

M David Kroot
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Luis A. Rodriguez
Rafael Yaquián
Celia W. Lee
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Joshua J. Mason
L. Katrine Shelton
Eric S. Phillips
Elizabeth Klueck
Daniel S. Maroon
Justin D. Bigelow
Nahal Hamidi Adler

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To
Encinitas City Council Housing Element Subcommittee

From
Barbara E. Kautz

RE

IMPACT OF STATE LEGISLATION ON ENCINITAS HOUSING ELEMENT

In this year's session of the California Legislature, a package of fifteen bills related to housing were passed and sent to Governor Jerry Brown for signature. The Governor has stated publicly that he will sign all fifteen bills. Two of the bills (AB 1397 and AB 879) directly affect the contents of local housing elements. A third bill (SB 166) may affect how many 'surplus' sites the City of Encinitas wishes to include in its Housing Element.

The bills will become effective January 1, 2018. The housing element requirements will then apply to Encinitas because the City's Housing Element has still not been adopted; other San Diego County cities must comply when they update their elements in 2020. Given the need for HCD review and the changes needed in the City's Element even under current law, the City cannot realistically adopt a Housing Element and place it on the ballot before January 1.

The major substantive changes will:

- Make it more difficult to designate non-vacant sites as housing sites; and
- Require more justification for the number of units shown as being accommodated on each site.

Because the majority of the sites shown for upzoning in the Measure T Housing Element were non-vacant sites, the City will likely need to designate additional vacant

San Francisco
415 788-6336
Los Angeles
213 627-6336
San Diego
619 239-6336
Goldfarb & Lipman LLP

sites for upzoning. Some of the non-vacant sites previously proposed for upzoning may also not be able to meet the new requirements.

This memo divides the new housing element requirements into: (1) substantive requirements related to designating adequate sites, and (2) additional required analysis. A copy of the bills showing the amendments is attached.

A. New Adequate Sites Requirements.

Background. Each city in California is required to identify enough suitable housing sites to meet its fair share of the region’s housing need, which is quantified as the RHNA. (Gov’t Code §65583(c).¹) The RHNA is separated into an allocation for very low and low income housing, moderate income housing, and above moderate-income housing. The City’s RHNA for the 2013-2021 Housing Element is as follows:

Income Category	RHNA (Housing Units)
Very Low and Low	1,286*
Moderate	413
Above Moderate	907

*Includes 253-unit carryover from 1998-2005 when City did not adopt a Housing Element.

The City’s Housing Element must designate specific sites that can meet its RHNA in each of the three income categories: very low and low; moderate; and above moderate. (§ 65583.2.) In Encinitas, sites suitable for very low or low income housing must be zoned to allow at least 30 units per acre, unless the City can demonstrate that sites zoned at lower density are suitable or that affordable units have actually been constructed. (§§65583.2(c)(3)(A), (c)(3)(B)(iv).).

Measure T Sites. The City’s existing zoning can accommodate its share of moderate-income and above moderate-income housing. Measure T proposed to provide sites suitable for lower income housing as follows:

Lower Income RHNA	1,286 Units
New Construction	47*
Accessory Dwelling Units (ADUs)	146**
Rezoned Sites (30 units/acre)	1,987
Total Units Accommodated	2,180 Units
Excess Units (“Buffer”)	894 Units

*Lower income units constructed or approved through 12/31/12.

**Based on 271 new ADUs and 25 legally converted ADUs in 8-year planning period, 296 total; half assumed to be affordable to lower income households.

Almost all of the 200+ sites designated by Measure T to be rezoned to be suitable for lower income housing were non-vacant sites. In field work, Kimley-Horn identified

¹ All future references are to the Government Code unless otherwise stated.

only six entirely vacant sites and three others with such low-intensity uses that they might be considered to be ‘vacant’ (see attached list). Kimley-Horn estimated that the six vacant sites could accommodate 336 to 405 units, and a total of 436 to 525 units could be accommodated on vacant sites if the other three sites were also considered to be ‘vacant.’

Restrictions on Designating Non-Vacant Sites. Non-vacant sites must have a “realistic and demonstrated potential for redevelopment during the planning period.”² (Proposed § 65583(a)(3).)

² The “planning period” is the period between the due date of one housing element and the due date of the next housing element. (§ 65588(f)(1).)

Previously the City was required to justify the use of non-vacant sites by considering the extent to which existing uses might be an impediment to residential development, development trends, market conditions, and regulatory incentives. The City must now additionally analyze:

- The City’s past experience with converting existing uses to higher densities;
- Current market demand for the existing use; and
- Any leases or other contracts that would perpetuate the existing use or prevent redevelopment for additional residential development. (Proposed §65583.2(g)(1).)

This will require substantial additional analysis of *all* non-vacant sites, *at all income levels*.

Additionally, if the City is relying on non-vacant sites to accommodate 50 percent or more of its housing need for lower income households, an “*existing use shall be presumed to impede additional residential development*, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.” (Proposed § 65583.2(g)(2).)

Fifty percent of the City’s lower income RHNA equals 643 units. Even with the most generous interpretation of site capacity and “vacant,” vacant sites designated for lower income housing can accommodate only 525 units. It will therefore be presumed that the existing uses on these sites impede additional residential development. To overcome this presumption, HCD will likely require evidence such as letters from owners showing an intent to redevelop the site; abandonment of use and a site for sale; etc.

It is our understanding that owners of many of the non-vacant sites are not particularly interested in residential development. If this is correct, it would be prudent for the City to ensure that vacant sites can accommodate at least half the lower income housing need. Even without this additional presumption, it may be difficult for the City to show that some non-vacant sites designated in Measure T are likely to be redeveloped.

Additional Analysis of Site Capacity. For each site shown as suitable for housing the City’s Housing Element must show the ‘capacity’ of the site: how many units can actually be built on the site and at what income level. The units shown within each income category are totaled to demonstrate that the sites designated can accommodate the City’s RHNA.

The determination of site capacity is a two-step process:

- If there is a *minimum* density for the site, HCD must accept it; or, the City can demonstrate the capacity of the site (§ 65583.2(c)(1)).

- Then, the City must adjust (i.e., reduce) the number of units based on land use controls and requirements for site improvements. (§ 65583.2(c)(2).) AB 1397 also requires ‘adjustment’ for:
 - ‘Realistic capacity;’
 - Densities of approved projects at a similar affordability level; and
 - Availability of utilities. (Proposed § 65583.2(c)(2).)

Kimley-Horn has proposed showing the capacity of each site based on 30 units per acre, which is the *maximum* density permitted, not the minimum density. The Measure T Housing Element showed, for purpose of site capacity, 20 units per acre. It also contained statements that a height limit of two stories could not accommodate 30 units per acre.

To maximize the capacity of each site, and minimize the number of sites needed, the City will need to convince HCD that each site can actually accommodate 30 units per acre within two stories. If HCD does not agree that this is supportable, despite zoning at 30 units per acre, it will demand that the City reduce the capacity of each site as shown in the Housing Element, and upzone more sites for lower income housing. Examples of densities of 30 units per acre accomplished within two stories in other communities may be most convincing.

Conclusion: Adequate Sites Requirements. The non-vacant sites included in Measure T should be reviewed to determine if they will be considered feasible for redevelopment given the additional analysis required. To the extent possible, the City should seek vacant sites to upzone to be suitable for lower income housing so that these comprise more than 50 percent of the sites designated for lower income housing. It should also give preference to non-vacant sites whose owners are willing to represent to HCD that they desire to develop housing. The City will also need substantial evidence to convince HCD that 30 units per acre can be accomplished in two stories.

B. Additional Required Analysis.

Requirements for additional analysis will increase the length and cost of the Housing Element and may result in demands for additional actions by the City, but will have no direct impact on sites designated for housing. These additional analyses include:

- Constraints posed by “locally adopted ordinances that directly impact the cost and supply of residences” (Proposed § 65583(a)(5));
- Nongovernmental constraints, including requests to develop housing below the densities shown in the housing element; length of time between project approval and submittal of applications for building permits; and

- Local efforts to remove nongovernmental constraints. (Proposed §§ 65583(a)(6), (c)(3).)

C. Effect of SB 166 ('No Net Loss')

Current state law 'no net loss' provisions require that the City ensure that it can accommodate the number of units allocated in each income category, but not that the units built on those sites be actually affordable. (§ 65863.) So long as housing is constructed on a site with the number of units shown in the Housing Element, it is consistent with this provision.

SB 166 requires not only that densities be maintained within each income category, but also that sites be maintained for the actual production of units within that income category. Under SB 166, if a market-rate project is built on a site designated for lower income or moderate income housing, the City must demonstrate either that sites included in the Housing Element or other sites are zoned appropriately to accommodate the unmet need for lower income or moderate income housing; or zone another site within 180 days. However, the bill also provides that a city cannot deny a market-rate project because it will result in a need to rezone another site. The bill includes no exemptions for growth management provisions, agricultural preservation, or open space protection policies; and requires rezoning within 180 days regardless of CEQA requirements or any other requirements, such as the need for a local election.

HCD's view of the bill is that cities should zone 'surplus' sites so that they do not need to rezone even if non-affordable projects are built on sites designated as suitable for affordable housing. The bill will also likely create an incentive for communities to have inclusionary housing requirements as high as are economically feasible. A companion bill, AB 1505, now allows cities to impose inclusionary requirements on rental housing.

As applied to Encinitas, it suggests that a surplus of sites would be prudent as proposed by Measure T.

Conclusion

The City will need to re-analyze the Measure T sites in light of the new standards for adequate sites. Emphasis should be placed on vacant sites and on sites whose owners are interested in redevelopment. Additional analysis of governmental and nongovernmental constraints will be needed to comply with new provisions of law. A surplus of sites will allow the City to comply with SB 166 without being required to rezone and hold elections as developments are approved.

Please feel free to contact us if you have any questions.

Vacant and ‘Almost Vacant’ Sites As Determined by Kimley-Horn

APN No. & Site No.	Address	Description	Acres	Capacity @ 25 du/A	Capacity @ 30 du/A
Fully Vacant Sites					
2581111600 Site 6	Encinitas Blvd	Vacant lot	2.22	55 units	66 units
2581308100 Site 6	550 Encinitas Blvd.	Vacant lot	1.31	32 units	39 units
2575001600 Site 9	El Camino	Vacant lot	0.78	19 units	23 units
2611506100 Site 12	3505 Manchester Ave.	Vacant lot next to Greek Orthodox Church	2.36	58 units	70 units
2592313200 Site 14	Rancho Santa Fe	Vacant lot north of 7-11	1.71	42 units	51 units
2620732400 Site 16	3616 Manchester	Vacant lot	5.20	130 units	156 units
Subtotal				336 units	405 units
Almost Vacant Sites					
254054300 Site 1	1528 North Highway 1	Plant nursery; for sale	0.54	13 units	16 units
2581303400 Site 6	696 Encinitas Blvd.	Boarded up home	1.02	25 units	30 units
2611506400 Site 12	3459 Manchester	Church (portion); parking	2.50	62 units	74 units
Total				436 units	525 units

Changes to Housing Element Law (AB 1397; AB 879)

Government Code Section 65583.

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision

(b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable *and available* for residential development, including vacant sites and sites having ~~potential for redevelopment~~, *realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level*, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) (A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

(i) The maximum number of beds or persons permitted to be served nightly by the facility.

(ii) Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.

(iii) The size and location of exterior and interior onsite waiting and client intake areas.

(iv) The provision of onsite management.

(v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.

(vi) The length of stay.

(vii) Lighting.

(viii) Security during hours that the emergency shelter is in operation.

(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.

(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.

(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, ~~and~~ local processing and permit ~~procedures~~, *procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development*. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of

the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). Transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, ~~and~~ the cost of ~~construction~~. *construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing.*

(7) An analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on annual and seasonal need. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period. An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.

(8) An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.

(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.

(C) The analysis shall identify public and private nonprofit corporations known to the local government which have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program which have not been legally obligated for other purposes and which could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of

the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.

(A) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department pursuant to subdivision (b) of Section 65585, whichever is earlier, unless the deadline is extended pursuant to subdivision (f). Notwithstanding the foregoing, for a local government that fails to adopt a housing element within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than three years and 120 days from the statutory deadline in Section 65588 for adoption of the housing element.

(B) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in ~~subdivision (b) of~~ Section 65583.2.

(C) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.

(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.

(3) Address and, where appropriate and legally possible, remove governmental *and nongovernmental* constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.

(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

(5) Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

(6) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.

(7) Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals.

(8) Include a diligent effort by the local government 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.

(d) (1) A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.

(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.

(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:

(A) How the joint facility will meet the jurisdiction's emergency shelter need.

(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility.

(C) The amount and source of the funding that the jurisdiction contributes to the facility.

(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.

(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following:

- (1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.
- (2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.
- (f) The deadline for completing required rezoning pursuant to subparagraph (A) of paragraph (1) of subdivision (c) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist:
- (1) The local government has been unable to complete the rezoning because of the action or inaction beyond the control of the local government of any other state, federal, or local agency.
- (2) The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.
- (3) The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080. The resolution and the findings shall be transmitted to the department together with a detailed budget and schedule for preparation and adoption of the required rezonings, including plans for citizen participation and expected interim action. The schedule shall provide for adoption of the required rezoning within one year of the adoption of the resolution.
- (g) (1) If a local government fails to complete the rezoning by the deadline provided in subparagraph (A) of paragraph (1) of subdivision (c), as it may be extended pursuant to subdivision (f), except as provided in paragraph (2), a local government may not disapprove a housing development project, nor require a conditional use permit, planned unit development permit, or other locally imposed discretionary permit, or impose a condition that would render the project infeasible, if the housing development project (A) is proposed to be located on a site required to be rezoned pursuant to the program action required by that subparagraph and (B) complies with applicable, objective general plan and zoning standards and criteria, including design review standards, described in the program action required by that subparagraph. Any subdivision of sites shall be subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)). Design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.
- (2) A local government may disapprove a housing development described in paragraph (1) if it makes written findings supported by substantial evidence on the record that both of the following conditions exist:
- (A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- (B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.
- (3) The applicant or any interested person may bring an action to enforce this subdivision. If a court finds that the local agency disapproved a project or conditioned its approval in violation of this subdivision, the court shall issue an order or judgment compelling compliance within 60 days. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders to ensure that the purposes and policies of this subdivision are fulfilled. In any such action, the city, county, or city and county shall bear the burden of proof.
- (4) For purposes of this subdivision, “housing development project” means a project to construct residential units for which the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of at least 49 percent of the housing units for very low, low-, and moderate-income households with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing.
- (h) An action to enforce the program actions of the housing element shall be brought pursuant to Section 1085 of the Code of Civil Procedure.

Government Code Section 65583.2.

(a) A city’s or county’s inventory of land suitable for residential development pursuant to paragraph (3) of subdivision (a) of Section 65583 shall be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction’s share of the regional housing need for all income levels pursuant to Section 65584. As used in this section, “land suitable for residential development” includes all of the following: *sites that meet the standards set forth in subdivisions (c) and (g):*

- (1) Vacant sites zoned for residential use.
- (2) Vacant sites zoned for nonresidential use that allows residential development.
- (3) Residentially zoned sites that are capable of being developed at a higher density, including the airspace above sites owned or leased by a city, county, or city and county.

- (4) Sites zoned for nonresidential use that can be redeveloped ~~for, and,~~ *for residential use, and for which the housing element includes a program to rezone the site,* as necessary, rezoned for, *to permit* residential use, including ~~above-~~ sites owned or leased by a city, county, or city and county.
- (b) The inventory of land shall include all of the following:
- (1) A listing of properties by ~~parcel number or other unique reference.~~ *assessor parcel number.*
 - (2) The size of each property listed pursuant to paragraph (1), and the general plan designation and zoning of each property.
 - (3) For nonvacant sites, a description of the existing use of each property.
 - (4) A general description of any environmental constraints to the development of housing within the jurisdiction, the documentation for which has been made available to the jurisdiction. This information need not be identified on a site-specific basis.
 - (5) ~~(A) A general~~ description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities. ~~This information need not be identified on a site-specific basis.~~
 - (B) Parcels included in the inventory must have sufficient water, sewer, and dry utilities supply available and accessible to support housing development or be included in an existing general plan program or other mandatory program or plan, including a program or plan of a public or private entity providing water or sewer service, to secure sufficient water, sewer, and dry utilities supply to support housing development. This paragraph does not impose any additional duty on the city or county to construct, finance, or otherwise provide water, sewer, or dry utilities to parcels included in the inventory.*
 - (6) Sites identified as available for housing for above moderate-income households in areas not served by public sewer systems. This information need not be identified on a site-specific basis.
 - (7) A map that shows the location of the sites included in the inventory, such as the land use map from the jurisdiction's general plan, for reference purposes only.
- (c) Based on the information provided in subdivision (b), a city or county shall determine whether each site in the inventory can accommodate *the development of* some portion of its share of the regional housing need by income level during the planning period, as determined pursuant to Section 65584. *The inventory shall specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower-income housing, moderate-income housing, or above moderate-income housing. A nonvacant site identified pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing element and a vacant site that has been included in two or more consecutive planning periods that was not approved to develop a portion of the locality's housing need shall not be deemed adequate to accommodate a portion of the housing need for lower income households that must be accommodated in the current housing element planning period unless the site is zoned at residential densities consistent with paragraph (3) of this subdivision and the site is subject to a program in the housing element requiring rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households. A city that is an unincorporated area in a nonmetropolitan county pursuant to clause (ii) of subparagraph (B) of paragraph (3) shall not be subject to the requirements of this subdivision to allow residential use by right.* analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, *supportive housing, single room occupancy units,* emergency shelters, and transitional housing. The city or county shall determine the number of housing units that can be accommodated on each site as follows:
- (1) If local law or regulations require the development of a site at a minimum density, the department shall accept the planning agency's calculation of the total housing unit capacity on that site based on the established minimum density. If the city or county does not adopt a law or ~~regulations~~ *regulation* requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated.
 - (2) The number of units calculated pursuant to paragraph (1) shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section ~~65583.~~ *65583, the realistic development capacity for the site, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.*
 - (A) A site smaller than half an acre shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site is adequate to accommodate lower income housing.*
 - (B) A site larger than 10 acres shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site can be developed as lower income housing. For purposes of this subparagraph, "site" means that portion of a parcel or parcels designated to accommodate lower income housing needs pursuant to this subdivision.*
 - (C) A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site.*
 - (3) For the number of units calculated to accommodate its share of the regional housing need for lower income households pursuant to paragraph (2), a city or county shall do either of the following:
 - (A) Provide an analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households.

(B) The following densities shall be deemed appropriate to accommodate housing for lower income households:

- (i) For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre.
- (ii) For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre.
- (iii) For a suburban jurisdiction: sites allowing at least 20 units per acre.
- (iv) For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.

(d) For purposes of this section, a metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area shall be as determined by the United States Census Bureau. A nonmetropolitan county with a micropolitan area includes the following counties: Del Norte, Humboldt, Lake, Mendocino, Nevada, Tehama, and Tuolumne and other counties as may be determined by the United States Census Bureau to be nonmetropolitan counties with micropolitan areas in the future.

(e) (1) Except as provided in paragraph (2), a jurisdiction shall be considered suburban if the jurisdiction does not meet the requirements of clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (c) and is located in a Metropolitan Statistical Area (MSA) of less than 2,000,000 in population, unless that jurisdiction's population is greater than 100,000, in which case it shall be considered metropolitan. A county, not including the City and County of San Francisco, shall be considered suburban unless the county is in an MSA of 2,000,000 or greater in population in which case the county shall be considered metropolitan.

(2) (A) (i) Notwithstanding paragraph (1), if a county that is in the San Francisco-Oakland-Fremont California MSA has a population of less than 400,000, that county shall be considered suburban. If this county includes an incorporated city that has a population of less than 100,000, this city shall also be considered suburban. This paragraph shall apply to a housing element revision cycle, as described in subparagraph (A) of paragraph (3) of subdivision (e) of Section 65588, that is in effect from July 1, 2014, to December 31, 2028, inclusive.

(ii) A county subject to this subparagraph shall utilize the sum existing in the county's housing trust fund as of June 30, 2013, for the development and preservation of housing affordable to low- and very low income households.

(B) A jurisdiction that is classified as suburban pursuant to this paragraph shall report to the Assembly Committee on Housing and Community Development, the Senate Committee on Transportation and Housing, and the Department of Housing and Community Development regarding its progress in developing low- and very low income housing consistent with the requirements of Section 65400. The report shall be provided three times: once, on or before December 31, 2019, which report shall address the initial four years of the housing element cycle, a second time, on or before December 31, 2023, which report shall address the subsequent four years of the housing element cycle, and a third time, on or before December 31, 2027, which report shall address the subsequent four years of the housing element cycle and the cycle as a whole. The reports shall be provided consistent with the requirements of Section 9795.

(f) A jurisdiction shall be considered metropolitan if the jurisdiction does not meet the requirements for "suburban area" above and is located in an MSA of 2,000,000 or greater in population, unless that jurisdiction's population is less than 25,000 in which case it shall be considered suburban.

(g) (1) For sites described in paragraph (3) of subdivision (b), the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential. The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development, *the city's or county's past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development,* development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites.

(2) *In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.*

(3) *Notwithstanding any other law, and in addition to the requirements in paragraphs (1) and (2), sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control through a public entity's valid exercise of its police power, or occupied by low or very low income households, shall be subject to a policy requiring the replacement of all those units affordable to the same or lower income level as a condition of any development on the site. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915.*

(h) The program required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 shall accommodate 100 percent of the need for housing for very low and low-income households allocated pursuant to Section 65584 for which site capacity has not been identified in the inventory of sites pursuant to paragraph (3) of subdivision (a) on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right *for developments in which at least 20 percent of the units are affordable to lower income households* during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 16 units per site at a density of at least 16 units per acre in jurisdictions described in clause (i) of subparagraph (B) of paragraph (3) of subdivision ~~(e) and (c)~~, *shall be* at least 20 units per acre in jurisdictions

described in clauses (iii) and (iv) of subparagraph (B) of paragraph (3) of subdivision ~~(e)~~- *(c) and shall meet the standards set forth in subparagraph (B) of paragraph (5) of subdivision (b)*. At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or ~~mixed-uses~~ *mixed uses* are not permitted, except that a city or county may accommodate all of the very low and low-income housing need on sites designated for mixed uses if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project.

(i) For purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.

(j) Notwithstanding any other provision of this section, within one-half mile of a Sonoma-Marín Area Rail Transit station, housing density requirements in place on June 30, 2014, shall apply.

(k) For purposes of subdivisions (a) and (b), the department shall provide guidance to local governments to properly survey, detail, and account for sites listed pursuant to Section 65585.

(l) This section shall remain in effect only until December 31, 2028, and as of that date is repealed.

Changes to ‘No Net Loss’ Statute (SB 166)

SECTION 1.

Section 65863 of the Government Code is amended to read:

Government Code Section 65863.

(a) Each city, county, or city and county shall ensure that its housing element inventory described in paragraph (3) of subdivision (a) of Section 65583 or its housing element program to make sites available pursuant to paragraph (1) of subdivision (c) of Section 65583 can ~~accommodate its~~ *accommodate, at all times throughout the planning period, its remaining unmet* share of the regional housing need *allocated* pursuant to Section 65584, ~~throughout the planning period. except as provided in paragraph (2) of subdivision (c). At no time, except as provided in paragraph (2) of subdivision (c), shall a city, county, or city and county by administrative, quasi-judicial, legislative, or other action permit or cause its inventory of sites identified in the housing element to be insufficient to meet its remaining unmet share of the regional housing need for lower and moderate-income households.~~

(b) (1) No city, county, or city and county shall, by administrative, quasi-judicial, legislative, or other action, reduce, or require or permit the reduction of, the residential density for any parcel to, or allow development of any parcel at, a lower residential density, as defined in paragraphs (1) and (2) of subdivision (g), unless the city, county, or city and county makes written findings supported by substantial evidence of both of the following:

~~(1)~~ (A) The reduction is consistent with the adopted general plan, including the housing element.

~~(2)~~ (B) The remaining sites identified in the housing element are adequate to *meet the requirements of Section 65583.2 and to accommodate the jurisdiction’s share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction’s share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.*

(2) If a city, county, or city and county, by administrative, quasi-judicial, legislative, or other action, allows development of any parcel with fewer units by income category than identified in the jurisdiction’s housing element for that parcel, the city, county, or city and county shall make a written finding supported by substantial evidence as to whether or not remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction’s share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction’s share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

(c) (1) If a reduction in residential density for any parcel would result in the remaining sites in the housing element not being adequate to *meet the requirements of Section 65583.2 and to accommodate the jurisdiction’s share of the regional housing need pursuant to Section 65584*, the jurisdiction may reduce the density on that parcel if it identifies sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.

(2) If the approval of a development project results in fewer units by income category than identified in the jurisdiction’s housing element for that parcel and the jurisdiction does not find that the remaining sites in the housing element are adequate to accommodate the jurisdiction’s share of the regional housing need by income level, the jurisdiction shall within 180 days identify and make available additional adequate sites to accommodate the jurisdiction’s share of the regional housing need by income

level. Nothing in this section shall authorize a city, county, or city and county to disapprove a housing development project on the basis that approval of the housing project would require compliance with this paragraph.

(d) The requirements of this section shall be in addition to any other law that may restrict or limit the reduction of residential density.

(e) This section requires that a city, county, or city and county be solely responsible for compliance with this section, unless a project applicant requests in his or her initial application, as submitted, a density that would result in the remaining sites in the housing element not being adequate to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. In that case, the city, county, or city and county may require the project applicant to comply with this section. The submission of an application for purposes of this subdivision does not depend on the application being deemed complete or being accepted by the city, county, or city and county.

(f) This section shall not be construed to apply to parcels that, prior to January 1, 2003, were either (1) subject to a development agreement, or (2) parcels for which an application for a subdivision map had been submitted.

(g) (1) If the local jurisdiction has adopted a housing element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3, for purposes of this section, "lower residential density" means the following:

(A) For sites on which the zoning designation permits residential use and that are identified in the local jurisdiction's housing element inventory described in paragraph (3) of subdivision (a) of Section 65583, fewer units on the site than were projected by the jurisdiction to be accommodated on the site pursuant to subdivision (c) of Section 65583.2.

(B) For sites that have been or will be rezoned pursuant to the local jurisdiction's housing element program described in paragraph (1) of subdivision (c) of Section 65583, fewer units for the site than were projected to be developed on the site in the housing element program.

(2) (A) If the local jurisdiction has not adopted a housing element for the current planning period within 90 days of the deadline established by Section 65588 or the adopted housing element is not in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 within 180 days of the deadline established by Section 65588, "lower residential density" means any of the following:

(i) For residentially zoned sites, a density that is lower than 80 percent of the maximum allowable residential density for that ~~parcel.~~ *parcel or 80 percent of the maximum density required by paragraph (3) of subdivision (c) of Section 65583.2, whichever is greater.*

(ii) For sites on which residential and nonresidential uses are permitted, a use that would result in the development of fewer than 80 percent of the number of residential units that would be allowed under the maximum residential density for the ~~site.~~ *site parcel or 80 percent of the maximum density required by paragraph (3) of subdivision (c) of Section 65583.2, whichever is greater.*

(B) If the council of governments fails to complete a final housing need allocation pursuant to the deadlines established by Section 65584.05, then for purposes of this paragraph, the deadline pursuant to Section 65588 shall be extended by a time period equal to the number of days of delay incurred by the council of governments in completing the final housing need allocation.

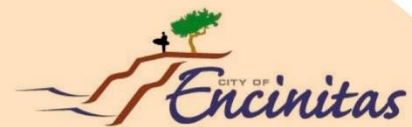
(h) An action that obligates a jurisdiction to identify and make available additional adequate sites for residential development pursuant to this section creates no obligation under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) to identify, analyze, or mitigate the environmental impacts of that subsequent action to identify and make available additional adequate sites as a reasonably foreseeable consequence of that action. Nothing in this subdivision shall be construed as a determination as to whether or not the subsequent action by a city, county, or city and county to identify and make available additional adequate sites is a "project" for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

SEC. 2.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



City of Encinitas
HOUSING ELEMENT SITES ANALYSIS



Presented by:

Kimley»Horn

Expect More. Experience Better.

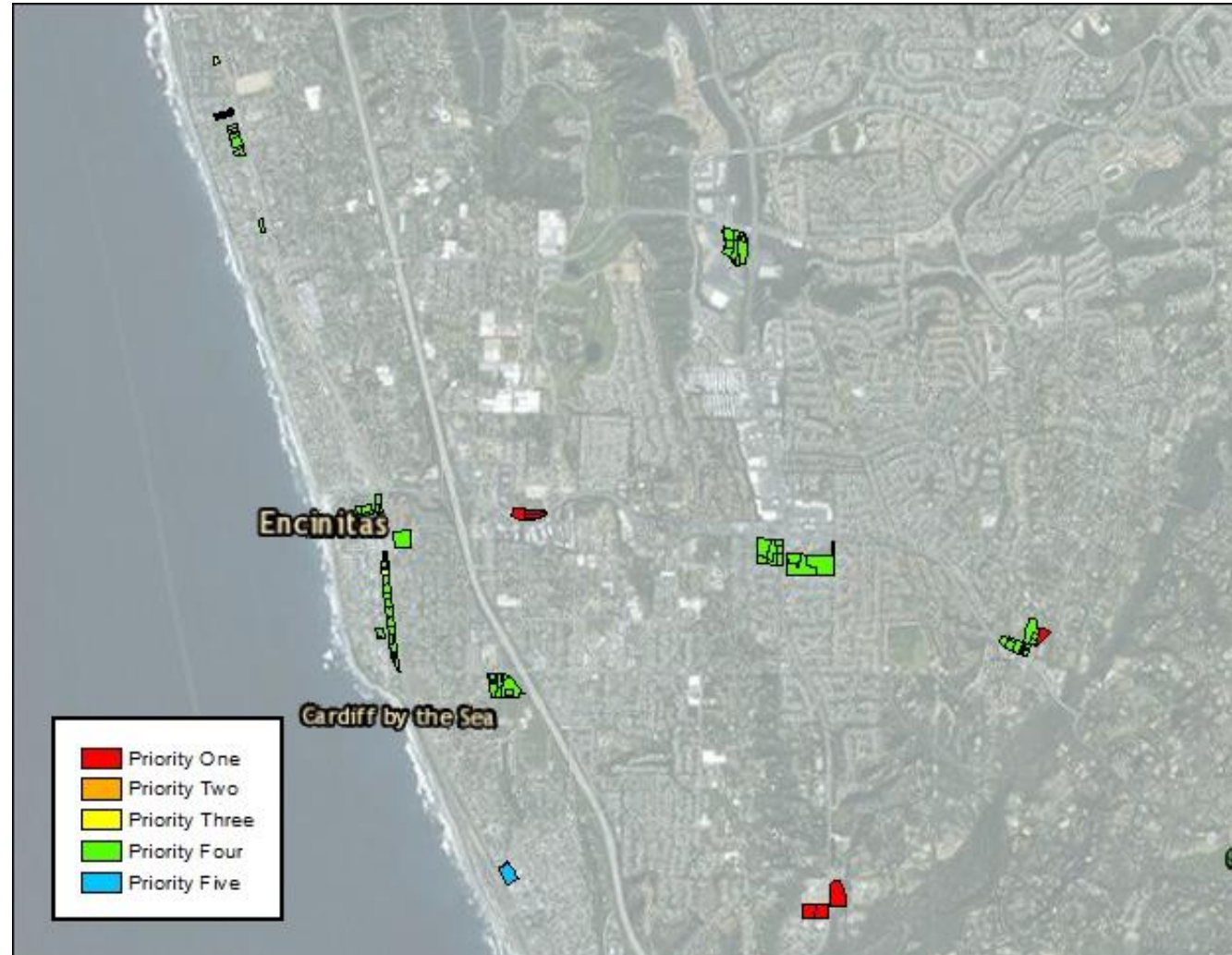
Agenda

- Priority Sites Overview
- Discussion of Additional Parcel

PRIORITY SITE DESCRIPTIONS

- Priority One Sites: Vacant Land (larger unit yield) >50 units
- Priority Two Sites: Vacant Land (smaller unit yield) <50 units
- Priority Three Sites: Adjacent to Multi-family Residential
- Priority Four Sites: Adjacent to Mobility and Pedestrian Options
- Priority Five Sites: Adjacent to Existing commercial Development

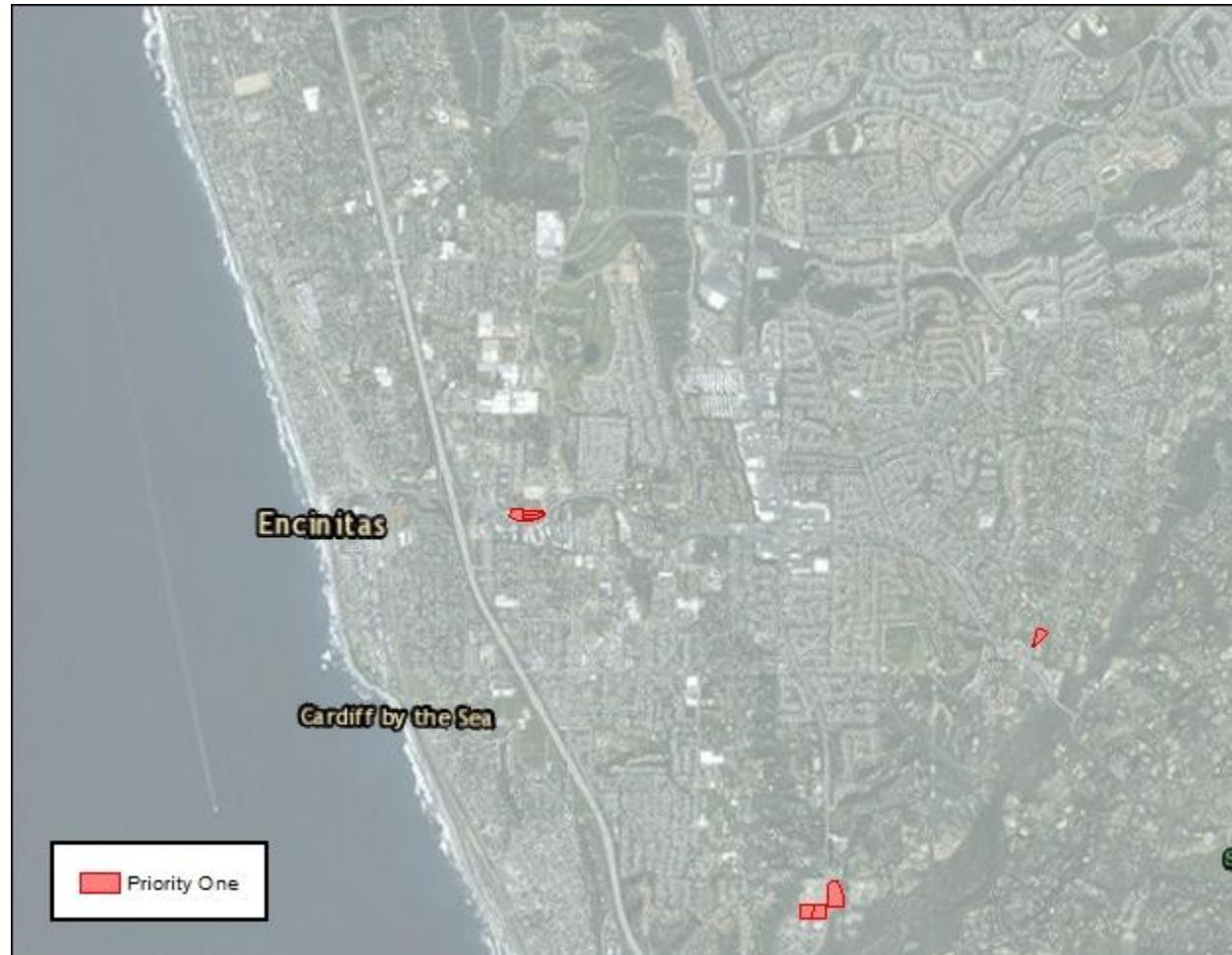
Priority Sites Overview



Priority Sites Overview

Priority Number	# of Parcels	# of Units
One (Vacant, >50 Units)	8	499
<i>One (Additional Identified Parcel)</i>	<i>1</i>	<i>144</i>
Two (Vacant, <50 Units)	2	39
Three (Adj. to Multi-Family)	55	84
Four (Adj. to Mobility)	67	2,332
Five (Adj. to Commercial)	1	101
TOTAL:	133	3,055

PRIORITY ONE – VACANT LAND (>50 UNITS)



- Number of Parcels: **8**
- Unit Yield at 30 DU/AC: **499**

Parcel APNs	Address
2581111600	Encinitas Blvd.
2581303400	696 Encinitas Blvd.
2581304500	Quail Gardens Drive
2581308100	550 Encinitas Blvd.
2592313200	Rancho Santa Fe Drive
2611506100	3505 Manchester Avenue
2611506400	3459 Manchester Avenue
2620732400	3616 Manchester Avenue
2592215700	Rancho Santa Fe Drive



City of Encinitas HOUSING ELEMENT SITES ANALYSIS



258111600
Encinitas Blvd.



2592215700
Rancho Santa Fe Drive



2592313200
Rancho Santa Fe Drive



City of Encinitas
HOUSING ELEMENT SITES ANALYSIS





City of Encinitas
HOUSING ELEMENT SITES ANALYSIS

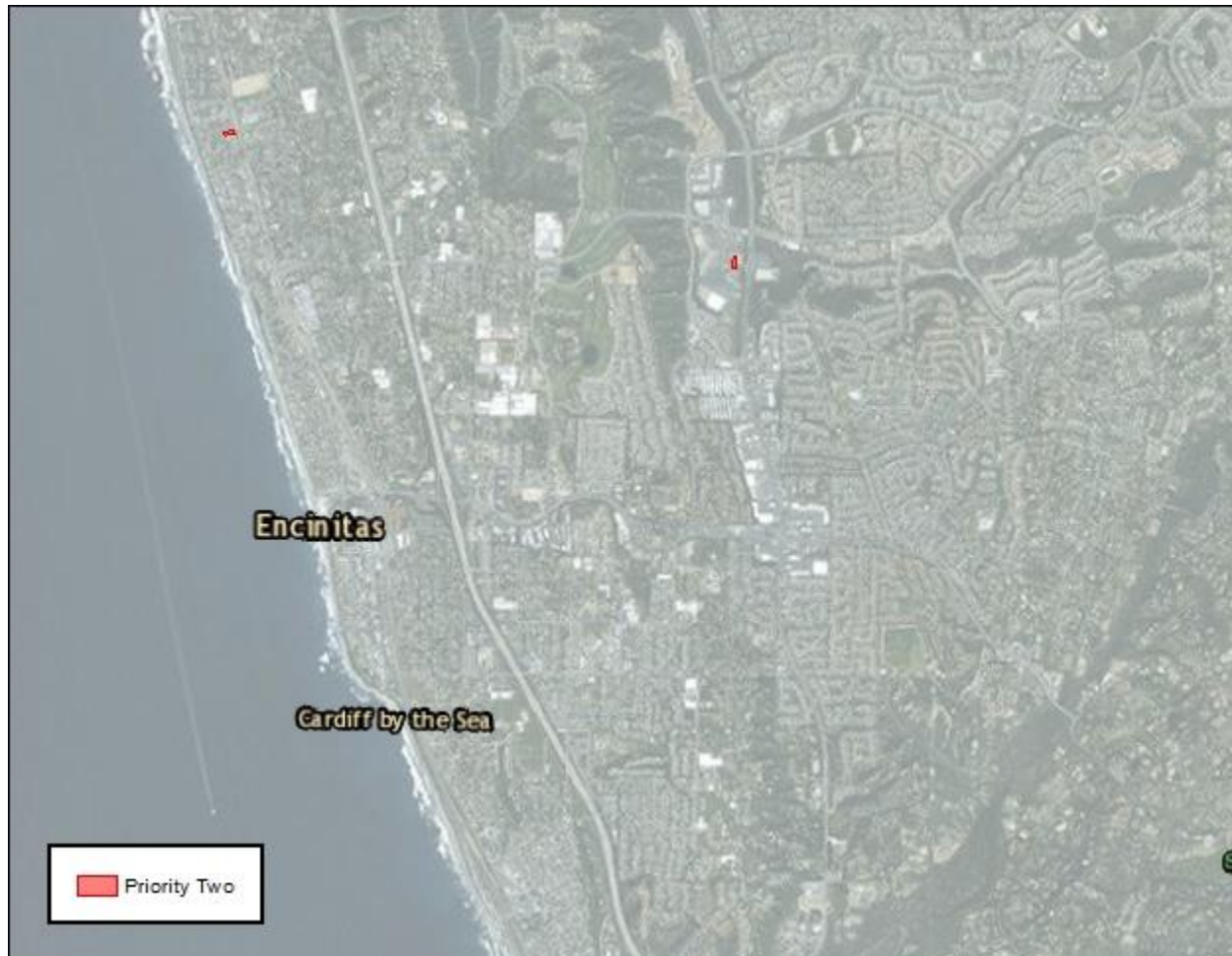


2581303400
696 Encinitas Blvd.



2581308100 - 550 Encinitas Blvd.
2581304500 - Quail Gardens Drive

PRIORITY TWO – VACANT LAND (<50 UNITS)



- Number of Parcels: **2**
- Unit Yield at 30 DU/AC: **39**

Parcel APNs	Address
2540545300	1528 N Highway 101
2575001600	El Camino Real



City of Encinitas HOUSING ELEMENT SITES ANALYSIS

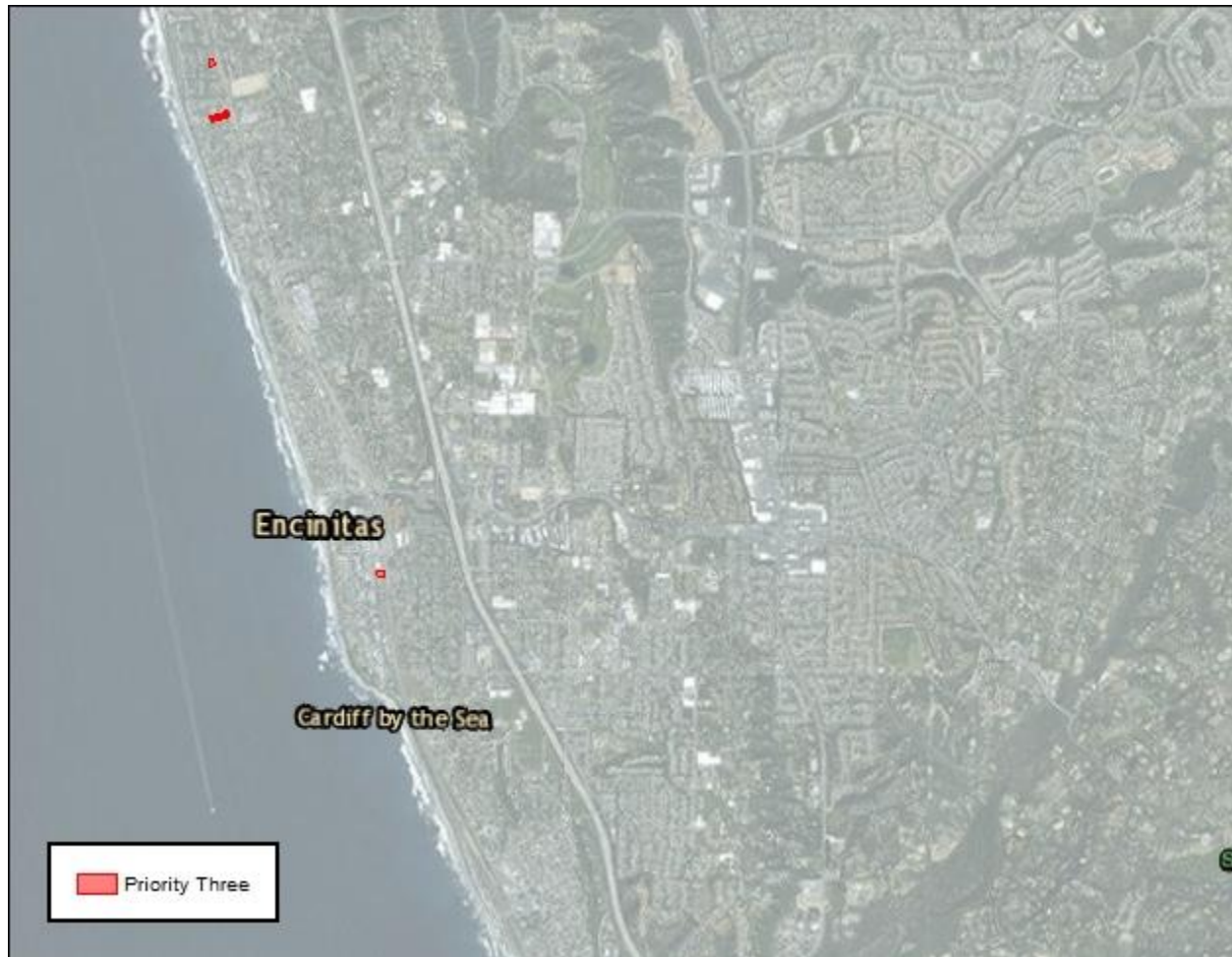


2540545300
1528 N Highway 101



2575001600
El Camino Real

PRIORITY THREE – ADJ. TO MULTI-FAMILY RESIDENTIAL



- Number of Parcels: **55**
- Unit Yield at 30 DU/AC: **84**



City of Encinitas HOUSING ELEMENT SITES ANALYSIS



PRIORITY FOUR – ADJACENT TO MOBILITY OPTIONS



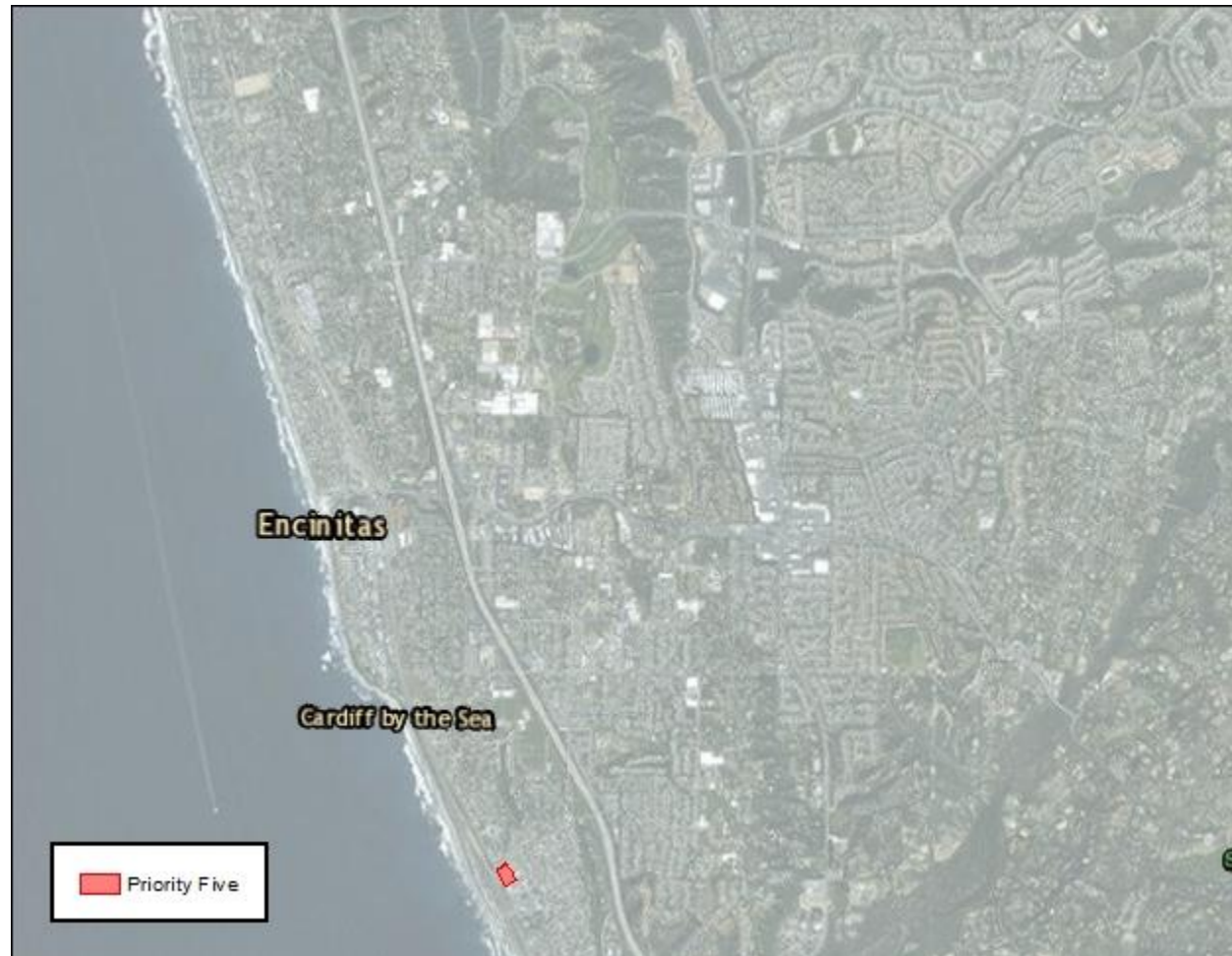
- Number of Parcels: **67**
- Unit Yield at 30 DU/AC: **2,332**



City of Encinitas HOUSING ELEMENT SITES ANALYSIS



PRIORITY FIVE – ADJACENT TO EXISTING COMMERCIAL



- Number of Parcels: **1**
- Unit Yield at 30 DU/AC: **101**



City of Encinitas HOUSING ELEMENT SITES ANALYSIS





City of Encinitas Housing Element Task Force Housing Element Update Notice of Public Meeting

THE CITY OF ENCINITAS IS AN EQUAL OPPORTUNITY PUBLIC ENTITY AND DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE OR DISABILITY IN EMPLOYMENT OR THE PROVISION OF SERVICE. IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT/SECTION 504 REHABILITATION ACT OF 1973, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE PLANNING AND BUILDING DEPARTMENT AT (760) 633-2710 AT LEAST 48 HOURS BEFORE THE MEETING IF DISABILITY ACCOMMODATIONS ARE NEEDED.

The City of Encinitas is in the process of updating the Housing Element of the General Plan. As part of this endeavor, a Housing Element Task Force was established comprised of two Council Members and two representatives from the public. The purpose of the Task Force is to explore options and provide recommendation to the City Council in order to obtain a state compliant housing element.

The public is welcome to attend the Housing Element Task Force meetings and there is opportunity to speak.

The next meeting of the Housing Element Task Force is scheduled for:

**Tuesday, September 26, 2017, at 6:00 p.m.
Poinsettia Room, Civic Center
505 South Vulcan Avenue
Encinitas, CA 92024**

The Task Force will continue the discussion towards a legally compliant Housing Element. As part of the discussion, potential sites, densities, height and story limits, development standards, and other options will be considered.

Visit www.cityofencinitas.org for the Housing Element Subcommittee to learn about upcoming meetings and find information regarding past meetings; more information on the Housing Element Update can also be found at the Housing Plan Update webpage.

Additionally, to stay apprised of future meetings you can sign up to receive City newsletters and e-notifications at www.encinitasca.gov/Home/City-Updates. Select Housing Element Update and any other topics you are interested in.

For further information contact Diane Langager, Principal Planner at 760/633-2714; dlangager@encinitasca.gov or Laurie Winter, Associate Planner at 760/633-2717; lwinter@encinitasca.gov.
