protecting the remaining areas from highly impacting uses; – minimize fragmentation or separation of existing contiguous natural areas; – connection of existing natural areas with each other or other open space areas adjacent to maintain local wildlife movement corridors; – maintenance of the broadest possible configuration of natural habitat area to aid dispersal of organisms within the habitat; – where appropriate, based on community character and design, – clustering of residential or other uses near the edges of the natural areas rather than dispersing such uses within the natural areas; – where significant, yet isolated habitat areas exist, development shall be designed to preserve and protect them; – conservation of the widest variety of physical and vegetational conditions on site to maintain the highest habitat diversity; – design of development, with adjacent uses given consideration, to maximize conformance to these guidelines; and – preservation of rare and endangered species on site rather than by transplantation off site. (Coastal Act/ 30240/30250) <p>In addition, all new development shall be designed to be consistent with multi- species and multi- habitat preservation goals and requirements as established in the statewide Natural Communities Conservation Planning (NCCP) Act. Compliance with these goals and requirements shall be implemented in consultation with the United States Fish and Wildlife Service and California Department of Fish and Game. Policy 10.5 amended 5/11/95 (Reso. 95-32)</p>			X											
<p>Policy 10.6: The City shall preserve and protect wetlands within the City's planning area. " Wetlands" shall be defined and delineated consistent with the definitions of the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, the Coastal Act and the Coastal Commission Regulations, as applicable, and shall include, but not be limited to, all lands which are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. There shall be no net loss of wetland acreage or resource value as a result of land use or development, and the City' s goal is to realize a net gain in acreage and value whenever possible.</p> <p>Within the Coastal Zone, the diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following newly permitted uses and activities:</p> <ol style="list-style-type: none"> a. Incidental public service projects. b. Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas. c. Restoration purposes. d. Nature study, aquaculture, or other similar resource dependent activities. <p>Identification of wetland acreage and resource value shall precede any consideration of use or development on sites where wetlands are present or suspected. With the exception of development for the primary purpose of the improvement of wetland resource value, all public and private use and development proposals which would</p>			X											

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<p>intrude into, reduce the area of, or reduce the resource value of wetlands shall be subject to alternatives and mitigation analyses consistent with Federal E.P.A 404 (b) (1) findings and procedures under the U.S. Army Corps permit process. Practicable project and site development alternatives which involve no wetland intrusion or impact shall be preferred over alternatives which involve intrusion or impact. Wetland mitigation, replacement or compensation shall not be used to offset impacts or intrusion avoidable through other practicable project or site development alternatives. When wetland intrusion or impact is unavoidable, replacement of the lost wetland shall be required through the creation of new wetland of the same type lost, at a ratio determined by regulatory agencies with authority over wetland resources, but in any case at a ratio of greater than one acre provided for each acre impacted so as to result in a net gain. Replacement of wetland on- site or adjacent, within the same wetland system, shall be given preference over replacement off- site or within a different system.</p> <p>The City shall also control use and development in surrounding areas of influence to wetlands with the application of buffer zones. At a minimum, 100-foot wide buffers shall be provided upland of salt water wetlands, and 50-foot wide buffers shall be provided upland of riparian wetlands. Unless otherwise specified in this plan, use and development within buffer areas shall be limited to minor passive recreational uses with fencing, desiltation or erosion control facilities, or other improvements deemed necessary to protect the habitat, to be located in the upper (upland) half of the buffer area when feasible.</p> <p>All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the application of an open space easement or other suitable device.</p> <p>The City shall not approve subdivisions or boundary line adjustments which would allow increased impacts from development in wetlands or wetland buffers. (Coastal Act/30231) Policy 10.6 amended 1/30/91 and 5/11/95 (Reso. 95-32)</p>														
<p>Policy 10.9: The City will encourage the preservation and the function of San Elijo Lagoon and Batiquitos Lagoon and their adjacent uplands as viable wetlands, ecosystems and habitat for resident and migratory wildlife, by prohibiting actions (subject to the detailed provisions of RM policy 10. 6) which:</p> <ul style="list-style-type: none"> - involve wetland fill or increased sedimentation into wetlands; - adversely decrease stream flow into the wetlands; - reduce tidal interchange; - reduce internal water circulation; or - adversely affect existing wildlife habitats. (Coastal Act/30231) 			X											
<p>Policy 10.11: In acting to maintain and, where feasible, restore the biological productivity and quality of San Elijo Lagoon, the City will limit alterations and uses to minor public facilities; restorative measures; nature study; passive, non- degrading recreational activities; and facilities necessarily adjunct aquaculture uses. No recreational boating facilities will be permitted in San Elijo Lagoon. Coastal- dependent developments (i.e., utility facilities, boating facilities, etc.) shall not be sited in the wetland area (San Elijo Lagoon and contiguous wetlands). (Coastal Act/30231)</p>			X											
<p>Policy 13.1: The City shall plan for types and patterns of development which minimize water pollution, air pollution, fire hazard, soil erosion, silting, slide damage, flooding and severe hillside cutting and scarring. (Coastal Act/30250)</p>		X				X								
<p>Policy 13.5: The City shall promote and require the conservation and preservation of natural resources and features of the area in their natural state and avoid the creation of a totally urbanized landscape. Encourage the planting of trees and other vegetation, especially native species, to enhance the environment. (Coastal Act/30240/30251)</p>			X											

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Policy 13.6: Establish and preserve wildlife corridors. (Coastal Act/30231/30240)			X											
Policy 15.1: The City will encourage the use of alternate energy systems, including passive solar and architectural and mechanical systems, in both commercial and residential development. (Coastal Act/30253)		X				X								
Policy 15.2: The patterns of proposed subdivisions and the orientation and design of structures on lots shall be designed with the objective of maximizing the opportunities for solar energy use and energy conservation.						X								
Policy 15.3: Energy conserving construction standards and requirements shall be enforced in the field inspection of new construction.						X								
Recreation Element														
Policy 1.2: Consider the enactment of a "Quimby Ordinance" to ensure that new residential development is provided with open space/recreational amenities. In addition, explore all other available funding resources and alternatives for acquisition and development of park and open space lands.												X		
Policy 1.3: Enforce local laws regarding the vandalism of park property and incorporate citizen involvement into the program through the "neighborhood watch" programs and other community efforts.												X		
Policy 1.5: Provide a minimum of 15 acres of local recreational area for each 1, 000 population for the entire community. This area should be devoted to neighborhood and other close- at- hand recreation facilities, community parks, and passive open space in undeveloped preserves and wilderness areas. This policy shall not be construed to reduce the minimum standards established under this Element for provision of mini, neighborhood, community, or other park land based on population or service distance.												X		
Policy 1.6: Establish mini-parks and playlots in high density areas where larger parks are inaccessible or impractical to provide, and only when the provision of neighborhood parks to serve local neighborhood park needs is not possible.												X		
Policy 1.7: Provide a neighborhood park within convenient, and where possible, walking distance for all urban area residents.												X		
Policy 1.9: Develop parks in conjunction with. Schools wherever possible and encourage joint use of facilities. (Coastal Act/30252)												X		
Policy 1.11: Develop an open space program that will link the various communities together with. parks, recreation/pedestrian access and natural visual corridors.												X		
Policy 4.3: Neighborhood parks should be accessible by pedestrians living in the immediate area.												X		
Noise Element														
Policy 1.1: Review actions or projects that may have noise generation potential to determine what impact they may have on existing land uses. If a project would cause an increase in traffic noise levels, the policy of the City of Encinitas is to accept an increase up to an Ldn of 55 dB in outdoor residential use areas without mitigation. If a project would increase the traffic noise level by more than 5 dB and the resulting Ldn would be over 55 dB, then mitigation measures must be evaluated. If the project, or action, would increase traffic noise levels by 3 dB or more and the resulting Ldn would exceed 60 dB in outdoor use areas in residential development, noise mitigation must be similarly evaluated. The impact of non-transportation projects must generally be evaluated on a case-by-case basis. The following guidelines will aid in evaluating the impacts of commercial and industrial projects.									X	X				

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a) <u>Performance Standards Adjacent to Residential Areas</u> . New commercial construction adjacent to residential areas should not increase noise levels in a residential area by more than 3 dB (Ldn) or create noise impacts which would increase noise levels to more than an Ldn of 60 dB at the boundary of the nearest residential area, whichever is more restrictive.														
b) <u>Performance Standards Adjacent to Commercial and Industrial Areas</u> . New commercial projects should not increase noise levels in a commercial area by more than 5 dB (Ldn) or increase noise levels to an Ldn in excess of 70 dB (office buildings, business and professional) or an Ldn of 75 dB (industrial) at the property line of an adjacent commercial/industrial use, whichever is more restrictive. These criteria may be waived if, as determined by a noise analysis, there are mitigating circumstances (such as higher existing noise levels) and/or no uses would be adversely affected. Where conditions are unusual or where backgrounds are unusually low and the characteristics of a new noise source are not adequately described by using the Ldn noise descriptor, additional acoustical analysis is encouraged and the conclusions of such analysis will be considered by the City.														
Policy 1.2: An Ldn of 60 dB is the maximum acceptable outdoor noise level in residential outdoor use areas. The City recognizes that there are residential areas in which existing noise levels exceed an acceptable level. The City will adopt a Noise Wall/Barrier Installation Policy for determining which areas should receive soundwalls along the major street system and to evaluate possible cost participation programs for constructing these soundwalls.									X	X				
Policy 1.3: To further improve the noise environment in the City of Encinitas, the police department will enforce the provisions in Sections 27-150 and 27-151 of the California State Motor Vehicle Code. These sections require that all vehicles be equipped with a properly maintained muffler and that exhaust systems not be modified.										X				
Policy 1.4: The City will limit truck traffic in residential and commercial areas to designated truck routes. Limit construction, delivery, and through truck traffic to designated routes. Distribute maps of approved truck routes to City traffic officers.									X	X				
Policy 1.7: Apply Title 24 of the California Administrative Code, associated with noise insulation standards, to single-family dwellings.										X				
Policy 1.8: Establish noise standards for all types of noise not already identified in the General Plan or governed by existing ordinances.									X	X				
Policy 2.1: Figure 2, the Noise and Land Use Compatibility Guidelines, and the accompanying discussion set forth the criteria for siting new development in the City of Encinitas. Any project which would be located in a normally unacceptable noise exposure area, based on the Land Use Compatibility Guidelines, shall require an acoustical analysis. Noise mitigation in the future shall be incorporated in the project as needed. As a condition of approval of a project, the City may require post-construction noise monitoring and sign off by an acoustician to ensure that City requirements have been met.									X	X				
Policy 3.1: The City will adopt and enforce a quantitative noise ordinance to resolve neighborhood conflicts and to control unnecessary noise in the City of Encinitas. Examples of the types of noise sources that can be controlled through the use of a quantitative noise ordinance are barking dogs, noisy mechanical equipment such as swimming pool and hot tub pumps, amplified music in commercial establishments, etc.										X				
Policy 4.1: Ensure inclusion of noise mitigation measures in the design and operation of new and existing development.									X	X				