

HOUSING PLAN UPDATE 2018 BALLOT MEASURE

FULL TEXT

Ballot Measure Overview

This Housing Plan Update 2018 (“Ballot Measure”) has been placed on the ballot by the Encinitas City Council pursuant to Proposition A (now a part of the City of Encinitas Municipal Code Chapter 30.00) and to adopt a revised 2013-2021 Housing Element in accordance with State law. The Ballot Measure consists of Resolution No. 2018-61 and City Council Ordinance No. 2018-07, which collectively do the following:

- Adopt the City of Encinitas Housing Element and repeal the existing 1992 Housing Element;
- Amend the General Plan Land Use Element, Zoning Code, Zoning Map, and Local Coastal Program to designate specific sites that can be developed at a density of a minimum of 25 and maximum of 30 dwelling units per net acre with three-story buildings;
- Amend the following Specific Plans to designate specific sites that can be developed at a density of a minimum of 25 and maximum of 30 dwelling units per net acre with three-story buildings: North 101 Corridor Specific Plan, Downtown Encinitas Specific Plan, and Encinitas Ranch Specific Plan.
- Amend the General Plan Land Use Element, Zoning Code, Zoning Map, and Local Coastal Program to designate “Site L7” (APN 257-011-17-00) to change the density from Rural Residential 1 (RR1) to Residential 3 (R3).

The changes to the Zoning Map and Specific Plans described above are shown on the maps immediately following this page. These maps are enhanced versions of maps included in the Resolution and Ordinance, reproduced here to comply with Proposition A’s requirement of an easily readable map of the geographic area affected.

The City Council approved the Resolution and Ordinance on June 20, 2018 and August 8, 2018, respectively, subject to the voter approval requirements of Proposition A.

Proposition A requires that “Major Amendments” to the City’s land use planning policy documents first be approved by the City Council but only take effect if approved by City voters. Portions of the Housing Plan Update 2018 consist of Major Amendments (e.g., increases to residential density and building height) and are thus presented to the voters in this Ballot Measure. The Ballot Measure also includes “Regular Amendments” that do not require voter approval pursuant to Proposition A, but are included to ensure a complete and internally consistent set of land use policy amendments.

LIST OF SITES ON MAPS

Housing Element Sites Proposed for Re-Zoning to 25 – 30 Dwelling Units per Net Acre:

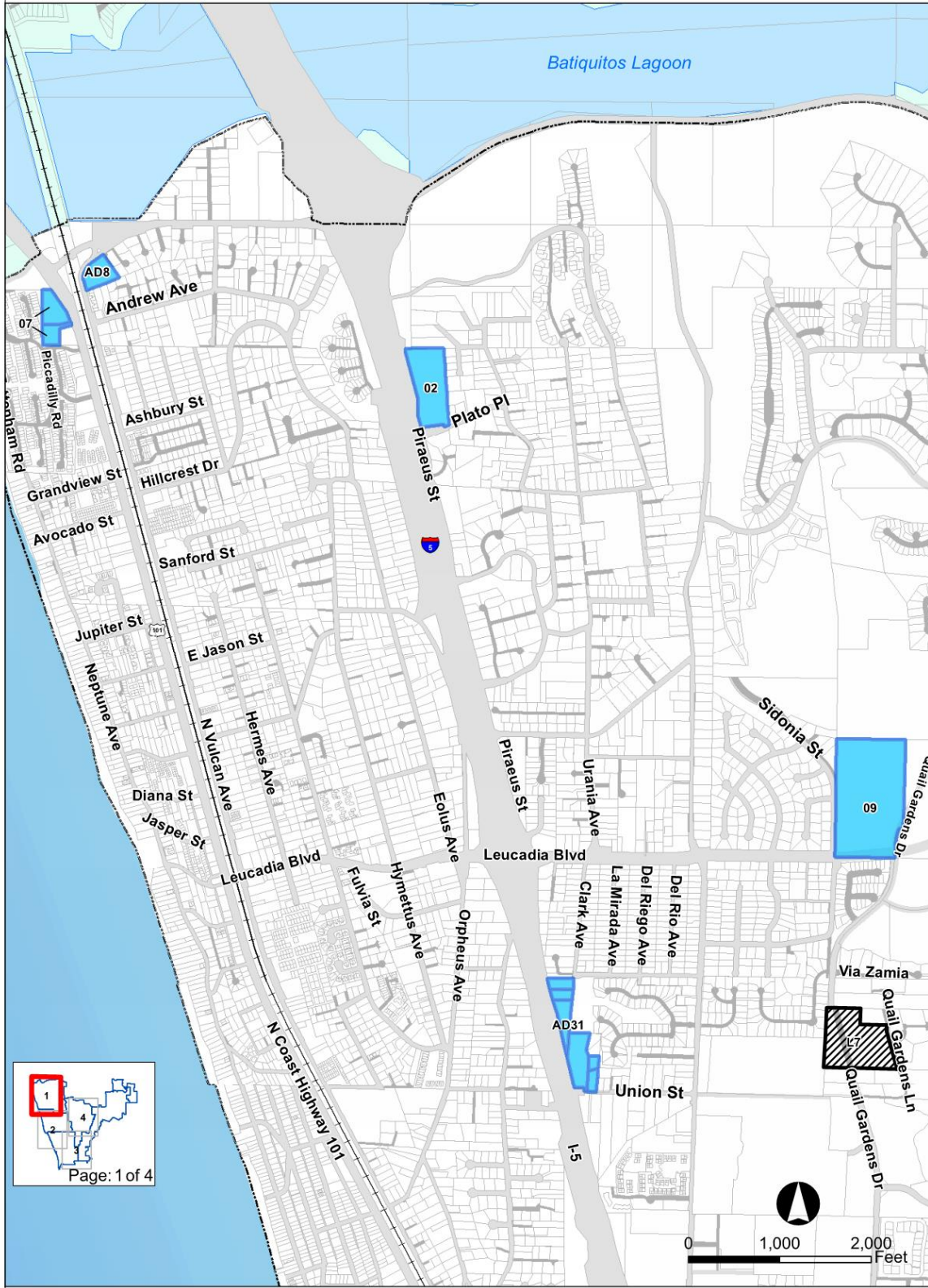
- 01. Greek Church Site
- 02. Cannon Property (Piraeus Site)
- 05. Encinitas Blvd. & Quail Gardens Sites
- 06 (a,b). Armstrong Parcels
- 07. Jackel Property
- 08 (a,b). Rancho Santa Fe Sites (Gaffney/Goodsen)
- 09. Echter Property
- 12. Sunshine Gardens
- AD1. Sage Canyon Parcel
- AD2 (a,b,c). Baldwin & Sons Properties
- AD8. Vulcan & La Costa Site
- AD9. Seacoast Church
- AD11. Manchester Avenue West Sites
- AD14. Harrison Sites
- AD31. Meyer Proposal

Site Proposed for Re-Zoning to 2.01 – 3.0 Dwelling Units Per Net Acre:

- L-7. City-Owned Property



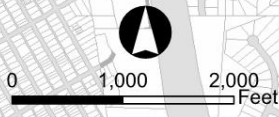
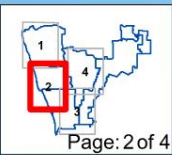
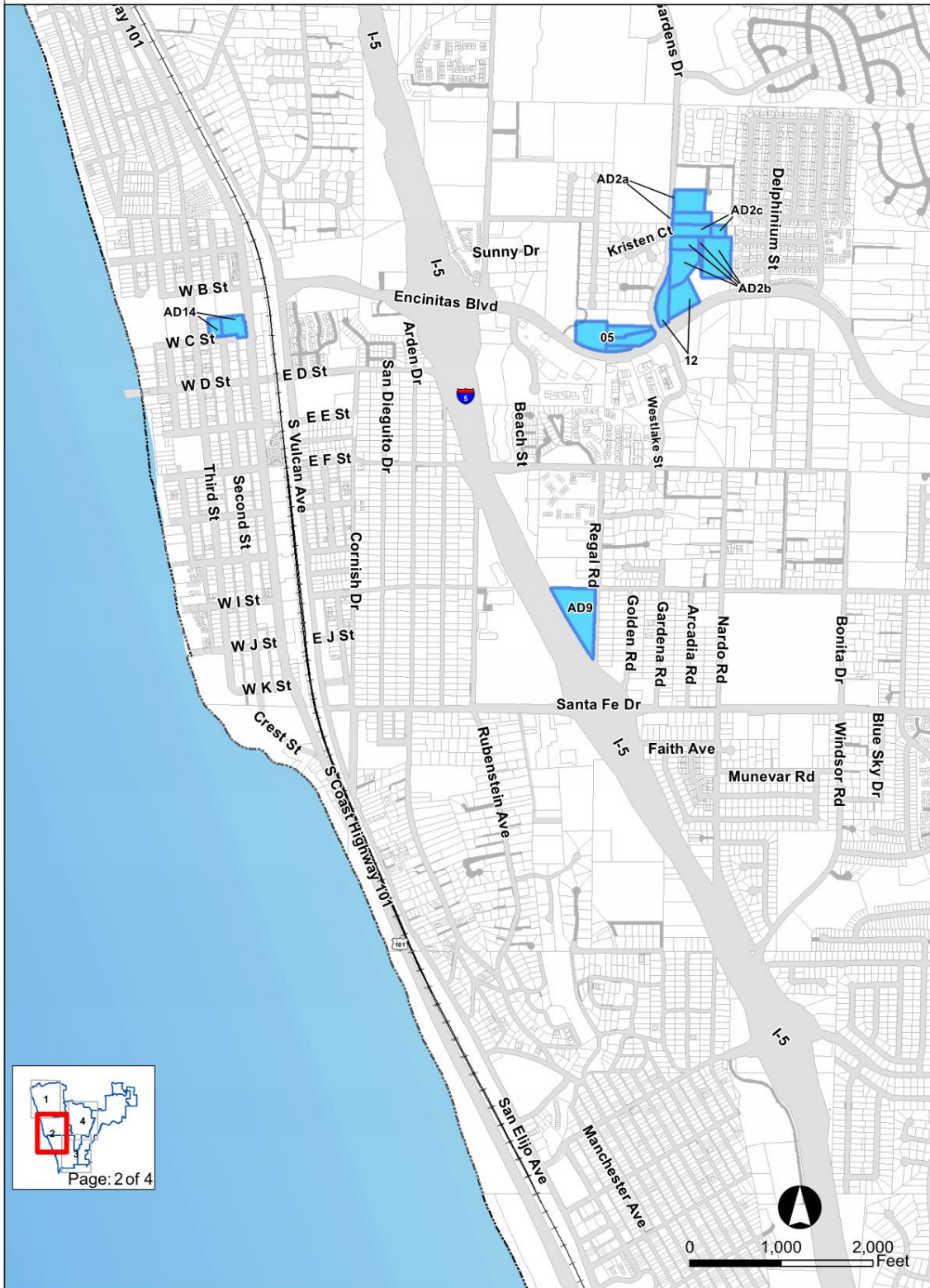
city of encinitas
Housing Element 2013-2021



- Housing Element Sites Proposed for Re-Zoning to 25-30 Dwelling Units per Net Acre
- Site Proposed for Re-Zoning to 2.01-3.0 Dwelling Units per Net Acre
- Tax Parcel



city of encinitas
Housing Element 2013-2021

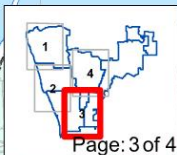
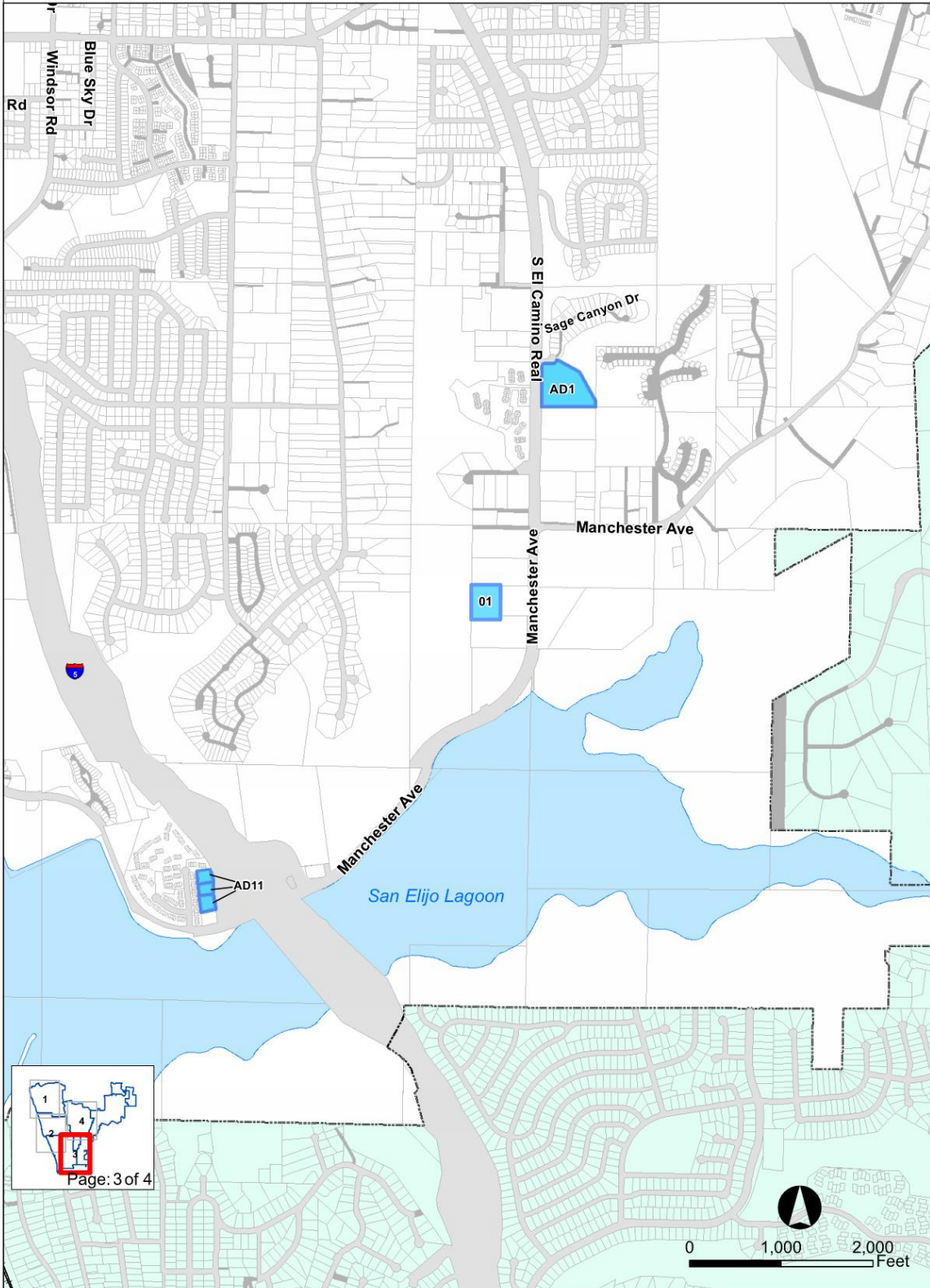


- Housing Element Sites Proposed for Re-Zoning to 25-30 Dwelling Units per Net Acre
- Site Proposed for Re-Zoning to 2.01-3.0 Dwelling Units per Net Acre
- Tax Parcel

The draft Housing Element is available for review on the City's website at: <http://www.encinitasca.gov/Housing-Plan-Update-2018>



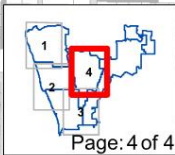
city of encinitas
Housing Element 2013-2021



- Housing Element Sites Proposed for Re-Zoning to 25-30 Dwelling Units per Net Acre
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city of encinitas
Housing Element 2013-2021



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RESOLUTION 2018-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, REPEALING IN ITS ENTIRETY THE UNCERTIFIED HOUSING ELEMENT OF THE GENERAL PLAN AND ADOPTING IN FULL NEW TEXT COMPRISING THE 2013-2021 HOUSING ELEMENT UPDATE TO THE GENERAL PLAN AND ADOPTING CONFORMING AND ANCILLARY AMENDMENTS TO THE LOCAL COASTAL PROGRAM, LAND USE ELEMENT OF THE GENERAL PLAN, AND THE VOTER'S RIGHTS INITIATIVE PORTION OF THE LAND USE ELEMENT.

(CASE NO. 17-128 GPA/SPA/LCPA; CITYWIDE)

WHEREAS, there is a statutory recognition that the availability of housing is a matter of statewide importance and that cooperation between government and the private sector is critical to attainment of the State's housing goals;

WHEREAS, California Government Code Section 65588(b) requires the City of Encinitas to periodically prepare an update to the Housing Element of its General Plan;

WHEREAS, the City Council directed the City Manager to cause the Development Services Department to proceed with this update to the City's Housing Element for the 2013-2021 planning period, which affects properties citywide;

WHEREAS, as provided in Government Code Section 65350 et seq., and Public Resources Code Section 30514 and Section 13551 of the California Code of Regulations Title 14, Division 5.5, said verified application in its entirety constitutes a General Plan Amendment, Specific Plan Amendments, Zoning Code Amendment, Zoning Map Amendment, Municipal Code Amendment, and Local Coastal Program Amendment ("Project");

WHEREAS, the City of Encinitas prepared the draft 2013-2021 Housing Element in accordance with California Housing Element law (Government Code section 65580 et seq.);

WHEREAS, the 2013-2021 Housing Element Update project, Case Number 17-128 GPA/SPA/LCPA, is popularly known as "Housing Plan Update 2018";

WHEREAS, California Government Code Section 65583 requires that the Housing Element Update contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local

government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element Update;

WHEREAS, the City's share of the regional housing need was established in the Regional Housing Needs Plan (RHNP) prepared and adopted by the San Diego Association of Governments (SANDAG) on October 28, 2011. The allocation establishes the number of new units needed, by income category, to accommodate expected population growth over the planning period of the Housing Element;

WHEREAS, Housing Element law (Government Code section 65580 et seq.) requires local governments to be accountable for ensuring projected housing needs reflected by the Regional Housing Needs Assessment (RHNA) allocation can be accommodated;

WHEREAS, the State Department of Housing and Community Development issued a letter to the City dated June 12, 2018, which found that the City's 2018 draft Housing Element, inclusive of all revisions submitted through June 8, 2018, will meet all State Housing Element Law requirements if the Housing Element and proposed development standards are approved in their current form by the City Council, the Encinitas voters, and the California Coastal Commission;

WHEREAS, on July 14, 2015, the City and the Building Industry Association of San Diego County (BIA) entered into a Settlement Agreement to resolve litigation filed by the BIA and on June 24, 2016, the City and DCM Properties Inc. (DCM) entered into a Settlement Agreement to resolve litigation filed by DCM. The Settlement Agreements provide, in part, that the City must adopt: (1) an updated Housing Element; (2) conforming amendments to other General Plan elements; and (3) zoning ordinance amendments needed to implement the Housing Element. The Settlement Agreements were incorporated into two Judgments Pursuant to Stipulation entered into by the San Diego County Superior Court on July 22, 2015 (BIA) and August 11, 2016 (DCM), respectively;

WHEREAS, the July 22, 2015 and August 11, 2016 Judgments provide in part that the environmental review for the Housing Element update and all discretionary actions necessary to bring the Housing Element in compliance with State Law will be conducted in accordance with the terms of Government Code Section 65759;

WHEREAS, the City has prepared an environmental assessment, the content of which substantially conforms to the required content of a draft environmental impact report, as required under Government Code Section 65759(a)(1) and (2) to analyze, and mitigate where feasible, the potential environmental effects of the project;

WHEREAS, the Housing Plan Update 2018 incorporates the environmental assessment by reference, and the environmental assessment shall be deemed to be part of the General Plan upon adoption of the Housing Plan Update 2018 as required by Government Code Section 65759(a)(3);

WHEREAS, the Planning Commission did hold a duly noticed public hearing as prescribed by law to consider CASE NO. 17-128 GPA/SPA/LCPA on June 7, 2018, to consider said request;

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. 2018-19 recommending approval of said Project, on file with the Office of the City Clerk and incorporated by this reference;

WHEREAS, the 2013-2021 Housing Element Update attached as **Exhibit 2018-61-A** to this Resolution is the final, adopted 2013-2021 Housing Element of the General Plan, the entirety of which is new text and graphics in the General Plan;

WHEREAS, the City Council did on June 20, 2018, hold a duly noticed public hearing as prescribed by law. Evidence was submitted to and considered by the City Council, including, without limitation:

- a. Written information including written and graphical information posted on the Project website, including without limitation public comments submitted to HCD and City responses, all of which are incorporated by this reference as though fully set forth herein.
- b. Materials created for public engagement and study session agenda reports.
- c. Oral testimony from City staff, interested parties, and the public.
- d. The staff report, dated June 20, 2018, which along with attachments, is incorporated herein by reference as though fully set forth herein, as are staff reports and presentations prepared for related study sessions, which occurred during the life of the Project, as well as Planning Commission's recommendation on the Project.
- e. Additional information submitted during the public hearing; and

WHEREAS, based on the totality of the record and evidence described and referenced in this Resolution, the City Council finds that the proposed text amendments and map changes are consistent with the purposes of the General Plan, Municipal Code, and adopted Local Coastal Program in that the amendments support a variety of objectives including increasing housing choice by accommodating a variety of housing types to meet the needs of all Encinitas residents, providing adequate sites with corresponding density to meet the City's RHNA allocation, adopting State mandated and locally desired programs to implement the Project effectively, maintaining community character through project design requirements, and distributing attached and multi-family housing to the City's five communities; and

WHEREAS, the City Council will consider adopting Ordinance No. 2018-07 to amend three Specific Plans, amendments to the Encinitas Municipal Code and implementation programs of the City's Local Coastal Program to ensure internal consistency of the City's policy and regulatory framework following adoption of these General Plan Amendments and amendments to the land use policy of the Local Coastal Program.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Encinitas, in its independent judgment and after fully considering all alternatives, hereby declares that:

SECTION 1. The foregoing recitations are true and correct.

SECTION 2. The General Plan Housing Element update complies with State Housing Element law, as provided in Government Code 65580 et. seq. Under Government Code Section 65300.5, no policy conflicts can exist either textual or diagrammatic, between the components of an otherwise complete and adequate General Plan. Different policies must be balanced and reconciled within the plan. Adoption of new housing policies that increase residential densities require conforming amendments to the City of Encinitas Land Use Element, Zoning Code regulations, Zoning Map, Municipal Code regulations, Specific Plans, and Local Coastal Program. Said amendments and text/map changes are necessary to provide consistency between the goals and polices of the various elements of the General Plan and between the General Plan and Zoning. The proposed amendments shown in **Exhibit 2018-61-B (Amendments to the Land Use Element) and Exhibit 2018-61-C (Amendments to the Voter's Rights Initiative Portion of the Land Use Element)** are required to bring the General Plan and Local Coastal Program into consistency with the Project. In addition, the Environmental Assessment for the Project, which analyzes the potential environmental effects of the Project and includes mitigation measures to reduce the Project's impacts where feasible, shall be deemed to be part of the General Plan upon adoption of the Housing Plan Update 2018 as required by Government Code Section 65759(a)(3). Proposition A, called the Encinitas Right to Vote Amendment, became a new part of the Encinitas General Plan's Land Use Element and the Encinitas Zoning Code (Title 30 of the Encinitas Municipal Code) when approved by the voters in 2013. The proposed amendments shown in Exhibit 2018-61-C amend the Land Use Element to address Project consistency. City Council will consider adopting Ordinance No. 2018-07 to ensure continued, internal consistency. The proposed amendments are consistent with sound planning principles in that the proposed policies and proposed implementing regulations are compatible and ensure that the goals and policies of the General Plan can be adequately implemented to achieve the community's vision.

SECTION 3. There is a real and substantial relationship of the Encinitas Housing Element to the general welfare of the City and the entire region. Encinitas has adequately researched and considered the numerous competing interests in the region and, in view of the demonstrated need for new housing, the approval constituted a reasonable accommodation of those interests.

SECTION 4. The State-mandated six-week review period for the Local Coastal Program Amendment started on May 25, 2018 and concluded on July 9, 2018.

SECTION 5. The proposed Local Coastal Program Amendment meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act and do not conflict with any coastal zone policies or regulations with which future development must comply.

SECTION 6. The uncertified Housing Element (known as the 1992 Housing Element) is hereby repealed in its entirety and the 2013-2021 Housing Element (**Exhibit 2018-61-A**), along with conforming amendments to the Land Use Element (**Exhibit 2018-61-B**), and amendments to the Voter's Rights Initiative Portion of the Land Use Element (**Exhibit 2018-61-C**) are adopted, subject to approval by the voters.

SECTION 7. An implementation program associated with the actions and approvals included in this Resolution is required to ensure consistency with the General Plan. The Zoning Code Amendments, amendments to three Specific Plans, Municipal Code Amendments, Local Coastal Program implementation program amendments and amendments to the Encinitas Right to Vote Amendment (EMC Chapter 30.00), all of which are more particularly described in Ordinance 2018-07, shall be adopted to ensure consistency with the General Plan, as revised by this Resolution No. 2018-61.

SECTION 8. Some policy amendments in this Resolution require a vote of the people per Encinitas Municipal Code (EMC) Chapter 30.00 (popularly known as Proposition A). The City Council declares, subject to approval of the voters of Encinitas, that the amendments to the Voter's Rights Initiative portion of the Land Use Element, the repeal of the uncertified 1992 Housing Element, the General Plan Land Use Element land use map re-designations to the Housing Plan Update 2018 land use designation and the amendments to the policies of the Local Coastal Program directly associated with these aforementioned amendments exclusively constitute "Major Amendments" as defined by EMC Chapter 30.00. All other amendments contained in this Resolution are to ensure a complete and internally consistent adoption of General Plan amendments and are declared to be "Regular Amendments" as defined by EMC Chapter 30.00.

SECTION 9. This Resolution shall not become effective unless and until it is approved by the voters of Encinitas.

SECTION 10. If this Resolution takes effect pursuant to Section 9 above, the Director of Development Services or designee is hereby directed to file all necessary material to the Department of Housing and Community Development to certify the 2013-2021 Housing Element and to the State of California Coastal Commission to amend the Encinitas Local Coastal Program.

PASSED AND ADOPTED this 20th day of June, 2018 by the following vote, to wit:

AYES: Kranz, Mosca, Muir

NAYS: Blakespear, Boerner Horvath

ABSTAIN: None

ABSENT: None



Catherine S. Blakespear, Mayor
City of Encinitas

ATTEST:



Kathy Hollywood, City Clerk

Exhibit Index

Exhibit 2018-61-A	2013-2021 Housing Element, dated June, 2018 as all new text
Exhibit 2018-61-B	Conforming amendments to the Land Use Element
Exhibit 2018-61-C	Amendments to the Voter's Rights Initiative Portion of the Land Use Element

Exhibit 2018-61-A

2013-2021 Housing Element

The 1992 Housing Element is hereby repealed in its entirety and is removed from the General Plan. Because of the length of the 1992 Housing Element, it is not presented with deleted text. It is simply being repealed in its entirety. In its place, the new 2013-2021 Housing Element, which includes all Appendices and incorporates the Environmental Assessment by reference, is adopted in its entirety to the General Plan. Because the entirety of it is new replacement text, it is not underscored, but it should be viewed as new text. This is done because of the length and breadth of the 2013-2021 Housing Element and underscoring all of it would be confusing and difficult to read.

1. Introduction

The Housing Element provides the City with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing for all within the Encinitas community.

1.1 Role of Housing Element

The Housing Element as part of the Encinitas General Plan is developed to ensure that the City establishes policies, procedures, and incentives in its land use planning and development activities that result in the maintenance and expansion of the housing supply to adequately accommodate households currently living and expected to live in Encinitas. The Housing Element institutes policies that will guide City decision-making and establishes an implementation program to achieve housing goals through the year 2021.

1.2 Local Need

The City is facing some significant challenges when it comes to meeting its housing needs --- housing costs in Encinitas continue to climb, while the availability and variety of housing is lacking. According to HomeDex, in February 2018, the median sales price in Encinitas was 43 percent higher than the median sales price for the North County region. At the same time, the City has a growing population, and its existing residents have changing needs.

- Baby Boomers are aging, and the City's senior citizen population (over 60 years in age) is projected to nearly double by 2035. Many seniors will seek to downsize and move into smaller homes in areas with easy access to services, transportation and amenities.
- Millennials have been slower to buy single-family homes than earlier generations. Rising student debt, the cost of housing, and challenges in securing mortgages have contributed to this, but they often want different kinds of housing and neighborhoods than are available today. They are looking for pedestrian and bike-friendly communities with services and amenities nearby.
- According to SANDAG's regional growth forecast, Encinitas can expect an anticipated 11 percent population growth through 2050.

It is important to note that, while accommodating new residential development and providing housing for all economic segments of the community, Encinitas must also plan to provide the infrastructure needed to maintain existing levels of service and to ensure that residential development will not degrade the local environment, including the hillside areas, natural stream channels, and wetlands. All of these areas are viewed by residents as resources worth preserving, and the sites selected for housing preserve these amenities. Another important goal of this element is to ensure that the City embraces the distinct identity and character of its five communities and becomes a place where one can live their entire life with housing for all ages, incomes and abilities. The City envisions itself as a sustainable community that embraces its quality of life through environment, fiscal health, community health and equity. This Housing Element provides policies and programs to address these issues.

1.3 Housing Element and State Law

1.1.1 Background

The Housing Element of the General Plan identifies and analyzes the City's existing and projected housing needs and contains a detailed outline and work program of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for a sustainable future. The Housing Element is one of the seven mandatory General Plan elements. The Housing Element identifies ways in which housing needs of current and future residents can be met.

1.1.2 State Requirements

California State Housing Element Law (California Government Code Article 10.6) establishes the requirements for the Housing Element of the General Plan. Specifically, Government Code Section 65588 requires that local governments review and revise the Housing Element of their comprehensive General Plans not less than once every eight years.

The California Legislature has determined that a primary housing goal for the State is ensuring every resident has a decent home and suitable living environment. Section 655880 of the Government Code describes the goal in detail:

- a. *The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.*
- b. *The early attainment of this goal requires cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians in all economic levels.*
- c. *The provision of housing affordable to low- and moderate-income households requires the cooperation of all levels of the government.*
- d. *Local and State governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of all economic segments of the community. The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.*

This Housing Element addresses the 2013-2021 planning period, which extends from April 30, 2013 to April 30, 2021. Because the City did not adopt the 2013-2021 Housing Element within 120 days of the due date, Government Code Section 65588(e) requires the City to adopt the 2021 – 2029 Housing Element by April 30, 2021, an updated Housing Element by April 30, 2025, and the 2029 – 2037 Housing Element at the end of the eight-year planning period.

The Housing Element identifies housing programs aimed at new housing construction, rehabilitation, and conservation of the existing affordable housing stock. This Housing Element builds upon the land use goals and policies which are primarily concerned with where new housing is to be located and at what density it will be constructed. Other concerns of the Housing Element include the identification of strategies and programs that focus on housing affordability, rehabilitation of substandard housing, meeting the existing demand for new housing, eliminating constraints on housing development, and maintaining an adequate supply of rental housing. The Housing Element includes Appendix A, Public Participation, Appendix B, the Housing Profile Report, and Appendix C, the Adequate Sites Inventory, which contain certain required Housing Element components.

As required by Government Code Section 64759, the City of Encinitas has completed an Environmental Assessment to analyze, and mitigate where feasible, the potential environmental effects of the Housing Element. The Environmental Assessment is incorporated herein by this reference as though fully set forth as part of the Encinitas General Plan.

1.1.3 Regional Housing Needs Assessment

Section 65583 of the Government Code sets forth the specific components of a jurisdiction's housing element. Included in these requirements is an obligation on the part of local jurisdictions to provide their "fair share" of regional housing needs. Local governments and Councils of Governments (COGs) are required to determine existing and future housing need and the allocation of said need must be approved by the California Department of Housing and Community Development (HCD). Encinitas is a member of the San Diego Association of Governments (SANDAG) and SANDAG is responsible for preparing the Regional Housing Needs Assessment for the territory that it represents. This Housing Element provides sites adequate to accommodate the City fair share, as determined by SANDAG.

1.4 General Plan Consistency

The Housing Element is one of seven elements of the Encinitas General Plan and must be consistent with all of those elements. The Land Use Element, for instance, establishes the location, type, intensity and distribution of land uses throughout the City, and the presence and potential for jobs affects the current and future demand for housing at the various income levels in the City. The Circulation Element is designed to provide transportation facilities that can accommodate all planned development in the City.

As part of the adoption of the Housing Element, the City will modify policies in other elements as needed to achieve internal General Plan consistency.

1.5 Public Participation

Section 65583(c)(8) of the Government Code states that, "The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." A discussion of citizen participation is provided below and in Appendix A.

The City of Encinitas conducted an extensive public outreach process beginning in 2014 to prepare a 2013-2021 Housing Element. Outreach efforts included 45 presentations, numerous mailers and ads, and community dialogue sessions attended by 479 persons. That effort culminated in the adoption of a

2013-2021 Housing Element by the City Council in June 2016 and its placement on the November 2016 ballot as Measure T. However; the voters did not approve Measure T.

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

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

Appendix A contains a summary of oral public comments regarding the Housing Element received by the City at scheduled public meetings, and the Appendix has been provided to the City Council.

1.6 Element Organization

This Encinitas Housing Element is comprised of the following sections:

- **Section 1: Introduction and Housing Element Goals, Policies and Implementation Programs** contains the Housing Element background and the requisite policies and programs to address housing need in the community.
- **Appendix A: Summary of Community Engagement** provides a summary of the community engagement activities that have occurred throughout the development of the Housing Element document.
- **Appendix B: Housing Profile Report** provides the required demographic analysis, needs, constraints, and other analyses required by state law.
- **Appendix C: Adequate Sites Inventory** provides an inventory of sites to meet the estimated RHNA need throughout the planning period.

2. Goals, Policies and Implementation Programs

This section of the Housing Element contains the goals and policies the City intends to implement to address a number of important housing-related issues. The following three major issue areas are addressed by the goals and policies of the Housing Element: ensure that a broad range of housing types are provided to meet the needs of both existing and future residents; ensure that housing is both sound and safe for occupants; and ensure that the existing housing stock is maintained and preserved. Each issue area and the supporting goals and policies are identified and discussed in the following section. In addition, housing programs that implement each goal and policy are summarized in a table located at the end of this section.

2.1 Housing Opportunities

The City wants to encourage the construction of new housing units that offer a wide range of housing types to ensure that an adequate supply is available to meet existing and future needs. The maintenance of a balanced inventory of housing in terms of unit type (e.g. single-family, multiple-family, etc.), cost, and style will ensure that the existing variety is maintained. Each of the five communities have a distinct character due in large part to the nature of their existing residential neighborhoods. New housing constructed in the City should reflect the character of the surrounding neighborhood in particular and the community in general. The diverse make-up of the City with its five distinct communities will continue to attract a wide variety of people. The City has made a strong and firm commitment that fair housing practices will continue in Encinitas.

GOAL 1: THE CITY WILL ENCOURAGE THE PROVISION OF A WIDE RANGE OF HOUSING BY LOCATION, TYPE OF UNIT, AND PRICE TO MEET THE EXISTING AND FUTURE HOUSING NEEDS IN THE REGION AND CITY.

POLICY 1.1: Strive to maintain a balance of housing types in the City.

POLICY 1.2: Strive to provide a wide variety of housing types so that a range of housing needs and tastes will be made available to existing and future residents.

POLICY 1.3: When existing residential units are replaced, they should be replaced with units that are compatible in design with the surrounding residential neighborhood as planned by the City.

POLICY 1.4: Provide opportunities for low and moderate income housing in all five communities in the City and ensure that its location will not tend to cause racial segregation. Require that such housing should be high quality in terms of design and construction without sacrificing affordability.

POLICY 1.5: If a diminishing inventory of rental housing creates an imbalance, the City should make every effort to preserve the existing stock of quality rental housing.

POLICY 1.6: Encourage retention of all existing mobile home parks as permitted by applicable state law.

POLICY 1.7: Coordinate with local social service providers to address the needs of the City's homeless population and to provide housing suitable for special needs populations, including seniors, large families, the disabled, and farmworkers.

POLICY 1.8: Continue to provide assistance to agencies that ensure that the provisions of the Federal and State laws that prohibit housing discrimination are enforced.

POLICY 1.9: Support ongoing efforts of the State and Federal agencies and local fair housing agencies to enforce fair housing laws, as well as regional efforts in promoting fair housing.

2.2 Quality of Housing

New housing opportunities in the City must be made available to all persons.

GOAL 2: SOUND HOUSING WILL BE PROVIDED IN THE CITY OF ENCINITAS FOR ALL PERSONS

POLICY 2.1: Encourage developers to provide a balance of housing opportunities.

POLICY 2.2: Continue to assess development fees on new residential units adequate to pay for all related local and regional impacts on public facilities.

POLICY 2.3: Allow for some cluster-type housing and other innovative housing design that provides adequate open areas around and within these developments.

POLICY 2.4: Coordinate the provision of open areas in adjoining residential developments to maximize the benefit of the open space.

POLICY 2.5: Encourage street planting, landscaping, and undergrounding of utilities.

POLICY 2.6 Encourage high standards of design, materials, and workmanship in all construction and developments.

POLICY 2.7: Discourage residential development of steep slopes, canyons, and floodplains.

POLICY 2.8: Continue to develop and promote an energy efficiency conservation measure consistent with the strategies outlined in the City's Climate Action Plan.

2.3 Maintenance and Preservation of Housing

Substandard and deteriorating housing units, in addition to the obvious problems of blight, can expose occupants to a wide range of hazards ranging from electrical fire to exposure to toxic substances used in construction. Many factors can determine the "life expectancy" of a dwelling including quality of workmanship, age, type of construction, location, and numerous other factors. A major focus of this Housing Element is to provide goals and policies which underscore the City's commitment to ensure that the existing housing stock in the five communities is maintained.

GOAL 3: THE CITY WILL ENCOURAGE THE MAINTENANCE AND PRESERVATION OF THE EXISTING HOUSING STOCK AS WELL AS QUALITY DESIGN IN NEW HOUSING.

POLICY 3.1: Where determined to be dangerous to the public health and safety, substandard units in the City shall be repaired so that they will comply with the applicable building, safety and housing codes. When compliance through repair is not or cannot be achieved, abatement of substandard units shall be achieved.

POLICY 3.2: Enforce the building, safety and housing codes through vigorous code enforcement efforts.

POLICY 3.3: Continue to apply for and support existing available federal state and local housing programs which provide housing assistance. These include assistance to property owners that can demonstrate financial need in the upgrading of their substandard units. Continue existing city programs for housing rehabilitation, and work to obtain additional external funding.

2.4 Housing Conservation

The City's existing housing stock includes units which are affordable to very low, low, and moderate-income households. A significant part of the City housing focus is on these existing affordable units, and how to ensure their continued affordability. Of particular concern are projects which were government-subsidized when built, in return for units being rent-restricted to be affordable. With passage of time, many such deed-restricted affordable units may be subject to being converted to market-rate rental units by the expiration or pre-payment of the government subsidy arrangement. State law requires that local housing elements address the status of these "units at risk." The City is committed to doing what it can so that affordable units remain affordable to target-income households.

GOAL 4: THE CITY WILL ATTEMPT TO ENSURE THE CONTINUED AFFORDABILITY OF DEED-RESTRICTED AFFORDABLE UNITS.

POLICY 4.1: The City will continue to develop necessary actions to attempt to ensure the continued affordability of affordable "units at risk" of conversion to market rate units due to expiration of use restrictions, affordability covenants, or funding subsidies.

2.5 Removal of Governmental and Nongovernmental Constraints

GOAL 5: THE CITY WILL DEVELOP STRATEGIES AND ACTIONS TO REDUCE OR ELIMINATE GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS TO THE DEVELOPMENT OF HOUSING.

POLICY 5.1: The City periodically evaluate adopted zoning provisions, entitlement procedures, fees and other city requirements that may create constraints to the development of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints

POLICY 5.2: The city will monitor non-governmental constraints, such as interest rates, construction costs, and others through consultation with developers, lenders and other entities directly involved in the provision of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints.

2.6 Related Goals and Policies

The Land Use Element sets forth the amount and type of residential development permitted under the General Plan, thereby affecting housing opportunity in Encinitas. In addition, the Land Use Element contains policies directed at maintaining the existing housing stock, as well as ensuring the quality of



new residential development. The Circulation Element contains policies to minimize roadway traffic into residential neighborhoods, and the Noise Element sets forth policies to minimize the level of noise in neighborhoods. The Resource Management Element establishes development standards to minimize the impact of residential development on sensitive resources, such as hillside areas, ecological habitat, and scenic view sheds. Finally, the Public Safety Element sets forth policies to ensure the safety of the City’s housing stock through such measures as code enforcement, and mitigation of environmental hazard as a condition to development.

Table 2-1: Housing Policy Matrix depicts General Plan elements that support the goals of the Housing Element.

Table 2-1: Housing Policy Matrix					
Issue Area	Land Use	Circulation	Resource Mgmt.	Noise	Public Safety
Housing Opportunities	X	X			X
Housing Quality	X				
Maintenance and Preservation	X	X	X	X	X
Housing Conservation	X				X

While each of the elements is independent, the elements are also interrelated. Certain goals and policies of each element may also address issues that are primary subjects of other elements. This integration of issues throughout the General Plan creates a strong basis for the implementation of plans and programs and achievement of community goals.

The City will ensure internal consistency among the various elements in accordance with state planning law. This Housing Element builds upon other General Plan elements and, with concurrent amendments to the Land Use Element, is entirely consistent with the policies and proposals set forth by the General Plan. The City will ensure that future amendments to other elements in the General Plan remain consistent with the Housing Element.

2.7 Implementation Programs

The programs below identify the actions that will be taken to make sites available during the planning period with appropriate General Plan, Specific Plan, zoning and development standards and with services/facilities to accommodate the City’s share of regional housing need for each income level.

PROGRAM 1: ADEQUATE SITES

PROGRAM 1A: Accommodate the City’s Regional Housing Needs Assessment Allocation

The City of Encinitas has been assigned a total Regional Housing Needs Allocation (RHNA) of 2,606 for the 2013-2021 Housing Element, which includes 2,353 units for the 2013 – 2021 planning period and 'carryover' RHNA allocations of 253 units from the prior planning period. The breakdown of the RHNA is as follows:

TABLE 2-2: CITY OF ENCINITAS RHNA ALLOCATION 2013-2021			
INCOME CATEGORY	RHNA	RHNA CARRYOVER*	TOTAL
Very Low	587	144	731**
Low	446	109	555
Moderate	413	0	413
Above Moderate	907	0	907
TOTAL	2,353	253	2,606

*See calculation in Appendix B. Allocated proportionately to very low and low.
 ** Estimated to include 365 extremely low income units and 366 very low income units.

TABLE 2-3: RHNA PROGRESS TO DECEMBER 31, 2017				
INCOME CATEGORY	RHNA	BUILDING PERMITS ISSUED	PROJECTS APPROVED*	REMAINING RHNA
Low/Very Low	1,286	61	5	1,220
Moderate	413	4	--	409
Above Moderate	907	784	108	15
TOTAL	2,606	849	113	1,644

*See list of approved projects in Appendix C.

The "projection period" (the period for which the RHNA was calculated) in San Diego County began on January 1, 2010. **Table 2-3** shows the City's progress in meeting its RHNA obligations to December 31, 2017 in all income categories, including both building permits issued and projects with all discretionary entitlements. The City has nearly met its total RHNA for above moderate income housing but a significant gap remains in meeting the need for lower and moderate-income housing.

Appendix C lists sites suitable for meeting the City's remaining need for above moderate and moderate-income housing. These sites can accommodate the need for housing at these income levels without the need for rezoning, as shown in Appendix C and summarized as follows:



TABLE 2-4: SITES AVAILABLE TO MEET REMAINING MODERATE AND ABOVE MODERATE RHNA				
INCOME CATEGORY	REMAINING RHNA	SUITABLE SITE CAPACITY	ACCESSORY DWELLING UNITS	EXCESS CAPACITY
Moderate	409	523	54	168
Above Moderate	15	177	--	162
TOTAL	424	669	54	299

The City has met a portion of its RHNA allocation for the low/very low income units as reflected below.

TABLE 2-5: REMAINING LOWER INCOME RHNA OBLIGATION	
RHNA ADJUSTMENTS	RHNA (V/VL)
Low/Very Low	1,286
Accessory Unit Production ¹	79
New Construction and Approved Projects ²	66
REMAINING RHNA	1,141

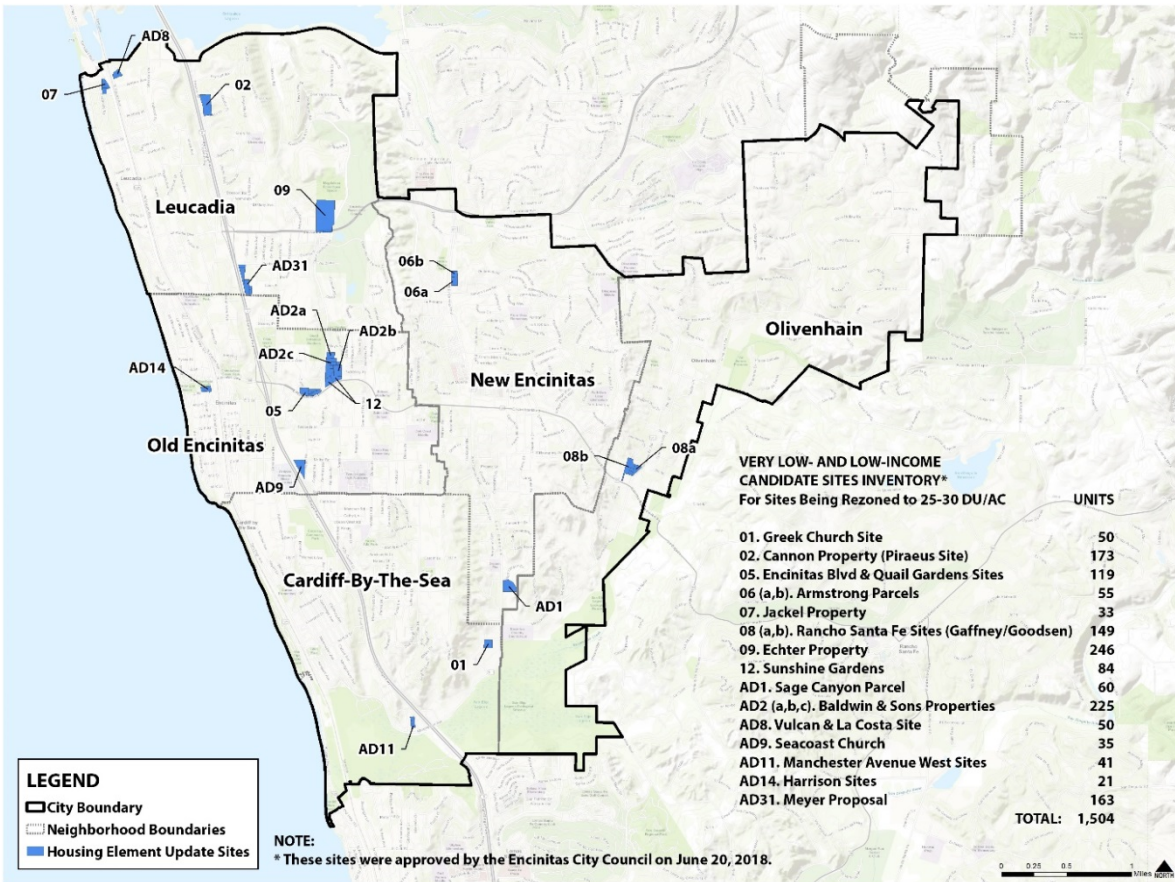
¹ Based on survey completed April 30, 2018, current rate of construction, and modifications to the ADU ordinance, projects that the City will issue an estimated 320 permits total for second dwelling units (of which 79 will be counted as units that accommodate lower income households). The April 2018 survey effort revealed that 24.6 percent of the second units granted permits since January 1, 2010 were rented at levels affordable to very low and low income households. See additional discussion in Appendix B.

² Of the 66 units, 59 of these units have been issued building permits and are deed-restricted to be affordable to very low or low income households. Two units have been issued building permits but are not deed-restricted. A survey of actual rents found that the rent charged was affordable to lower income households, using the formula contained in Health & Safety Code Section 50052.5. Five units have been approved as lower income housing under the City's density bonus or inclusionary ordinance and are required by conditions of approval to be deed-restricted. The developers of these five units are not permitted to pay an in-lieu fee or otherwise avoid the obligation to provide the lower income units.

The City is committed to providing adequate sites with appropriate zoning to accommodate the remaining RHNA and to accommodate the need for groups of all income levels as required by State Housing Element Law. The City has identified those sites listed in **Table 2-6** and shown on **Figure 2-1**, the Housing Strategy Map; and further described in Appendix C as those sites to be rezoned to accommodate the development of lower income housing.

TABLE 2-6: SITES AVAILABLE TO MEET REMAINING VERY LOW AND LOW INCOME RHNA				
Site Number	Site Name	Gross Acreage	Net Acreage	Unit Yield
<i>Vacant¹</i>				
02	Cannon Property (Piraeus)	6.93	6.93	173
05	Encinitas Blvd & Quail Gardens Sites	4.91	4.78	119
06a	Armstrong Parcels	1.92	1.06	26
08a	Rancho Santa Fe Parcels (Gaffney/Goodsen)	1.75	1.45	36
AD1	Sage Canyon Parcel	5.23	2.40	60
AD2a	Baldwin & Sons Properties	3.14	2.98	74
AD2b	Baldwin & Sons Properties	6.66	4.86	121
<i>Subtotal</i>		<i>30.54</i>	<i>24.46</i>	<i>609</i>
<i>Non-vacant</i>				
01	Greek Church Parcel	2.50	2.00	50
06b	Armstrong Parcels	1.32	1.16	29
07	Jackel Properties	2.97	2.97	33 ²
08b	Rancho Santa Fe Parcels (Gaffney/Goodsen)	4.88	4.57	113
09	Echter Property	21.49	9.85	246
12	Sunshine Gardens Parcels	3.39	3.39	84
AD2c	Baldwin & Sons Properties	1.79	1.21	30
AD8	Vulcan & La Costa	2.00	2.00	50
AD9	Seacoast Church	4.45	1.41	35
AD11	Manchester Avenue West Sites	1.67	1.67	41
AD14	Harrison Sites	1.91	1.91	21 ²
AD31	Meyer Proposal	6.62	6.52	163
<i>Subtotal</i>		<i>54.99</i>	<i>38.66</i>	<i>895</i>
Total		85.53	63.12	1,504
Notes:				
<p>1. HCD has stated to the City that vacant parcels must be entirely unimproved and separately subdivided parcels, and Table 2-6 reflects this direction. However, the City believes that the following sites should also be considered to be vacant: Site 01 (50 units) consists entirely of unimproved land, but has not been subdivided from the improved part of the site. Site 07 (33 units) consists of unimproved land and an abandoned, vacant structure. Site AD2c (30 units) has utility lines on a portion of the site which have been deducted from net acreage, but the parcel is otherwise entirely unimproved, and the utility lines would not prevent an owner from developing the site for residential units. In the City's view, these sites should be considered vacant, adding 118 additional units to the Unit Yield on vacant property, for a sub-total of 727 units on vacant sites, far above 50% of the unmet RHNA need for the planning period.</p> <p>2. Unit Yield anticipates that this site will be developed for mixed-use.</p>				

FIGURE 2-1: HOUSING STRATEGY MAP – VERY LOW AND LOW INCOME SITES



This rezoning program will create an opportunity for 1,504 units that may be constructed during the planning period pursuant to Section 65583.2. This exceeds the remaining RHNA lower income obligation of 1,141 units by 363 units (31 percent), providing an adequate buffer in consideration of the no net loss requirement under SB 166; requirements of AB 1397 for determining site capacity; and desire to provide some flexibility for future development to property owners. The capacity of vacant sites is 609 units, 53 percent of the City's total lower income RHNA.¹

This program also includes a provision to make all necessary changes in other General Plan elements and in specific plans to ensure consistency. Since the City has adequate capacity to accommodate the moderate and higher income RHNA categories of housing units, no zoning changes associated with this Housing Element update will occur on properties that are already zoned for those types of housing units, except that replacement housing will be required for non-vacant sites as required by State law.

In November 2018, the voters will be presented with the Housing Element, rezoning of sites on the Housing Strategy Map, Zoning Code text amendments allowing increased height, and required General Plan and specific plan amendments. This approach will be taken because voter approval is required when major amendments are made to certain land use planning policy documents pursuant to Encinitas

¹ Including Sites 01, 07, and AD2c, the capacity of vacant sites is 727 units, or approximately 64% of the City's total lower income RHNA. See Table 2-6 for additional discussion.



General Plan Land Use Policies and Municipal Code Chapter 30, a voter-adopted initiative (Proposition A). Since accommodating the RHNA necessitates major changes to the General Plan Land Use Element, Housing Element, Zoning Map, Zoning Code, and certain specific plans, a vote of the people is required. Presenting all of the required changes concurrently provides maximum transparency to the voters.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget • City Clerk Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council • Voters of Encinitas • California Coastal Commission
Objectives:	<ul style="list-style-type: none"> • Adopt the above-described General Plan, specific plan, and zoning amendments by July 2018 and place on the November 2018 ballot for voter approval. If approved, submit changes to the California Coastal Commission. • Ensure internal consistency with all General Plan elements • Make available the sites inventory to interested developers
Timeframe:	<ul style="list-style-type: none"> • November 2018 General Election • November 2019 Coastal Commission certification of Local Coastal Program Amendments

PROGRAM 1B: Adopt Amendments to the Zoning Code to Accommodate Lower Income Housing

The City of Encinitas will adopt amendments to the zoning code to accommodate lower income housing. These amendments will provide the necessary development standards and entitlement procedures to ensure that sites have development standards appropriate for units affordable to lower income residents. The rezoning program will permit for-sale and rental multifamily residential uses as permitted uses. Fifty percent of the remaining lower income RHNA need will be accommodated on sites permitting residential as the only permitted use. Density will range from a minimum of 25 dwelling units per net acre to a maximum of 30 dwelling units per net acre. 'By right' approval will be specified for projects containing at least 20 percent lower income housing and not including a subdivision, as required by Government Code Section 65583.2(h), and replacement affordable housing will be mandated on all sites identified in the Housing Element as required by Government Code Section 65583.2(g)(3).

All sites designated can accommodate 16 units or more. Some of the sites consist of several individual parcels that are in common ownership. Although only two of the individual parcels are too small to contain 16 units, the rezoning will apply only to projects containing at least 16 units to ensure that lots are consolidated as needed.

Changes to development standards will be necessary to accommodate a density of 30 units per acre. These changes include increasing the allowable building height to three stories, with elements of two stories to create appropriate transitions, but only for residential developments meeting at least the minimum density of 25 units per net acre on sites rezoned for lower income housing. Development standards will also be revised to address other zoning issues to ensure that new standards will



accommodate the minimum density required in the zone. Appendix B contains a description of the proposed development standards.

Environmental review will still apply to future development projects on the Housing Strategy Map unless, as required by State law, the project includes 20 percent low income units and does not include a subdivision. Residential projects throughout the City may tier from the Measure T Housing Element’s Program EIR or the environmental assessment completed for this Housing Element.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget • City Clerk Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council • Voters of Encinitas • California Coastal Commission
Objectives:	<ul style="list-style-type: none"> • Adopt the above-described zoning amendments by July 2018 and place on the November 2018 ballot for voter approval. If approved, submit changes to the California Coastal Commission.
Timeframe:	<ul style="list-style-type: none"> • November 2018 General Election • November 2019 Coastal Commission certification of Local Coastal Program Amendments

PROGRAM 1C: Promote the development of accessory housing units

Accessory dwelling units (ADUs) help meet the City’s affordable housing needs by providing a housing resource for seniors and low and moderate income households. The City will continue to apply Zoning Code regulations that allow accessory units (also known as second units or granny flats) by right in all residential zones allowing single-family homes, in accordance with State law.

Between January 1, 2010 and December 31, 2017, the City's ADU ordinance has resulted in the construction of 203 new units. Of these units, 16 have been restricted for very-low and low-income households. In April 2018, the City conducted additional survey efforts to determine affordability levels of second units built during the planning period. The results of that survey effort revealed that 24.6 percent of the second units were rented at levels affordable to very low and low income households and 17 percent were rented at levels affordable to moderate income households. In the past three years, permits have averaged 35 per year. The City projects that within the projection period, about 320 ADUs will be constructed, of which 79 will be affordable to lower income households and 54 will be affordable to moderate income households.

After passage of new State ADU laws effective January 1, 2017, the City applied State standards in evaluating ministerial applications for ADUs. The City adopted its own ADU and junior accessory dwelling unit (JADU) ordinances in March 2018 which contain numerous provisions to encourage ADU and JADU construction:

- An owner may construct both an ADU and a JADU on one lot;
- Setbacks are reduced to five feet in many cases;



- ADUs may have a maximum size of 1,200 sf so long as they do not exceed the floor area of the primary dwelling unit.
- Floor area ratios and lot coverage may be increased on lots less than 10,000 sq. ft.
- Development fees are waived.

In addition, the City is currently completing implementation of two programs to further ADU production:

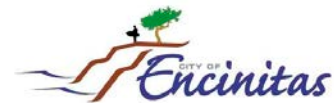
- 'Permit ready' program. Staff is preparing packages of pre-approved designs for ADUs that may be used by owners and will provide expedited processing
- Tiny homes and micro-units. The City is exploring the availability of prefabricated tiny homes and micro-units that may be suitable for ADUs, with the intent of providing additional information to interested homeowners.

The City will continue to monitor the extent of ADU production to ensure that the ordinance modifications are successful and that its goals can be met.

Funding:	• Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council • California Coastal Commission
Objectives:	<ul style="list-style-type: none"> • Continue to administer the accessory unit ordinance • Develop permit-ready packets to market accessory unit production; explore tiny homes and micro-units. • Achieve an average of 40 accessory units annually.
Timeframe:	• November 2018 permit-ready packets

PROGRAM 1D: Ensure that adequate sites remain available throughout the planning period

The City will monitor the consumption of residential acreage to ensure an adequate inventory is available to meet the City’s RHNA obligations. The City will develop and implement an evaluation procedure pursuant to Government Code Section 65863 and will make the findings required by that code section if a site is proposed for development with fewer units or at a different income level than shown in the Housing Element. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower income, moderate, or above moderate income households, the City will identify and, if necessary, rezone sufficient sites within 180 days to accommodate the shortfall and ensure “no net loss” in capacity to accommodate the RHNA.



Funding:	• Development Services Department budget
Responsible Agencies:	• Development Services Department • City Council
Objectives:	• Review each housing approval on sites listed in the Housing Element and make findings required by Government Code Section 65863 if site is proposed with fewer units or different income level than shown in the Housing Element. If insufficient suitable sites remain, identify and, if necessary, rezone sufficient sites within 180 days. • Report as required through the HCD annual report process
Timeframe:	• Ongoing • April annual report

PROGRAM 1E: Energy conservation and energy efficiency opportunities

In January 2018, the City adopted an update to its Climate Action Plan. To further advance community energy and water conservation goals, the City will implement the following actions listed in its Climate Action Plan to achieve residential-focused greenhouse gas emission reductions.

- Reduce citywide potable water consumption.
- Require energy audits of existing residential units.
- Require new single-family homes to install solar photovoltaic systems and solar water heaters.
- Require residential electric vehicle charging stations
- Educate homeowners about water efficiency rebate and incentive programs offered to San Diego Water District and OMWD customers.

In addition, the City will continue to promote regional water conservation incentive programs and encourage broader participation in the City’s Green Building Incentive Program.

Funding:	• Development Services Department budget
Responsible Agencies:	• Development Services Department
Objectives:	• Implement the residential strategy measures listed in the City of Encinitas Climate Action Plan
Timeframe:	• Ongoing

PROGRAM 2: AFFORDABLE HOUSING

The programs below identify the actions that will be taken to promote affordable housing.

PROGRAM 2A: Continue and improve inclusionary housing policies

The City’s inclusionary housing program requires that subdivisions of at least 10 units set aside or pay a fee in lieu equivalent to one in 10 units for low income households. As a condition of approval of any tentative subdivision map for residential dwellings, community apartments, stock cooperatives or conversions of 10 units or more, the subdivider is required to reserve the unit(s) for very low income



households. All required affordable units are required to be constructed concurrently with market rate units to ensure completion. Through December 31, 2017 the ordinance has created approximately 146 units for very low and low income households.

The City has received recommendations from affordable and market-rate developers for updates to the ordinance. The City is in the process of updating its current Inclusionary Housing Ordinance to more effectively meet the City’s affordable housing goals and to grant developers greater flexibility in how they fulfill their inclusionary housing requirement. The adoption of AB 1505 in 2017 allows the City to require inclusionary units in rental projects as well as for-sale projects.

Additional alternatives to on-site development of affordable housing are being considered, such as payment of an in-lieu fee (except on sites designated to accommodate housing for very low and low income households), site construction, use of alternative housing types for the affordable units, preservation of 'at-risk' units, and impact fees for projects with one to six units.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • City Council • California Coastal Commission
Objectives:	<ul style="list-style-type: none"> • Continue the inclusionary housing program • Update the City’s Inclusionary Housing Ordinance to be more effective and provide greater flexibility in meeting the inclusionary housing requirements while ensuring that the projects will create affordable units
Timeframe:	<ul style="list-style-type: none"> • November 2018 updated inclusionary housing program • July 2019 Coastal Commission certification of Local Coastal Program amendments

PROGRAM 2B: Facilitate affordable housing for all income levels

The City will continue to proactively support housing for low income, extremely low income, and moderate income households and persons with disabilities (including developmental disabilities). State and federal funding is available only for lower income housing. The City has used a wide variety of financing programs to create 119 deed-restricted affordable units, all but three affordable to very low and low-income households, using federal Community Development Block Grants and HOME Investment Partnership funds, City affordable housing funds, tax credits, other HUD financing, and legalization of units constructed illegally.

As opportunities arise, new funding sources for lower income housing will be sought from available non-profit, local, state, and federal programs, and the City will seek to partner with other agencies that own property in Encinitas, including San Diego County and North County Transit. The City will also continue to utilize its existing CDBG and other funds. Planning and entitlements should consider how to position an affordable project to qualify for future grant applications. The City will attempt to subsidize off-site public improvement costs by coordinating its CIP with affordable housing sites and is considering the waiver, deferral or reduction of development fees. For any City-owned housing sites, land cost write-downs will be used to make possible affordable housing.

The City will also work with developers to facilitate affordable housing development. Specifically, as funding permits, the City will provide gap financing to leverage State, federal, and other public affordable funding sources. Gap financing will focus on rental housing units affordable to lower income households and households with special needs (such as seniors and disabled). To the extent feasible, the City will also ensure a portion of the affordable housing units created will be available to extremely low income households.

As of fall 2017, rents for studios and one-bedroom apartments were affordable to moderate-income households, but larger units were not affordable. The City has encouraged development of moderate-income housing by adopting specific plans permitting moderate densities. Because no funding is available to support moderate-income housing, the City intends to consider measures that will encourage 'affordability by design,' especially for units of two-bedrooms or more. This can be accomplished through strategies such as limiting the maximum size of units with a given number of bedrooms on sites zoned to accommodate lower and moderate income housing. Employing such strategies will help ensure that units identified on the housing strategy map as affordable to moderate-income households are not designed as luxury homes and provide opportunity for moderate-income households.

Additionally, the City is hiring a housing coordinator to facilitate opportunities for affordable housing; work with the development community to identify locations and opportunities to construct new affordable housing; preserve existing affordability restrictions; and acquire or rehabilitate units for affordable housing purposes.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget, CDBG and HOME funds, Affordable Housing Fund, LIHTC, Multifamily Housing Revenue Bonds, Cap and Trade Affordable Housing Program, National Housing Trust Fund and other resources, as available
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council
Objectives:	<ul style="list-style-type: none"> • Annually allocate designated Affordable Housing Funds and CDBG funds to increase the supply of affordable housing for lower income households, including seniors, extremely-low and lower income disabled, homeless and those at risk of homelessness. Seek to leverage these funds with federal, state, and County HOME funds to increase the amount of affordable housing on housing strategy sites. • Work with developers of housing strategy sites and nonprofit developers to identify opportunities to increase the percentage of affordable housing above that required by the City's inclusionary ordinance by encouraging developers to apply for available funds and utilize other creative mechanisms, with the goal of developing 250 affordable units. • Analyze sites owned by the City and other public agencies (including San Diego County and the Transit District) to identify those that could be suitable to support affordable housing development and determine whether housing development would be feasible and what actions would be needed to develop housing on those sites. • Encourage the development of sites designated for moderate-income housing by continuing to implement the City's adopted specific plans. To achieve 'affordability by design,' consider adoption of maximum size limits by number of bedrooms (limits on size of studios, one bedroom units, two bedroom units, etc.)
Timeframe:	<ul style="list-style-type: none"> • November 2018 for review of size standards • Ongoing during planning period.

PROGRAM 2C: Utilize Section 8 housing choice vouchers

This program provides rental assistance to eligible very low income households (with incomes not exceeding 50 percent of the area median). The subsidy represents the difference between the rent that exceeds 30 percent of a household’s monthly income and the actual rent charged. To cover the cost of the program, U.S. Department of Housing and Urban Development (HUD) provides funds to allow the City of Encinitas Housing Authority to make housing assistance payments on behalf of the families. HUD also pays the Housing Authority a fee for the costs of administering the program. HUD has not issued any new vouchers to the City of Encinitas for the past five years.

In January 2004 and January 2005, HUD capped the Section 8 budget, which required the City to reduce program operating costs. The City responded in part by increasing the payment standards and enhancing occupancy standards which provides for more rental unit opportunity. On March 1, 2013, around \$85 billion in federal budget cuts, known as sequestration, took effect. The cuts are part of a 10-



year plan of catastrophic funding reductions to our nation’s discretionary domestic programs, including the HUD and the military. The impact of sequestration on the City’s Housing Authority has resulted in the loss of annual funding for rental subsidy payments and program administration.

Although the City will continue to administer its 136 housing vouchers, due to high market rents, especially considering the recent implementation of Small Area Fair Market Rents it currently has funding to subsidize only 104 households, and the City has allocated general fund dollars to pay for administrative costs to replace in part declining federal support. The City’s ability to expand or even maintain this program at its current level is derived from the annual Federal budget process. Recent indications from HUD are that Federal support for Section 8 will not be expanded. However, when additional funds become available to assist new families, the City will provide additional housing vouchers.

Funding:	<ul style="list-style-type: none"> • HUD Section 8 Housing Choice Voucher Allocations
Responsible Agencies:	<ul style="list-style-type: none"> • Encinitas Housing Authority
Objectives:	<ul style="list-style-type: none"> • Continue to administer and fund the housing choices vouchers based on HUD funding availability • Promote the Housing Choice Voucher program to rental property owners
Timeframe:	<ul style="list-style-type: none"> • Ongoing

PROGRAM 2D: Ensure that the density bonus ordinance continues to be consistent with State law

Government Code Section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. State Density Bonus Law requires a local jurisdiction to grant an increase in density, if requested by a developer, for providing affordable housing as part of a development project. Key provisions of the law include incremental density bonuses that correspond to the percentage of housing set aside as affordable units. State law caps the maximum density bonus at 35 percent and allows the developer to request up to three incentives or concessions, if required to provide the affordable units. The law also provides reduced parking requirements and allows requests for waivers of development standards, such as increased height limits and reduced setback requirements. The developer must provide reasonable documentation demonstrating that incentives reduce costs to provide for affordable units; and that waivers are required because the usual standards physically preclude the project from achieving the allowed density and incentives.

Many developers in the City utilize State Density Bonus Law, and the City has a standard procedure for routinely processing density bonus applications as part of housing development applications. Projects that meet the City's inclusionary requirements are eligible for density bonuses. As of December 31, 2017, the City had approved 27 density bonus projects that included 49 lower income units. The City’s implementing ordinance is consistent with the current Government Code and has been updated to be consistent with the most recent amendments to State Density Bonus Law enacted in 2016. The City will review any future amendments to State Density Bonus law to ensure that its local ordinance remains consistent with State law.

Funding:	<ul style="list-style-type: none"> • Development Services Department Budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council • Coastal Commission
Objectives:	<ul style="list-style-type: none"> • Ensure the City's density bonus ordinance is consistent with future amendments to State density bonus law
Timeframe:	<ul style="list-style-type: none"> • Within one year after amendments are passed to State Density Bonus Law

PROGRAM 2E: Accommodate specialized housing types

Special needs groups often spend a disproportionate amount of their income to secure safe and decent housing and are sometimes subject to discrimination based on their specific circumstances. The development of affordable and accessible homes is critical to expand opportunities for persons with special needs. Many special needs persons, especially those in emergency shelters, transitional and supportive housing, and single-room occupancy units, may be extremely low income individuals, and implementation of the zoning changes below will enable development of housing serving their needs.

Agricultural Worker Housing:

Pursuant to the State Employee Housing Act (Section 17000 et seq. of the Health and Safety Code), employee housing for agricultural workers consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household is permitted by right in a zoning district that permits agricultural uses by right. Therefore, for properties that permit agricultural uses by right, a local jurisdiction may not treat employee housing that meets the above criteria any differently than an agricultural use. The Act also requires that any employee housing providing accommodations for six or fewer employees be treated as a single-family structure, with no conditional or special use permit or variance required.

The City will amend its Zoning Code to be consistent with State law regarding agricultural worker housing and employee housing.

Emergency Shelters:

Senate Bill 2 requires local governments to identify one or more zoning categories that allow emergency shelters (year-round shelters for the homeless) without discretionary review. The statute permits the City to apply limited conditions to the approval of ministerial permits for emergency shelters. Pursuant to State law, the City may establish only objective standards for the location, siting, operations and maintenance of emergency shelters.

The City will amend the Zoning Code to permit emergency shelters by right without a discretionary review process in the Light Industrial (LI) and Business Park (BP) zones (28 acres total), subject to the same development and management standards that apply to residential or commercial development in those zones, with the addition of the above standards.

Transitional and Supportive Housing:



State Housing Element Law mandates that local jurisdictions shall address zoning for transitional and supportive housing. Transitional housing is included in the Encinitas Zoning Code as a residential care facility. Supportive housing is not specifically addressed in the Zoning Code. The City will amend its Zoning Code to identify transitional/supportive housing meeting the Government Code Section 65582 (g-j) definitions as a residential use of a property in a dwelling to be allowed under the same conditions as apply to other residential dwellings of the same type in the same zones.

Single-Room Occupancy (SRO) Housing:

SRO units are typically one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other and could be equivalent to an efficiency unit. State law requires that the City accommodate this housing type, and they provide smaller, less expensive housing units. The City will permit SROs in its multifamily zones to encourage units that are cheaper by design.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council • Coastal Commission
Objectives:	<ul style="list-style-type: none"> • Amend the Zoning Code to accommodate special needs housing consistent with State law
Timeframe:	<ul style="list-style-type: none"> • November 2018 adoption of all code amendments • July 2019 Coastal Commission certification of Local Coastal Program Amendments

PROGRAM 2F: Continue programs to reduce homelessness

The City has provided financial assistance to nonprofit service agencies such as the Community Resource Center, YMCA-Oz North Coast, Fraternity House, Catholic Charities, and Interfaith Shelter Network to provide shelter and supportive services for the homeless. The City also provides funding to the Community Resource Center to operate the Opening Doors program, which matches homeless households with housing navigators and housing resources, to ultimately be placed into permanent housing. The Community Resource Center established an Advisory Committee on Homelessness in Encinitas, comprised of public agency staff, law enforcement, community members, homeless activists, and others. The group meets on a quarterly basis to provide the opportunity for all parties to share their experiences, thoughts, and ideas related to homelessness in Encinitas and the *Opening Doors* pilot project. After an outbreak of Hepatitis A among homeless persons in the County of San Diego, the County provided handwashing stations on a temporary basis, and the City installed temporary toilets for use by the public. The City will evaluate the short and long-term needs and locations for access to 24/7 bathroom and handwashing facilities.

To the extent that funds are available, the City will continue to sponsor or assist emergency shelter facilities, inside City limits or outside within a reasonable proximity to the City, as well as encourage or support facilities by providing grants, or low cost loans, to operating agencies.



Funding:	• City General Fund
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • City Manager • City Council
Objectives:	• Continue to support programs to prevent homelessness and serve homeless persons to the extent funds are available
Timeframe:	• Ongoing

PROGRAM 3: MITIGATION OF CONSTRAINTS

The City reviews and updates development standards and processing procedures that constrain housing development, particularly for lower and moderate-income households. The programs below list steps to be taken to remove governmental constraints that limit the ability to maintain, improve, and develop housing for all income levels. The City will also attempt to understand and, where possible, modify nongovernmental constraints that create a gap between the City's approval of housing and construction of housing.

PROGRAM 3A: Establish parking standards appropriate for different kinds of housing

Basic construction costs for residential developments have rapidly increased, and together with land prices, have increased the cost of housing. This has made homeownership unattainable for many households. Parking is more expensive to supply in some places, so parking requirements add a cost to development and a developer might build fewer housing units or may not develop at all.

The Downtown Encinitas and the North 101 Corridor Specific Plans contain modified parking standards to encourage mixed-use and affordable housing development. Mixed-use units that are guaranteed to be affordable to low or very low income households are allowed a reduced, one-space-per-unit parking requirement. State Density Bonus Law allows even lower parking standards for projects eligible for a density bonus.

However, how people travel continues to change as more focus is being placed on alternative modes of transportation such as bikes and rideshares. The City looks to update its housing standards to reflect current and anticipated parking needs and to adopt parking standards appropriate for affordable, senior-aged, mixed-use, and transit-oriented housing projects.

Funding:	• Departmental budgets
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Public Works Department • Planning Commission • City Council • Coastal Commission
Objectives:	• Update the City's parking regulations

Timeframe:	<ul style="list-style-type: none"> • January 2020 adoption of all code amendments • January 2021 Coastal Commission certification of Local Coastal Program
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PROGRAM 3B: Modify regulations that constrain the development of housing

Governmental constraints are policies, standards, requirements or actions imposed by the various levels of government upon land, housing ownership and development. Although federal and state agencies play a role, the City cannot modify the policies of these agencies and they are therefore not addressed in this program section.

Ground-Floor Commercial Uses Only:

Portions of the North 101 Corridor Specific Plan and Downtown Encinitas Specific Plan have mixed-use zones where residences are allowed. However, 1) ground floor uses in a storefront location are limited to retail-serving uses only; or 2) residential uses are permitted only above or behind a primary use. However, it may be difficult to market and develop a property with these ground floor commercial requirements because there is a finite economic market available to support retail uses. Mixed-use thrives when it is focused in a compact area, not over lengthy corridors, as is currently mandated in these specific plans. For mixed-use projects, the City will amend zoning regulations to require ground floor commercial uses only at key locations or preference areas based on context or planning objectives to ensure future projects are feasible and the desired community character is preserved. Key locations will be determined by the City Council.

Design Review Findings for Residential Projects:

The City requires design review approval for most proposed developments. Unless exempt, residential projects need to be consistent with the City’s design guidelines and comply with certain findings before they may be constructed. Among these findings is the requirement that the project “would not tend to cause the surrounding neighborhood to depreciate materially in appearance or value (EMC 23.08.080).”

Under the Housing Accountability Act, the inability to make this subjective finding cannot be used by the City to deny or reduce the density of any residential development. As noted in the Constraints Analysis, there is no history that a residential project was denied solely on the basis of this finding, and its effectiveness in assuring high-quality development is minimal. As such, the City will amend the language for residential projects. The City will also review other findings that may result in denial of a project to ensure that they are consistent with the Housing Accountability Act.

Separate Lot or Airspace Ownership Requirements in North Highway 101 Specific Plan:

Section 3.1.1(A)(4) of the North 101 Corridor Specific Plan requires that “all [new] residential detached and attached dwelling units in residential-only developments must be constructed on a legally subdivided lot or must be subdivided to permit ownership of airspace in the form of a dwelling unit with an undivided share in common elements.” While this requirement is appropriate for single-family homeownership projects, it is inconsistent with provisions of State law that require that the City not discriminate against multifamily rental housing. As such, the City will amend the North 101 Corridor Specific Plan to eliminate the airspace requirement for multi-family housing.



Funding:	<ul style="list-style-type: none"> • Departmental budgets
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council • Coastal Commission
Objectives:	<ul style="list-style-type: none"> • Remove the above constraints to residential development
Timeframe:	<ul style="list-style-type: none"> • January 2020 adoption of all code amendments • June 2020 adopt zoning amendments • January 2021 Coastal Commission certification of Local Coastal Program Amendments • May 2021 Coastal Commission certification of Local Coastal Program

PROGRAM 3C: Right to Vote Amendment

In 2013, a citizen initiative resulted in the Right to Vote Amendment (Proposition A), which requires voter approval of most land use changes and building heights higher than two stories. Proposition A cannot be modified except by another vote of the people. If a proposed Housing Element does not achieve community support, Proposition A may act as a constraint on the City's ability to comply with state Housing Element law. Assuming that this Housing Element is approved in November 2018, the City will take actions to ensure that future Housing Elements can be adopted in a timely fashion and that requirements for a vote of the people do not constrain the City's compliance with State law.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department
Objectives:	<ul style="list-style-type: none"> • Include a significant buffer when adopting the Housing Element to ensure that adequate sites will remain throughout the planning period, and that there will be no need to upzone sites or seek voter approval for actions during the planning period to comply with the 'no net loss' statute (Gov't Code § 65863). This Housing Element includes a buffer of 54 percent. <ul style="list-style-type: none"> • Complete an economic feasibility analysis and amend the City's Inclusionary Housing Ordinance to require that affordable housing be developed on each identified site to the maximum amount that is economically feasible, so that each site is developed at the designated income level to the extent feasible. • Provide assistance to owners of sites suitable for lower income housing to identify subsidy sources that could support a higher percentage of lower income housing. • Take actions in advance of the next Housing Element due date (April 2021) to ensure that the sixth cycle Housing Element and implementing actions can be adopted in a timely fashion consistent with State law. These actions will include: <ul style="list-style-type: none"> • Begin preparation of the next housing element as soon as the City receives its RHNA allocation in early 2019. Determine if additional sites must be designated for lower income housing and rezoned to a higher density, thus requiring a vote under Proposition A.



	<ul style="list-style-type: none"> • If a vote will be required, repeat and build upon the steps to achieve a successful vote as have been taken since November 2016: establish a Housing Element Task Force that includes supporters of Proposition A; conduct a transparent process with frequent public meetings to identify candidate sites; identify the sites most acceptable to the community and compliant with housing element law. • Establish a schedule so that any required vote under Proposition A will be held sufficiently in advance of the Housing Element due date (target of 2020 for the sixth cycle) to ensure that an adequate housing element may be revised and approved by the voters if the initial vote is unsuccessful. • In identifying additional candidate sites, if needed: <ul style="list-style-type: none"> • Analyze sites owned by public agencies, including the City, County, and Transit District, and strive to accommodate as much needed development on public sites as is practical. If any appear suitable for lower income housing, develop a schedule and take required steps to ensure that they can be developed within the planning period. • Contact nonprofit developers and property owners to identify sites that are most feasible for actual construction of affordable housing. • Work with property owners who have expressed interest in zoning suitable for lower income housing to identify and remove potential barriers to site development during the planning period. • • •
Timeframe:	<ul style="list-style-type: none"> • Commence developing the sixth cycle Housing Element in 2019 when the City receives its RHNA allocation. • If a vote is required by Proposition A to meet the City's RHNA, target scheduling the vote for 2020 to ensure that an adequate housing element may be revised and approved by the voters prior to April 1, 2021 if the initial vote is unsuccessful.

PROGRAM 3D: Rescind Obsolete Growth Management Policies and Programs

The Land Use Element portion of the Encinitas General Plan contains goals and policies that manage new growth. The measures provide a framework on how the City will ensure that new development does not outpace the ability to provide essential services and infrastructure to support it. One measure establishes a Growth Management Plan which phases development through building permit limitations. In 1999, the City analyzed the effectiveness of the growth management plan in regulating the pace of residential growth in Encinitas. The City found that the cumulative number of unallocated permits from year-to-year was far greater than housing production. As a result the City discontinued calculation of the permit cap due to the carryover of unallocated permits. As the Growth Management Plan has no impact on the pace of development, the City will eliminate the requirement and ensure that there are no potential constraints to meeting its obligation, under California law, to satisfy its current or future Regional Housing Needs Allocation.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department
Objectives:	<ul style="list-style-type: none"> • Rescind the Growth Management Plan Ordinance to eliminate the annual housing permit allocation process and grant approvals to projects. • Amend the growth management policies of the Land Use Element
Timeframe:	<ul style="list-style-type: none"> • January 2020 adoption of all code amendments • January 2021 Coastal Commission certification of Local Coastal Program

PROGRAM 3E: Improve the efficiency of the development review process for housing projects

The City continues to improve the efficiency of the development review process. Recently, the City improved its permitting process by placing more information on the City’s website; implemented an Internet-based case management system, which is accessible to the public, that tracks permit review and status; established an interdepartmental team (Project Issue Resolution) that quickly resolves problems and issues as they arise; and formed a Development Services Department that combines planning and engineering services to facilitate project review. The City will continue to find opportunities to streamline the permitting process to remove unnecessary barriers, without compromising public health, safety and community character and will process projects outside the coastal zone under SB 35 if requested by an applicant for an eligible project. The City will emphasize working with non-profit and for-profit housing developers to better utilize an expedited process, which would include priority plan review and inspection services. Streamlining includes the environmental review already completed for this Housing Element to address as many environmental issues as possible now to focus future environmental review on project-specific issues.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department
Objectives:	<ul style="list-style-type: none"> • Expedite permit processing for projects that exceed the City's inclusionary requirements and provide on-site affordable housing. • To the extent permitted by State law, use existing environmental documents to limit review of new developments to impacts not considered in the earlier document
Timeframe:	<ul style="list-style-type: none"> • Ongoing

PROGRAM 3F: Review nongovernmental constraints impeding development of approved housing projects

Most housing developments approved by the City have received building permits within a reasonable time period. However, building permits or final maps have not been obtained for approximately 75 units approved over one year ago. The City will contact applicants to discover why units have not been constructed. If due to nongovernmental constraints, such as rapid increases in construction costs, shortages of labor or materials, or rising interest rates, to the extent appropriate and legally possible, the City will seek to identify actions that may help to remove these constraints.

Additionally, the City will proactively work with stakeholders to identify constraints or other considerations that may impede the construction of housing in the Encinitas. The City will work collaboratively to find strategies and actions that can eliminate or reduce identified constraints.

Funding:	• Development Services Department budget
Responsible Agencies:	• Development Services Department
Objectives:	<ul style="list-style-type: none"> • Contact applicants of projects to discover nongovernmental constraints preventing construction. • To the extent appropriate and legally possible, identify actions that may help to remove these nongovernmental constraints.
Timeframe:	• Complete by January 2020

PROGRAM 3G: Seek to create community support for housing at a variety of income levels

The City will work with the community, in conjunction with Program 3C (Proposition A), to achieve community support for housing at a variety of income levels. The City may pursue this through policy and regulatory strategies such as ensuring that higher density housing developments are of excellent design quality. If additional infrastructure improvements are required to accommodate increased housing development, the City will proactively amend its capital improvement program.

Funding:	• Development Services Department budget
Responsible Agencies:	• Development Services Department
Objectives:	<ul style="list-style-type: none"> • Provide information to Encinitas residents about local housing needs, state law requirements (in particular, Housing Element Law, 'no net loss,' the Housing Accountability Act and SB 35), and other topics related to housing for all income levels. • Ensure that any housing developed at higher densities complies with any adopted design guidelines and is of excellent design quality. • Amend the City's capital improvement program if additional infrastructure improvements are required to provide for additional housing development
Timeframe:	• Ongoing in conjunction with Program 3C (Proposition A)

Program 3H: Monitor adequacy of development standards

In the course of reviewing new projects on the sites shown on the site inventory in Appendix C, the City of Encinitas will evaluate the development standards contained in Title 30 of the Encinitas Municipal Code to determine if any standards create undue burdens, or limit the ability for housing to be developed at the density designated in the site inventory. The analysis will evaluate standards that could influence the ability of the City to develop housing for extremely-low, very-low, low and moderate income households or special needs populations.

The Housing Element Annual Report will include the effects of the development standards to facilitate development in the R-30 zone. Should the evaluation conclude that any development standard may pose a constraint to development in the R-30 zone, the City will initiate a Municipal Code amendment.



Funding:	<ul style="list-style-type: none"> • Departmental budgets
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • Planning Commission • City Council
Objectives:	<ul style="list-style-type: none"> • Amend Residential Development Standards
Timeframe:	<ul style="list-style-type: none"> • Ongoing Evaluation • Report to City Council annually, as part of Housing Element Annual Report • If needed to address constraints, following the City Council review of the Annual Report, request initiation of a zoning amendment.

PROGRAM 4: CONSERVATION OF EXISTING HOUSING STOCK

The programs below demonstrate how the City shall conserve and improve the condition of the existing affordable housing stock.

PROGRAM 4A: Pursue opportunities to create safe and healthy housing

The City has a number of accessory units that were constructed or converted illegally (without the benefit of building permits) prior to the City’s incorporation and might not meet City codes. Recognizing that many of these units provide affordable housing that may not otherwise be available, the City adopted an Affordable Unit Policy (AUP) in 1993 to allow dwelling units built or converted without required permits to apply for legalization. In the period between January 1, 2010 and December 31, 2017, 14 units have been approved through the AUP program.

The City Council in November 2014 revised the compliance program with less restrictive, more preferential terms, which are valid through June 2018. A further extension of the program was approved in May 2018. Here are the key changes:

- The unit must have existed prior to January 1, 2004. This is a change from the current policy that requires the unit to be in existence prior to incorporation in 1986.
- The unit must be reserved as affordable housing for “low” income households for a period of twenty (20) years. This is a change from the current policy that requires the affordability restriction in perpetuity.
- The standard AUP application fee (\$900) may be waived for property owners that qualify as low/very-low income.

The City has sponsored amendments to State law that would permit more flexibility in applying past building codes to units constructed without permits. Some units constructed without permits may also be able to be legalized under new State ADU regulations if they can meet current building codes.

The City continues to monitor the program and adjust the policy as needed to maximize participation, while ensuring the protection of public health and safety, as well as compliance with State law. The City



periodically markets the program to homeowners via City newsletter, website, and/or flyers at public counters.

Funding:	• Development Services Department budget
Responsible Agencies:	• Development Services Department • City Council
Objectives:	• Healthy and safe housing
Timeframe:	• Consider extension of the AUP Program by June 2018

PROGRAM 4B: Assist in rehabilitating housing

The City’s current Residential Rehabilitation Program provides grants and/or low-interest, deferred, and/or forgivable loans for building code violations, health and safety issues, essential repairs, upgrades of major component systems, and modifications to accommodate disabilities. The assistance is available to low-income homeowners and to owners of rental units that will rent to low income households. The key funding source available for the rehabilitation program comes from Community Development Block Grants (CDBG). The City anticipates that funding allocated over an eight-year period, from 2013 to 2021, will help administer assistance to about 40 households. The estimated funding amounts are not known until federal appropriations for each fiscal year are finalized and HUD notifies the City of the yearly grant amount. Subject to federal funding, the City will look to assist an average of five households annually (ranging from single-family, multi-family, and mobile homes).

Funding:	• Community Development Block Grants
Responsible Agencies:	• Development Services Department • City Council
Objectives:	• Healthy and safe housing • Assist 40 households
Timeframe:	• Ongoing

PROGRAM 5: EQUAL HOUSING OPPORTUNITIES

Below identifies the programs that promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, family status, or disability.

PROGRAM 5A: Reasonably accommodate housing for the disabled

State law requires jurisdictions to analyze potential and actual governmental constraints on the development, maintenance and improvement of housing for persons with disabilities and demonstrate local efforts to remove or mitigate those constraints.

Through its building permit authority, the City enforces State Title 24 accessibility regulations. As needed on a case-by-case basis, the City has made reasonable accommodations with respect to accessibility in its application of zoning/development standards. To ensure full compliance with reasonable accommodation procedures of the Fair Housing Act, the City will adopt a Reasonable Accommodation Ordinance to establish procedures for the review and approval of requests to modify zoning and development standards to reasonably accommodate persons with disabilities, including persons with developmental disabilities.



Funding:	• Development Services Department budget
Responsible Agencies:	• Development Services Department
Objectives:	• Adopt reasonable accommodations ordinance for persons with disabilities
Timeframe:	• November 2018 adopt new reasonable accommodations ordinance • July 2019 certification of Local Coastal Program Amendments

PROGRAM 5B: Promote fair housing

The City of Encinitas receives Community Development Block Grant (CDBG) funds from HUD. As a recipient of these funds, the City certifies that it will affirmatively further fair housing.

The City currently contracts with Legal Aid Society of San Diego to provide fair housing and landlord/tenant services to residents and landlords in Encinitas. Legal Aid will help mediate and will assist with filing fair housing complaints, and the City refers complaints to Legal Aid. Legal Aid also conducts free educational workshops for housing providers and tenants, as well as conducting fair housing testing to ascertain if fair housing issues are occurring in the City.

For the past three iterations, the City has partnered with all jurisdictions in the County to conduct a Regional Analysis of Impediments to Fair Housing Choice (AI). The AI identifies specific improvements to the City’s Zoning Code to expand fair housing choices for all. The AI has outlined numerous actions for the City and the other cities in the County. Some of the most significant actions are these:

- Promote the Housing Choice Voucher program to rental property owners, in collaboration with the various housing authorities in the region.
- Increase housing options for special needs populations, including persons with disabilities, senior households, families with children, farmworkers, the homeless, etc.
- Conduct random testing on a regular basis to identify issues, trends, and problem properties. Expand testing to investigate emerging trends of suspected discriminatory practices.
- Diversify and expand the housing stock to accommodate the varied housing needs of different groups.
- Work collaboratively with local housing authorities and affordable housing providers to ensure affirmative fair marketing plans and de-concentration policies are implemented.



Funding:	<ul style="list-style-type: none"> • Community Development Block Grants
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • City Council
Objectives:	<ul style="list-style-type: none"> • Continue to contract with Legal Aid Society or other capable organization to review housing discrimination complaints, attempt to facilitate equitable resolution of complaints, and, where necessary, refer complainants to the appropriate state or federal agency for further investigation and action. • Implement the actions contained in the AI • Update the AI as needed • Collaborate with the jurisdictions in the San Diego region to complete the Assessment of Fair Housing.
Timeframe:	<ul style="list-style-type: none"> • Ongoing

PROGRAM 6: AT RISK HOUSING

There are some government-assisted projects or units that are or may be at-risk of conversion to market rate. At-risk units are occupied by seniors or lower income families who cannot afford to pay market rate rents and who could be displaced if the project or unit converts. Many of these units typically convert to market rate as subsidy contracts or regulatory agreements expire. The programs included herein identify how the City will attempt to preserve assisted housing developments that are at risk of converting to market-rate.

PROGRAM 6A: Monitor publicly assisted housing projects

The Housing Element is required to include a program to monitor and work to preserve affordable housing units that are eligible to convert to non-low-income housing uses. All inventoried units eligible to prepay, opt-out, or terminate long-term use/affordability restrictions during the next 10-years are considered by HCD as “at-risk”. Thus, this Housing Element’s “at-risk” housing analysis covers the period from November 2018 through November 2028.

As described in Appendix B, no assisted units in the City are at risk of loss in the next 10 years. However, the City will continue to monitor and review all assisted units so that it can act in advance of the loss of any units.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department
Objectives:	<ul style="list-style-type: none"> • Monitor the status of any Notices of Intent and Plans of Action filed by property owners to convert to market rate units • Identify non-profit organizations as potential purchasers/managers of at-risk housing units • Explore funding sources available to purchase affordability covenants on at-risk projects, transfer ownership of at-risk projects to public or non-profit agencies, purchase existing buildings to replace at-risk units or construct replacement units • Ensure the tenants are properly noticed and informed of their rights that they are eligible to obtain special Section 8 vouchers reserved for tenants of converted properties
Timeframe:	<ul style="list-style-type: none"> • Ongoing

PROGRAM 6B: Explore providing credit under the inclusionary ordinance for preservation of at-risk housing

As part of its update to the City's inclusionary ordinance described in Program 2A, the City will consider providing credit for preservation of at-risk housing and for conversion of market-rate units to affordable units when consistent with Government Code Section 65583.1 and will explore inclusion of preservation and conversion projects in the 2021 – 2029 Housing Element.

Funding:	<ul style="list-style-type: none"> • Development Services Department budget
Responsible Agencies:	<ul style="list-style-type: none"> • Development Services Department • City Council
Objectives:	<ul style="list-style-type: none"> • Consider allowing developers to meet inclusionary requirements by preserving at-risk housing units or converting market-rate units to affordable when consistent with the provisions of Government Code Section 65583.1.
Timeframe:	<ul style="list-style-type: none"> • November 2018 updated inclusionary housing program • July 2019 Coastal Commission certification of Local Coastal Program Amendments



TABLE 2-7 QUANTIFIED OBJECTIVES (2013-2021)						
	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	TOTALS
New Construction	365	366	555	413	907	2,353
Rehabilitation	---	---	40	---	---	40
Conservation and 'At-Risk'	20	---	---	---	---	20 ³
Section 8	57	56	---	---	---	113

¹ The City does not have anything 'At-Risk' in the current planning period; however, the City will continue to monitor the status of deed-restricted affordable housing units. Units reported account for AUP units anticipated to be legalized during the planning period.



Appendices A through C to the 2013-2021 Housing Element are on file with the City Clerk and incorporated herein by this reference, as if set forth in full.

Exhibit 2018-61-B

Conforming amendments to the Land Use Element (strikeout is used to denote existing text being deleted; underline is used to denote new text being added):

~~POLICY 2.1: Establish a growth management plan which phases development through building permit limitations, public facility availability, or other methods. Prepare, maintain, and periodically update public facility master plans that are based on adopted growth projections through coordination of appropriate city departments and agencies to anticipate the demand for services.~~

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 the 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.~~

~~POLICY 3.10: 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 use shall not be redesignated/rezoned to allow more non-residential uses or a greater intensity of use except by the affirmative vote of a majority of those voting in the election approving the proposed change.~~

POLICY 3.10~~1~~: In determining whether to approve a proposed residential or commercial project and when to allow proposed projects to be constructed, the City shall consider the extent to which the proposed project complies with the goals and policies of this Element and the implementing zoning regulations.

POLICY 3.11~~2~~: The following may be considered as exceptions to the requirements for voter approval for specified general plan land use map amendments, provided these exceptions do not conflict with Chapter 30.00 Encinitas Right to Vote Amendment:

1. 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.

2. 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.

3. 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.

4. ~~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:~~

~~(a) Exception for Decrease in Intensity:~~

~~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) Exception for Residential Density:~~

~~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) Exception for Change Within Land Use Class:~~

~~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:~~

- ~~1 — Rural Residential, Rural Residential 1, Rural Residential 2~~
- ~~2 — Residential 3, Residential 5, Residential 8~~
- ~~3 — Residential 11, Residential 15, Residential 25~~
- ~~4 — Office Professional, Local Commercial~~
- ~~5 — Visitor Serving Commercial, General Commercial~~

~~POLICY 3.13: The following establish exceptions to the fixed annual allotment of residential building permits established by this Element.~~

~~1. Vested Rights~~

~~The fixed annual allotment as established in the Land Use Element shall apply to all properties and projects covered by its terms except it shall not apply to any development project which has obtained a vested right as of the effective date of this Plan. For purposes of this provision, a vested right shall have been obtained only if each and all of the following criteria are met:~~

a. ~~The proposed project has received a building permit or where no building permit is required, final discretionary approval.~~

b. ~~Substantial expenditures or documented, non-cancellable liabilities have been incurred in good faith reliance on the permit or final discretionary approval.~~

c. ~~Substantial construction has been performed in good faith reliance on the permit or final discretionary approval.~~

~~The substantiality of expenditures or liabilities incurred and of construction performed and the questions of whether or not such expenditures, liabilities and construction were in good faith are questions of fact to be determined on a case by case basis by the City following application by the developer. Actions taken by a developer to speed up or expedite a development project with knowledge of the pendency of this provision shall not be deemed to be in good faith and shall not qualify for a vested right. Phased projects shall be considered for exemption on a phase by phase basis to the extent permitted by California law.~~

2. Vesting Tentative Maps or Other Approval Given Vested Rights

~~In addition to the foregoing, vesting tentative maps (and other approvals given vested rights) receiving final approval prior to the effective date of this Plan shall be exempt from the residential allocation system, so long as the number of units authorized by such an approval shall be counted against the annual limits of the fixed annual allotment upon issuance of building permits. Such vesting approval shall not be authorized by the City after the effective date, unless expressly conditioned to assure compliance with this provision.~~

3. Single Family Homes

~~The construction of one individual dwelling unit conforming to zoning on a pre-existing vacant, legal lot of record which was established as legal lot as of the effective date this Plan was filed with the City clerk, shall be exempt from the current fixed annual allotment. The units so exempted shall be counted against the City's total build-out capacity in the calculation of the annual allocation for the following year.~~

4. Existing Building Permits

~~In addition, outstanding building permits, as of the effective date of this Plan, shall be exempt from the fixed annual allotment.~~

5. One Unit Per Five Acres

~~A property owner proposing to construct more than one dwelling unit, already approved by city process, but unable to qualify for the current year's allocation (under residential allocation system) may be allowed to construct no more than one dwelling unit per five acres. The number of units so exempted shall not be~~

~~counted against the annual allocation figure; however, they shall be counted against the City's total build-out capacity in the calculation of the annual allocation for the following year.~~

POLICY 3.124: A public vote shall be required on all City Council approved General Plan updates that are comprehensive in nature, and shall become effective only when a majority of those voters who cast ballots vote for the change. A comprehensive General Plan update shall be a City-sponsored work program titled as such that substantially changes and/or re-adopts the text and maps of the existing elements.

GOAL 4: The City of Encinitas will ensure that the rate of residential growth: (a) does not create a demand which exceeds the capability of available services and facilities; (b) does not destroy the quality of life and small town character of the individual communities; (c) does not exceed a rate which excludes the public from meaningful participation in all aspects of land use decision making regarding proposed projects; and (d) provides the City with the ability to plan ahead for the location, timing and financing of required services and facilities; ~~and (e) does not exceed an annual allotment of dwelling units based on the projected ultimate buildout of dwellings in the City of Encinitas assuming a 25-year buildout period.~~

~~POLICY 4.1: A figure will be established annually which will determine the maximum number of dwelling units for which building permits will be issued during the coming year. The annual numerical figure shall be based on a 25-year buildout beginning on January 1, 1989 and ending January 1, 2014. The annual allotment shall be determined by dividing the ultimate buildout figure for dwelling units, determined by mid-range densities, by the number of years remaining in the assumed 25-year buildout period.~~

POLICY 4.12: The City will plan to provide services and facilities concurrent with projected need, ~~sufficient to allow issuance of the maximum annual number of dwelling unit building permits.~~ To guard against an unforeseen shortfall of services or facilities, the City will determine adequacy of services and facilities for each residential development at the discretionary review stage. For dwellings not subject to discretionary review, such determination shall be made with the earliest development permit submittal. No unit shall be approved or permitted for which inadequate services or facilities are available.

POLICY 4.23: The City will plan to provide processing procedures for proposed development projects that will maximize citizen participation ~~and that will operate at a pace sufficient to allow the maximum annual number of dwelling unit building permits to be issued.~~ Citizen notice of development projects and the opportunity to participate through written and oral testimony and public hearings will be provided at the discretionary and environmental review stages of development, ~~prior to the application of each year's annual dwelling unit allocation limit.~~ Neither the speed of project processing nor the volume of units or projects processed shall exceed that which will allow meaningful citizen participation.

POLICY 4.4: ~~Whatever the allowable rate of growth is during any particular year, the City's intent is to see housing affordable to lower income households is not constrained. To this end, building permits for dwelling units guaranteed or assured of being affordable to very low and low income households, in amounts equal to the SANDAG determination of the City's regional need for housing for very low and low income households, shall be exempt from the annual allocation limit. The number of dwellings permitted under this exemption in~~

~~any year shall be included in the tabulation of total dwelling units permitted to date in the calculation of the annual allocation for the following year.~~

~~POLICY 4.5: Development projects involving the construction of 20 or more single-family, residential dwellings may be required to phase the building of the project over several years using no more than 20 building permits per year to achieve the goals and policies of the Element.~~

POLICY 4.36: Any land which is annexed to the City will be pre-designated for a land use(s) as a condition of annexation, to a density and use that will be consistent with the small-town quality and character of the City.

~~POLICY 4.7: There will be no carry over of unissued residential dwelling unit permits (from the maximum annual number) into the following year. However, if the allotted number are not issued during the current year, they will continue to be counted in the ultimate buildout figure and will be reflected in the fixed annual allocation for the remaining years.~~

~~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.~~

POLICY 8.3: Residential development on land that has physical constraints shall exclude or discount areas subject to specified constraints from density allowance. Portions of development sites subject to the following constraints shall be excluded from the net lot area used to figure density: floodplains, beaches, permanent bodies of water, significant wetlands, major utility easements, railroad track beds or rights-of-way, and rights-of-way and easements for public/private streets and roads. The remaining net lot area shall then be calculated for density allowance, based on the assigned land use category density range, subject to the following discounts based on site slope:

- Portions of site 0-25% slope - 100% density;
- Portions of site 25-40% slope - approximately 50% density allowance;
- Portions of site 40%+ slope - no density allowance.

These density allowance calculations apply to all land use categories that permit residential development. With the exception of residential development on sites with a land use designation of R-30 OL, density allowance shall be limited to the mid-point of the land use category range, as specified by the zoning code, unless findings can be made that the proposed project excels in design excellence and/or provides extraordinary community benefits. Upon such findings, up to the maximum density level of the range may be allowed. In no case shall less than one dwelling per legal lot be allowed. Notwithstanding the mid-point reference above, future development on sites with a land use designation of R-30 OL is permitted

to develop up to 30 dwelling units per net acre in compliance with the zoning regulations included in Chapter 30.16 of the Zoning Code, which allows a maximum density “by-right,” as well as in the DVCM R-30 OL Zone of the Downtown Specific Plan, the N-R3 (R-30 OL), N-CRM-1 (R-30 OL) , and N-L-VSC (R-30 OL) Zones of the North 101 Corridor Specific Plan; and the ER-R-30 Zone of the Encinitas Ranch Specific Plan.

Page LU-36

R-30 Overlay (R-30 OL) General Plan Land Use Designation

This category of residential land use is an overlay land use designation that offers property owners an incentive to develop attached or detached multi-family housing in connection with the Housing Element. The underlying land use designation remains in place; however, to give property owners more flexibility for future development of their property, the R-30 OL designation also permits property owners to develop housing at a minimum density of 25 dwelling units per net acre and a maximum density of 30 dwelling units per net acre.

To use the provisions of the R-30 OL land use designation, a project must meet a minimum density of 25 dwelling units per net acre. Development is permitted up to a maximum density of 30 dwelling units per net acre as a permitted primary use. Projects meeting at least the minimum density threshold are eligible to develop up to 37 feet to permit three stories. A project is also permitted to develop based on the development standards applicable in the underlying land use designation category; however, the underlying density and height restriction of two stories and 30 feet would apply to such a project. Specific development standards, including increased density and height limits are further defined in the R-30-OL Zone in the Zoning Code. However, only those sites shown with the R-30 OL Land Use Designation on the General Plan Land Use Map are eligible to use the R-30 OL Zone.

Page LU-38A

Housing Plan Update 2018 R-30 OL Implementing Zone

City land use policy calls for the need to accommodate future housing development and meet RHNA’s state housing law compliance for affordability. To reinforce and expand on the City’s commitment to encouraging affordable housing, developing more complete neighborhoods, and enhancing and preserving the community’s character, the R-30 OL Zone was created to implement the R-30 OL General Plan land use designation. Like the R-30 OL land use designation, the R-30 OL Zone is an overlay zone that retains the underlying zoning standards for applicable properties. However, if an attached or detached multifamily residential project is proposed, a property owner may develop under special provisions of the R-30 OL Zone that include new incentive land use and development standards to create more housing for the community.

The R-30 OL Zone is intended to:

1. Implement the R-30 OL General Plan land use designation, which creates an incentive to develop housing by offering property owners the opportunity to build homes with increased height and density;

2. Allow for a moderate increase in residential density and to accommodate a mixture of residential building types and unit sizes;
3. Enhance the feasibility of developing higher density housing to increase the supply of available housing options within the City's five communities;
4. Meet the state's Regional Housing Needs Assessment (RHNA) rezoning requirements;
5. Ensure that the vision set forth in the Housing Plan is implemented;
6. Respect neighborhood character, be compatible with community specific settings and provide reasonable transitions between existing residences and potential development sites;
7. Contribute to the economic and fiscal well-being of the City.

Residential projects in the R-30 OL Zone may include residential and limited ancillary or auxiliary uses, with a minimum of 25 dwelling units per net acre and a maximum of 30 dwelling units per net acre.

The R-30 OL Zone's development standards also apply to sites in the DVCM R-30 OL Zone of the Downtown Specific Plan, the N-R3, N-CRM-1, and N-L-VSC Zones of the North 101 Corridor Specific Plan; and the ER-R-30 Zone of the Encinitas Ranch Specific Plan.

Land Use Designations Map

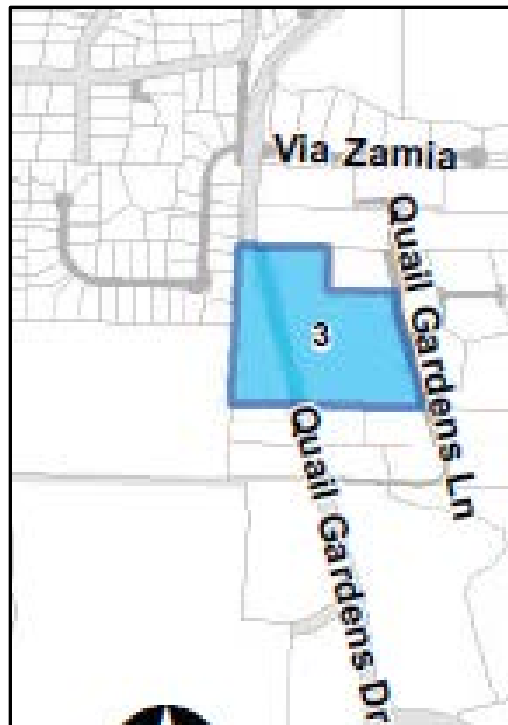
The General Plan Land Use Map is amended to add, as required, the R-30 Overlay Land Use Designation on each candidate site as depicted on the attached map. The sites shown will be designated with either the R-30 Overlay Zone, DVCM R-30 OL Zone of the Downtown Specific Plan, the N-R3, N-CRM-1, and N-L-VSC Zones of the North 101 Corridor Specific Plan; and the ER-R-30 Zone of the Encinitas Ranch Specific Plan to permit higher-density residential development in addition to, or instead of, the uses permitted by the underlying land use designation. The entire, existing General Plan land use map is on file with the Office of the City Clerk.

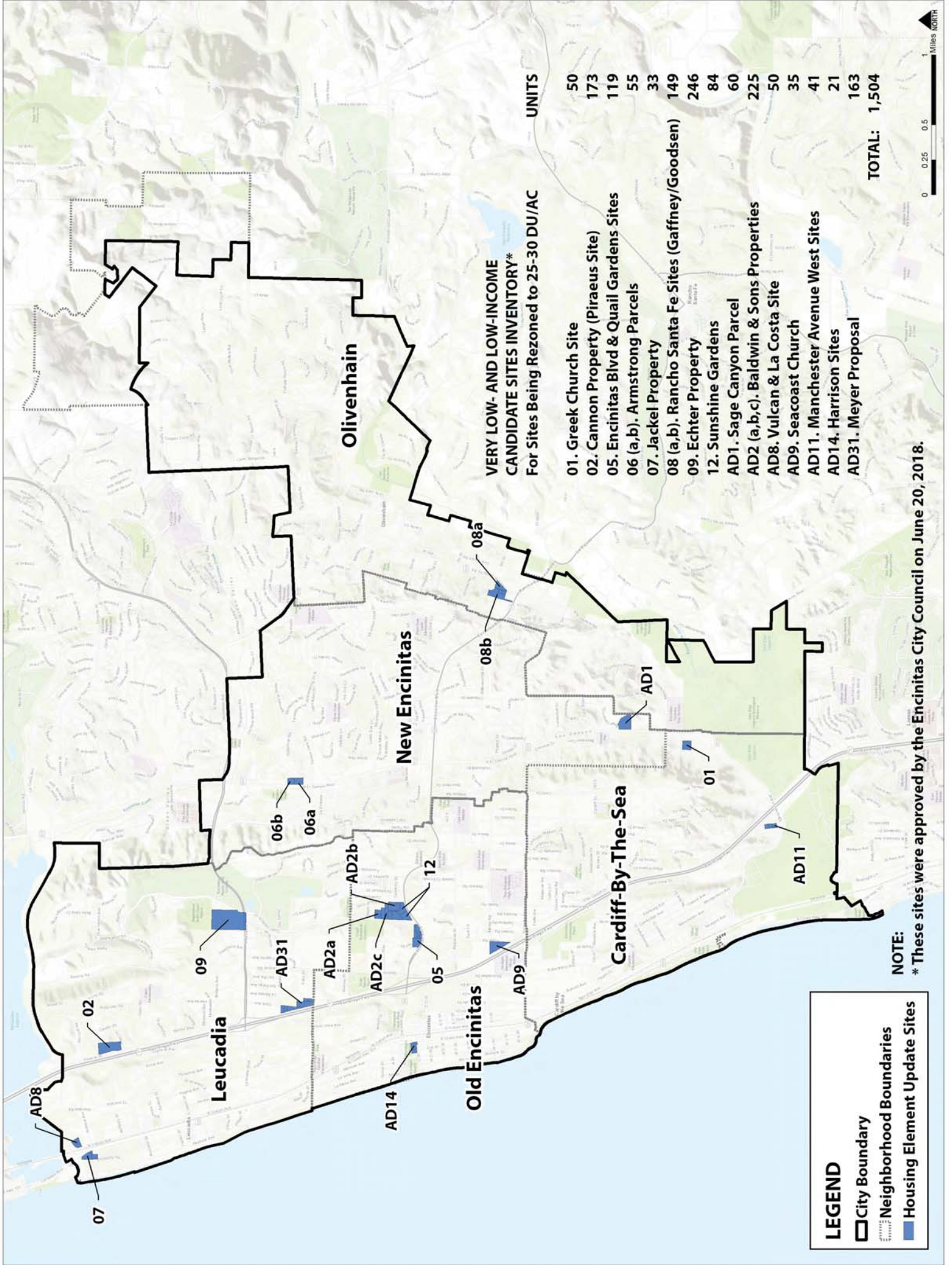
The map amends the following in the General Plan Land Use Element (an entire copy of the existing General Plan is on file with the Office of the City Clerk):

- Figure 2, page LU-59
- Figure 3, page LU-64
- Figure 4, page LU-67
- Figure 5, page LU-73
- Figure 6, page LU-77

The General Plan Land Use Map is also amended to change the land use designation of APN 257-01-117 (Site L7) from Rural Residential (RR1) to Residential 3 (R3).

APN 257-01-117 (Site L7)





**VERY LOW- AND LOW-INCOME
CANDIDATE SITES INVENTORY***
For Sites Being Rezoned to 25-30 DU/AC

01. Greek Church Site	50
02. Cannon Property (Piraeus Site)	173
05. Encinitas Blvd & Quail Gardens Sites	119
06 (a,b). Armstrong Parcels	55
07. Jackel Property	33
08 (a,b). Rancho Santa Fe Sites (Gaffney/Goodson)	149
09. Echter Property	246
12. Sunshine Gardens	84
AD1. Sage Canyon Parcel	60
AD2 (a,b,c). Baldwin & Sons Properties	225
AD8. Vulcan & La Costa Site	50
AD9. Seacoast Church	35
AD11. Manchester Avenue West Sites	41
AD14. Harrison Sites	21
AD31. Meyer Proposal	163
TOTAL:	1,504

LEGEND

- City Boundary
- Neighborhood Boundaries
- Housing Element Update Sites

NOTE:
* These sites were approved by the Encinitas City Council on June 20, 2018.



Exhibit 2018-61-C

Amendments to the Voter's Rights Initiative Portion of the Land Use Element (strikeout is used to denote existing text being deleted; underline is used to denote new text being added):

5.2. No Major Amendment and no Regular Amendment of any of the Planning Policy Documents shall be effective unless and until it is approved by an ordinance or resolution adopted by the City Council, but no such amendment shall be considered until a public hearing is conducted on the proposed amendment at both the Planning Commission and at the City Council in the manner provided by state law and advance notice is given as required by section 54.3 below.

6.1. Maximum Height. On and after the date this initiative measure becomes effective no building or structure shall exceed a maximum height of two stories or 30 feet.

6.2. Height shall be measured from the lower of the natural or finished grade adjacent to the structure, to the highest portion of the roof immediately above; except for projects on sites with the R-30 Overlay land use designation, which shall be measured as provided by Chapter 30.16 of the Encinitas Zoning Code.

6.32. Exemptions to Height Limit. The following structures are exempted from this height limit:

- a. Medical Complex development projects as provided in Section 30.28.010(C); and
- b. sSpecified buildings associated with a public high school on a minimum 10 acre site, as ~~currently~~ provided in Section 30.28.010(C) and (D); and of the Encinitas Zoning Code
- c. Residential structures proposed on sites designated with the R-30 Overlay land use designation that meet the requirements of the R-30 OL Zone as provided in Chapter 30.16 of the Encinitas Zoning Code; ;" as well as in the DVCM R-30 OL Zone of the Downtown Specific Plan, the N-R3 (R-30 OL), N-CRM-1 (R-30 OL) , and N-L-VSC (R-30 OL) Zones of the North 101 Corridor Specific Plan; and the ER-R-30 Zone of the Encinitas Ranch Specific Plan.

ORDINANCE 2018-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, AMENDING ENCINITAS MUNICIPAL CODE (EMC) TITLE 30, ZONING TO PROVIDE USE AND DEVELOPMENT STANDARDS TO IMPLEMENT THE NEW GENERAL PLAN LAND USE DESIGNATION, MAKING ASSORTED CHANGES REQUIRED FOR CONSISTENCY ELSEWHERE IN THE MUNICIPAL AND ZONING CODES, APPROVING LOCAL COASTAL PROGRAM IMPLEMENTATION PROGRAM AMENDMENTS, AMENDING EMC CHAPTER 30.00 ENCINITAS RIGHT TO VOTE AMENDMENT TO ALLOW VARIOUS CHANGES INCLUDING A CHANGE IN MAXIMUM BUILDING HEIGHT STANDARDS TO ACCOMMODATE THREE-STORY BUILDINGS ON THE SITES DESIGNATED IN THE GENERAL PLAN AND ZONING MAP, AND AMENDING THE DOWNTOWN ENCINITAS, NORTH 101 CORRIDOR, AND ENCINITAS RANCH SPECIFIC PLANS TO AMEND THE ZONE MAPS IN THOSE SPECIFIC PLANS AND TO PROVIDE USE AND DEVELOPMENT STANDARDS TO IMPLEMENT THE NEW GENERAL PLAN LAND USE DESIGNATION AND PROVIDE FOR HOUSING ELEMENT IMPLEMENTATION.

CASE NUMBER: 17-128 GPA/SPA/LCPA

WHEREAS, California Government Code Section 65588(b) requires the City of Encinitas to periodically prepare an update to the Housing Element of its General Plan;

WHEREAS, the City Council directed the City Manager to cause the Development Services Department to proceed with this update to the City's Housing Element for the 2013-2021 planning period, which affects properties citywide;

WHEREAS, the City of Encinitas prepared the draft 2013-2021 Housing Element in accordance with California Housing Element law (Government Code section 65580 et seq.);

WHEREAS, the 2013-2021 Housing Element Update project, Case Number 17-128 GPA/SPA/LCPA, is popularly known as "Housing Plan Update 2018";

WHEREAS, to effectively implement the Housing Plan Update 2018 and encourage development on sites designated for housing, and as required by Housing Element law (Government Code section 65580 et seq.) that requires local governments to be accountable for ensuring projected housing needs reflected by the Regional Housing Needs Assessment (RHNA) allocation can be accommodated, corresponding changes to the Encinitas Municipal Code are required;

WHEREAS, on July 14, 2015, the City and the Building Industry Association of San Diego County (BIA) entered into a Settlement Agreement to resolve litigation filed by the BIA, and on June 24, 2016, the City and DCM Properties Inc. (DCM) entered into a Settlement Agreement to resolve litigation filed by DCM. The Settlement Agreements provide, in part, that the City must adopt: (1) an updated Housing Element; (2) conforming amendments to other General Plan elements; and (3) zoning ordinance amendments needed to implement the Housing Element. The Settlement Agreements were incorporated into two Judgments Pursuant to Stipulation entered into by the San Diego County Superior Court on July 22, 2015 (BIA) and August 11, 2016 (DCM), respectively;

WHEREAS, the Judgments provide in part that the environmental review for the Housing Element update and all discretionary actions necessary to bring the Housing Element in compliance with State Law will be conducted in accordance with the terms of Government Code Section 65759;

WHEREAS, the City has prepared an environmental assessment, the content of which substantially conforms to the required content of a draft environmental impact report, as required under Government Code Section 65759(a)(1) and (2) to analyze, and mitigate where feasible, the potential environmental effects of the project;

WHEREAS, the Housing Plan Update 2018 incorporates the environmental assessment, and the environmental assessment shall be deemed to be part of the General Plan upon adoption of the Housing Plan Update 2018 as required by Government Code Section 65759(a)(3);

WHEREAS, the Planning Commission did hold a duly noticed public hearing as prescribed by law to consider CASE NO. 17-128 GPA/SPA/LCPA on June 7, 2018, to consider said request;

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. 2018-19 recommending approval of said Project, with recommended revisions, on file with the Office of the City Clerk and incorporated by this reference;

WHEREAS, in order for zoning and other measures to comply with consistency requirements, the General Plan itself must first be complete and adequate and must be internally consistent;

WHEREAS, amendments and text/map changes to the Local Coastal Program policies, and Land Use Element were necessary to provide consistency between the goals and polices of the various elements of the General Plan and between the General Plan and Zoning;

WHEREAS, on June 20, 2018 the City Council approved a Housing Element Update for the 2031-2021 planning period with conforming and ancillary amendments to the Local Coastal Program policies, and Land Use Element, per City Council Resolution No. 2018-61;

WHEREAS, amendments and text/map changes to the Local Coastal Program, Municipal and Zoning Codes, and three specific plans are necessary to provide consistency between the General Plan, Specific Plans, Municipal Code and Zoning Code;

WHEREAS, the City Council did on June 20, 2018 hold a duly noticed public hearing regarding Ordinance No. 2018-07 as prescribed by law, closed the public hearing, and introduced Ordinance No. 2018-07; and did on July 18, 2018 and August 8, 2018 consider the adoption of Ordinance No. 2018-07. Evidence was submitted to and considered by the City Council, including, without limitation:

- a. Written information including written and graphical information posted on the project website, including without limitation public comments submitted to HCD and City responses, all of which are incorporated by this reference as though fully set forth herein.
- b. Materials created for public engagement and study session agenda reports.
- c. Oral testimony from City staff, interested parties, and the public.
- d. The staff reports, dated June 20, 2018 and July 18, 2018, which along with attachments, are incorporated herein by this reference as though fully set forth herein, as are staff reports and presentations prepared for related study sessions, which occurred during the life of the Project, as well as Planning Commission's recommendation on the request.
- e. Additional information submitted during the public hearings;

WHEREAS, a Public Notice of Availability of proposed Local Coastal Plan Amendments (LCPA) was issued, which opened a six-week public review period that ran from May 25, 2018 and concluded on July 9, 2018;

WHEREAS, The proposed Local Coastal Program Amendment meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act and do not conflict with any coastal zone regulations or policies with which future development must comply;

WHEREAS, based on the totality of the record and evidence described and referenced in this Ordinance, the City Council finds that the proposed text amendments and map changes are consistent with the purposes of the General Plan, Municipal Code, and adopted Local Coastal Program in that the amendments support a variety of objectives including increasing housing choice by accommodating a variety of housing types to meet the needs of all Encinitas residents, providing adequate sites with corresponding density to meet the City's RHNA allocation, adopting State mandated and locally desired programs to implement the Project

effectively, maintaining community character through project design requirements, and distributing attached and multi-family housing to the City's five communities.

NOW, THEREFORE, the City Council of the City of Encinitas, California, hereby ordains as follows:

SECTION ONE: SECTION 30.08.010 (ESTABLISHMENT OF ZONES — PURPOSE AND INTENT) OF TITLE 30, ZONING

Section 30.08.010 (Establishment of Zones — Purpose and Intent) of Title 30, Zoning of the Encinitas Municipal Code, also referred to as the Zoning Code, is hereby amended as detailed in Exhibit 2018-07-1.

SECTION TWO: CHAPTER 30.09 (ZONING USE MATRIX) OF TITLE 30, ZONING

Chapter 30.09 (Zoning Use Matrix) of Title 30, Zoning of the City of Encinitas Municipal Code, also referred to as the Zoning Code, is hereby amended as detailed in Exhibit 2018-07-2.

SECTION THREE: SECTION 30.16.010 (RESIDENTIAL DEVELOPMENT STANDARDS) OF TITLE 30, ZONING

Section 30.16.010 (Residential Development Standards) of Title 30 of the City of Encinitas Municipal Code, also referred to as the Zoning Code, is hereby amended as detailed in Exhibit 2018-07-3.

SECTION FOUR: SECTION 30.00.050 (ENCINITAS RIGHT TO VOTE AMENDMENT SECTION 5)

Section 30.00.050 (Encinitas Right to Vote Amendment Section 5) of Title 30 of the Encinitas City of Encinitas Municipal Code, also referred to as the Zoning Code, is hereby amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

5.2. No Major Amendment and no Regular Amendment of any of the Planning Policy Documents shall be effective unless and until it is approved by an ordinance or resolution adopted by the City Council, but no such amendment shall be considered until a public hearing is conducted on the proposed amendment at both the Planning Commission and at the City Council in the manner provided by state law and advance notice is given as required by section 54.3 below.

SECTION FIVE: SECTION 30.00.060 (ENCINITAS RIGHT TO VOTE AMENDMENT SECTION 6)

Section 30.00.060 (Encinitas Right to Vote Amendment Section 6) of Title 30 of the Encinitas City of Encinitas Municipal Code, also referred to as the Zoning Code, is hereby amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

6.1. Maximum Height. On and after the date this initiative measure becomes effective no building or structure shall exceed a maximum height of two stories or 30 feet.

6.2. Height shall be measured from the lower of the natural or finished grade adjacent to the structure, to the highest portion of the roof immediately above; except for projects on sites with the R-30 Overlay land use designation, which shall be measured as provided by Chapter 30.16 of the Encinitas Zoning Code.

6.32. Exemptions to Height Limit. The following structures are exempted from this height limit:

- a. Medical Complex development projects as provided in Section 30.28.010(C); and
- b. ~~Specified~~ buildings associated with a public high school on a minimum 10 acre site, as ~~currently~~ provided in Section 30.28.010(~~C~~) and (~~D~~); and of the Encinitas Zoning Code
- c. Residential structures proposed on sites designated with the R-30 Overlay land use designation that meet the requirements of the R-30 OL Zone as provided in Chapter 30.16 of the Encinitas Zoning Code, as well as in the DVCM R-30 OL Zone of the Downtown Specific Plan, the N-R3 (R-30 OL), and N-L-VSC (R-30 OL) Zones of the North 101 Corridor Specific Plan; and the ER-R-30 Zone of the Encinitas Ranch Specific Plan.

SECTION SIX: CITY OF ENCINITAS OFFICIAL ZONING MAP

That the Official Zoning Map (EMC Section 30.08.020) also known as the Zoning Map of the City (EMC Section 30.01.050) and the Local Coastal Program Zoning Map (collectively, Map) shall be amended to 1) add the R-30 Overlay Zone as required for those sites as shown on the map marked "Exhibit 2018-07-4", attached hereto and made a part hereof (See **Exhibit 2018-07-4**), and 2) to change the zoning designation of APN: 257-01-117 (Site L7) from Rural Residential (RR1) to Residential 3 (R3) as also shown on **Exhibit 2018-07-4**.

SECTION SEVEN: ENCINITAS RANCH SPECIFIC PLAN

That Section 1.3 of the Encinitas Ranch Specific Plan is hereby amended and Section 1.7 is hereby added, as detailed in **Exhibit 2018-07-5a**.

That Section 2.1, Policy 14.3 of Section 2.3.3, Policy 24.3 of Section 2.3.6, and Policy 29.1 and 29.3 of Section 2.3.7 of the Encinitas Ranch Specific Plan are hereby amended as detailed in **Exhibit 2018-07-5b**.

That Sections 3.1, 3.2 and 3.3.5 of the Encinitas Ranch Specific Plan are hereby amended as detailed in **Exhibit 2018-07-5c.**

That the Land Use Plan, Figure 6 of the Encinitas Ranch Specific Plan is amended to add a Residential Designation for 25 -30 du/ac at the northeast corner of Leucadia Blvd. and Quail Gardens Drive; and the Zoning Map of the Encinitas Ranch Specific Plan is amended to add the ER-R-30 Zone at the northeast corner of Leucadia Blvd. and Quail Gardens Drive as shown in **Exhibit 2018-07-5d.**

That Table 3-1 of Chapter 3.0 of the Encinitas Ranch Specific Plan is hereby amended as detailed in **Exhibit 2018-07-5e.**

That the last paragraph of page 4-14 of Section 4.3 of the Encinitas Ranch Specific Plan is hereby amended as detailed in **Exhibit 2018-07-5f.**

That Chapter 6.0, Table 6-2, and Sections 6.2.1, 6.2.3, 6.6, 6.6.1, 6.6.2, 6.7, 6.7.1, 6.7.2, 6.8, 6.8.1, 6.8.2, 6.9, 6.10, 6.10.1, 6.9.2, 6.10, 6.10.1, 6.10.2, 6.10.3, 6.10.4, 6.11, 6.12, 6.12.1, 6.12.2, 6.12.3, 6.12.4, 6.12.5, 6.12.6, 6.12.7, 6.12.8. of the Encinitas Ranch Specific Plan are hereby amended and Section 6.6 is hereby added as detailed in **Exhibit 2018-07-5g.**

That Sections 8.1, 8.2, 8.3, 8.5 & 8.6 of the Encinitas Ranch Specific Plan are hereby amended as detailed in **Exhibit 2018-07-5.h.**

That Table 9 of Section 9.1.3 of the Encinitas Ranch Specific Plan is hereby amended, as detailed in **Exhibit 2018-07-5i.**

SECTION EIGHT: DOWNTOWN ENCINITAS SPECIFIC PLAN

That the Downtown Encinitas Specific Plan Zoning Map on page 3-9 is amended to add the D-VCM R-30 OL Zone and Section 3.2.2C of the Downtown Encinitas Specific Plan is amended to add provisions regarding the D-VCM R-30 OL Zone, as detailed in **Exhibit 2018-07-6.**

SECTION NINE: NORTH 101 CORRIDOR SPECIFIC PLAN

That the list of Zones included in Section 3.1 of the North 101 Corridor Specific Plan and the North 101 Corridor Specific Plan Zoning Map (Figure 3; page 3-3) is amended to add the N-R3 (R-30 OL) and N-L-VSC (R-30 OL) zones, as detailed in **Exhibit 2018-07-7.**

SECTION TEN: NORTH 101 CORRIDOR SPECIFIC PLAN

That Section 3.1.1 of the North 101 Corridor Specific Plan is amended to add provisions for the N-R3 (R-30OL) Zone, as detailed in **Exhibit 2018-07-8.**

SECTION ELEVEN: NORTH 101 CORRIDOR SPECIFIC PLAN

That Section 3.1.2.H of the North 101 Corridor Specific Plan is hereby added to include provisions for the N-L-VSC (R-30 OL) zone as detailed in **Exhibit 2018-07-9**.

SECTION TWELVE: PUBLIC NOTICE AND EFFECTIVE DATE

The City Clerk is directed to prepare and have published a summary of the ordinance no less than five days prior to consideration of its adoption, and again within 15 days following adoption, indicating the votes cast.

SECTION THIRTEEN: VOTER REQUIREMENT

Some regulatory amendments in this Ordinance require a vote of the people per Encinitas Municipal Code (EMC) Chapter 30.00 (popularly known as Proposition A). The City Council declares, subject to approval of the voters of Encinitas, that the amendments to EMC Chapter 30.00, the amendments to the Official Zoning Map of the City, amendments to the zoning map in each of the three specific plans amended by this Ordinance and the amendments to the implementation program of the Local Coastal Program directly associated with these aforementioned amendments exclusively constitute "Major Amendments" as defined by EMC Chapter 30.00. All other amendments contained in this Ordinance are to ensure complete and internal consistency with adoption of the General Plan amendments that must occur with this project and are declared to be "Regular Amendments" as defined by EMC Chapter 30.00. This Ordinance shall not be effective unless and until it is approved by the voters of Encinitas.

SECTION FOURTEEN: CALIFORNIA COASTAL COMMISSION CERTIFICATION REQUIRED


If approval of this Ordinance occurs pursuant to Section Thirteen, the Development Services Director or designee is hereby directed to file all necessary material to the State of California Coastal Commission to amend the Encinitas Local Coastal Program. This Ordinance will become effective following certification by the California Coastal Commission as being consistent with the Local Coastal Program for the City of Encinitas.

SECTION FIFTEEN: INTRODUCTION

This Ordinance was introduced on June 20, 2018.

PASSED AND ADOPTED this Wednesday, the 8th day of August, 2018, by the following vote to wit:

AYES: Blakespear, Kranz, Mosca, Muir
NAYS: Boerner Horvath
ABSTAIN: None
ABSENT: None


Catherine S. Blakespear, Mayor
City of Encinitas

ATTESTATION AND CERTIFICATION:

I hereby certify that this is a true and correct copy of Ordinance No. 2018-07 which has been published pursuant to law.

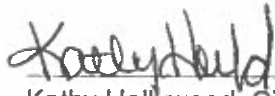

Kathy Hollywood, City Clerk

EXHIBIT 2018-07-1

AMENDMENTS TO SECTION 30.08.010 (ESTABLISHMENT OF ZONES — PURPOSE AND INTENT) OF TITLE 30, ZONING OF THE ENCINITAS MUNICIPAL CODE

Section 30.08.010A and Section 30.08.010F (Establishment of Zones — Purpose and Intent) of Title 30, Zoning of the Encinitas Municipal Code, also referred to as the Zoning Code, are hereby amended to add the R-30 Overlay Zone and applicable provisions:

30.08.010 Establishment of Zones—Purpose and Intent.

In order to classify, designate, regulate and restrict the uses of land, buildings, and other structures to achieve the purposes of this Code and of the General Plan of the City of Encinitas, the following zones are established:

In addition to the zones identified in this chapter, there may be separate zones designated in individual specific plan areas. Refer to individual specific plans, as referenced in Chapter 30.84, Specific Plans, for zoning within a particular specific plan area.

A. Residential Zones.

R-25: Residential 25 is intended to provide for compatible high density multiple family residential development including apartments, condominiums, and senior housing, with a maximum density of 25 units per net acre.

R-30 OL: Residential 30 Overlay is intended to provide for compatible high density multiple family residential development including apartments, condominiums, and senior housing, with a maximum density of 30 units per net acre and a minimum density of 25 units per net acre. The purpose of the R-30 Overlay Zone is to diversify the housing options available in the community, and expand opportunities for creating affordable housing.

MHP: Mobile Home Park is intended to provide exclusively for mobilehome park development with a maximum density of 11 units per net acre for new or redeveloped parks.

F. Special Purpose Overlay Zones. The following special purpose overlay zones are indicators of the presence of special physical or other types of planning related characteristics. These special purpose overlay zones may be applied individually or in combination to any underlying residential, commercial, light industrial, public/semi-public or open space zone. Where one or more special purpose overlay zone(s) exist, development must conform with both the underlying zone requirements, and those of any special purpose overlay zones. Property in the R-30 Overlay Zone must also conform with both the requirements of the R-30 Overlay Zone and those of any special purpose overlay zones.

EXHIBIT 2018-07-2

**AMENDMENTS TO CHAPTER 30.09 (ZONING USE MATRIX) OF TITLE 30, ZONING
OF THE ENCINITAS MUNICIPAL CODE**

Chapter 30.09

In order to address the addition of the R-30 OL Zone, the Zoning Use Matrix of Chapter 30.09, of Title 30 of the Encinitas Municipal Code shall be amended to read as follows, including the addition of footnotes 35 and 36:

ENCINITAS MUNICIPAL CODE ZONING MATRIX

The Zoning Use Matrix below provides a listing of the various land uses which are allowed by right or use permit and those which are prohibited within each of the City's zoning categories. In addition to the matrix below, individual specific plans provide a listing of various land uses allowed by right or use permit within each of the specific plan's zoning categories. Refer to individual specific plans, as referenced in Chapter 30.84, Specific Plans, for a listing of allowed land uses. The following symbols are used to describe the relationship of the listed uses to each of the zones:

RR	=	Rural Residential
R	=	Residential
MHP	=	Mobile Home Park
OP	=	Office Professional
LC	=	Local Commercial
GC	=	General Commercial
VSC	=	Visitor Serving Commercial
LI	=	Light Industrial
BP	=	Business Park
P/SP	=	Public/Semi-Public
ER/OS	=	Ecological Resource/Open Space
L-LC	=	Limited Local Commercial
L-VSC	=	Limited Visitor Serving Commercial
<u>OL</u>	≡	<u>Overlay</u>
"P"		Permitted by right
"C"		Conditional use permit required (major)
"Cm"		Conditional use permit required (minor)
"A"		Agriculture permit
"X"		Prohibited

All home-based businesses: please refer to Section 30.48.040L

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Accessory Building	P	P	P	P	<u>P</u>	P	X	P	P	P	P	P	P	X	P	P
Acupuncture	X	X	X	X	<u>X</u>	X	P	P	P	X	X	Cm	P	X	Cm	X
Adult Business (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	X	P ⁴	X	X	X	X	X	X	X
Agricultural Equipment (Sale or Rent)	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Agricultural & Horticulture Production	A	A	A	A	<u>A³⁶</u>	A	A	A	A	X	A	A	A	X	A	X
Agricultural & Horticulture Packing	C	C	C	C	<u>X</u>	X	C	C	C	X	C	C	X	X	X	X
Agricultural—Road-Side Stand (when adjacent to Circulation Element Road)	A	A	A	A	<u>A³⁶</u>	X	A	A	A	A	A	A	X	X	X	X
Alcoholic Beverage, Sales—Off Premises	X	X	X	X	<u>X</u>	X	X	X	P	P	X	X	X	X	X	Cm
Ambulance Service (Private)	X	X	X	X	<u>X</u>	X	X	X	P	X	P	P	P	X	X	X
Animal Grazing & Raising	P ¹	P ¹	X	X	<u>X</u>	X	X	X	X	X	X	X	X	C ²	X	X
Animal Shelter	X	X	X	X	<u>X</u>	X	X	X	C	X	C	X	C	X	X	X
Antique Sales, Retail (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	P	P	Cm	P	X	X	X	X	Cm
Appliance Sales & Repairs (Household & Small Appliances)	X	X	X	X	<u>X</u>	X	X	P	P	X	P	X	X	X	X	X
Aquarium, Commercial	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	X	X
Arcade Accessory (Non-Adult) (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	Cm	Cm
Arcade Primary (Non-Adult) (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	Cm	Cm	Cm	X	X	X	X	X	Cm
Art Gallery	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	P	P
Athletic Field	C	C	C	C	<u>X</u>	C	X	C	C	C	C	C	P	C ²	X	X
Auction House (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	X	P	X	P	P	X	X	X	X
Auditorium	X	X	X	X	<u>X</u>	X	X	X	X	X	X	X	P	X	X	X
Automobile Body Repair	X	X	X	X	<u>X</u>	X	X	X	C	X	P	C	X	X	X	X
Automobile Elec. & Tune-up	X	X	X	X	<u>X</u>	X	X	X	C	X	P	Cm	X	X	X	X
Automobile Repair	X	X	X	X	<u>X</u>	X	X	X	C	X	P	Cm	X	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Garage																
Automobile Painting	X	X	X	X	<u>X</u>	X	X	X	C	X	P	C	X	X	X	X
Automobile Rental	X	X	X	X	<u>X</u>	X	X	X	Cm	Cm	Cm	X	X	X	X	X
Auto Sales, New and Used	X	X	X	X	<u>X</u>	X	X	X	Cm ⁵	X	C	X	X	X	X	X
Bakery (Retail)	X	X	X	X	<u>X</u>	X	P ⁹	P	P	P	P	C	X	X	P	P ⁶
Bakery (Wholesale)	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Bank/Savings & Loan	X	X	X	X	<u>X</u>	X	P	P	P	X	X	P	X	X	X	X
Barber & Beauty Shop (Cosmetologist)	X	X	X	X	<u>X</u>	X	P ⁹	P	P	P ⁹	X	C	X	X	P	P ⁶
Bar/Cocktail Lounge	X	X	X	X	<u>X</u>	X	X	X	C	C	X	X	X	X	X	Cm
Bicycle Sales, Rental & Service	X	X	X	X	<u>X</u>	X	X	P	P	P	P	X	X	X	P	C/P ⁷
Billiard, Pool Hall (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	X	P	Cm	X	X	X	X	X	X
Bird Raising	P ¹	P ¹	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Blueprinting & Photostatting	X	X	X	X	<u>X</u>	X	P	X	P	X	P	P	X	X	X	X
Boat Building	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Boat Rental	X	X	X	X	<u>X</u>	X	X	X	Cm	Cm	Cm	X	X	X	X	X
Boat Sales	X	X	X	X	<u>X</u>	X	X	X	Cm	C	P	X	X	X	X	X
Body Painting	X	X	X	X	<u>X</u>	X	X	X	Cm	X	X	X	X	X	X	X
Bookbinding	X	X	X	X	<u>X</u>	X	X	X	P	X	P	P	X	X	X	X
Book Sales	X	X	X	X	<u>X</u>	X	P	P	P	P	X	P	X	X	P	P
Borrow Pit	X	X	X	X	<u>X</u>	X	X	X	X	X	C	X	X	X	X	X
Bottling Plant	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Bowling Alley	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Building Materials Sales Enclosed	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Building Materials Storage Yard	X	X	X	X	<u>X</u>	X	X	X	C	X	P	X	X	X	X	X
Burial Casket Sales	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Burial Casket Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Cabinet Shop	X	X	X	X	<u>X</u>	X	X	X	Cm	X	P	X	X	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Camps	X	X	X	X	<u>X</u>	X	X	X	X	X	X	X	C	C ²	X	X
Candle Manufacturing	X	X	X	X	<u>X</u>	X	X	X	Cm	X	P	X	X	X	X	X
Candy & Confectionery Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Candy & Confectionery Sales	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	X	X
Canvas Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Car Wash	X	X	X	X	<u>X</u>	X	X	X	Cm	X	Cm	X	X	X	X	X
Carpet & Rug Cleaning Plant	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Catering Service	X	X	X	X	<u>X</u>	X	X	P	P	X	P	C	X	X	X	X
Cellophane Products Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Cellular Facility	C	C	C	C	<u>C³⁶</u>	C	P	P	P	P	P	P	P	C ²	P	P
Cemetery	C	C	C	C	<u>X</u>	X	X	X	X	X	X	X	C	X	X	X
Ceramic Products Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Charitable Bins & Depositories	X	X	X	X	<u>X</u>	X	X	P	P	X	P	P	X	X	X	X
Chiropractor	X	X	X	X	<u>X</u>	X	P	P	P	X	X	Cm	P	X	Cm	X
Church/Temple/Religious Institution	C	C	C	C	<u>C³⁶</u>	X	C	C	C	X	X	C	C	X	C	X
Clock Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Clothing Rental	X	X	X	X	<u>X</u>	X	X	P	P	X	X	X	X	X	X	X
Club, Private	X	X	X	X	<u>X</u>	X	C	C	C	X	C	C	X	X	X	X
Club, Athletic or Recreational	X	X	X	X	<u>X</u>	X	C	C	C	C	C	C	X	X	X	X
Club, with Alcohol Sales	X	X	X	X	<u>X</u>	X	X	X	C	C	C	C	X	X	X	C
Coins, Buy and Sell	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	X	X
Cold Storage Plant	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Communications Equipment Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	P	X	X	X	X
Community Garden	A*	A*	A*	A*	<u>A^{*36}</u>	A*	A*	A*	A*	X	A*	A*	A*	Cm**	A*	X
	* See Chapter 30.33 (Urban Agriculture) for regulations related to community gardens. ** Limited to improved and unimproved park sites in the ER/OS/PK zone. See Chapter 30.33 (Urban Agriculture).															
Conservatory of Music	X	X	X	X	<u>X</u>	X	X	P	P	X	P	P	X	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Dwelling Unit, Two-Family	X	X	P ¹⁰	P	<u>P³⁵</u>	X	X	X	X	X	X	X	X	X	X	X
Dwelling Unit, Three-Family	X	X	P	P	<u>P³⁵</u>	X	X	X	X	X	X	X	X	X	X	X
Dwelling Unit, Multiple Family	X	X	P	P	<u>P³⁵</u>	X	X	X	X	X	X	X	X	X	X	X
Educational Institution, Private	C	C	C	C	<u>X</u>	X	C	C	C	X	C	C	C	X	C	X
Educational Institution, Public	P	P	P	P	<u>X</u>	P	P	P	P	P	P	P	P	Cm ¹³	P	P
Electrical Appliance Assembly	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Electrical Distribution Substation	C	C	C	C	<u>X</u>	C	C	C	C	C	C	C	C	X	C	C
Electrical Sign Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Electrical Transmission Substation					<u>X</u>											
Emergency Residential Shelter	X	X	X	X	<u>X</u>	X	X	X	C	X	X	X	X	X	X	X
Employment Agency	X	X	X	X	<u>X</u>	X	P	X	P	X	X	C	X	X	X	X
Enamel Products Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Engine Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Engraving, Machine Metal	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Equestrian Establishment	C	X	X	X	<u>X</u>	X	X	X	X	X	X	X	C	C ²	X	X
Equipment Sales & Rentals	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Family Day Care Home, Large (7 to 12 children—13+ children, see Day Care Center)	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	<u>X</u>	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	X	P ¹⁴	P ¹⁴	X	X	P ¹⁴	X
Family Day Care Home, Small (6 or fewer children)	P	P	P	P	<u>P³⁶</u>	P	P	P	P	X	P	P	X	X	P	X
Farmers' Market	A*	A*	A*	A*	<u>A*³⁶</u>	A*	A*	A	A	A	A	A*	A	A*	A*	A
	* Limited to sites with an existing church, school, or agricultural use.															
Feed and Grain Sales	X	X	X	X	<u>X</u>	X	X	P	P	X	P	X	X	X	X	X
Fiber Products Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Finance Company	X	X	X	X	X	X	P	X	P	X	X	P	X	X	X	X
Fire Prevention Equipment, Sales and Service	X	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Fire Station	Cm	Cm	Cm	Cm	X	Cm	P	P	P	P	P	P	X	P	P	
Fish Hatchery	X	X	X	X	X	X	X	X	X	X	P	X	Cm ¹⁷	X	X	
Fleet Storage	X	X	X	X	X	X	X	X	C	X	C	X	C	X	X	
Floor Covering, Retail	X	X	X	X	X	X	X	P	P	X	P	X	X	X	X	
Florist Shop	X	X	X	X	X	X	P ⁹	P	P	P	X	C	X	X	P	P ¹⁶
Food Products Manufacturing	X	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
Frozen Food Locker	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Furniture Manufacturing and Repair	X	X	X	X	X	X	X	X	Cm	X	P ¹⁵	C	X	X	X	X
Furniture Sales	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
Furniture Transfer and Storage	X	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Garage, Public Parking	X	X	X	X	X	X	C	X	C	C	P	C	C	X	X	X
Garden Supplies	X	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Garment Manufacturing	X	X	X	X	X	X	X	Cm	Cm	X	P	Cm	X	X	X	X
Gas Distribution, Meter and Control Station	X	X	X	X	X	X	X	Cm	Cm	Cm	Cm	Cm	X	X	X	X
Gas Engines, Retail Sales and Service	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Gem/Precious Stone Retail	X	X	X	X	X	X	X	P	P	P	X	X	X	X	X	Cm
Gift Shop	X	X	X	X	X	X	X	P	P	P	X	X	X	X	P	P
Glass and Mirrors, Retail	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Glass Edging and Beveling	X	X	X	X	X	X	X	X	P	X	P	C	X	X	X	X
Glass Manufacturing	X	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Grocery Store	X	X	X	X	X	X	X	P	P	C	X	X	X	X	X	X
Glass Studio (Stained and others)	X	X	X	X	X	X	X	P	P	P	P	X	X	X	X	X
Golf Course & Club House	C	C	C	C	X	C	X	X	X	C	X	X	C	C ²	X	C
Golf Driving Range (not part of golf course)	X	X	X	X	X	X	X	X	X	C	X	X	C	C ²	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Group Exercise (including, but not limited to, dance studio, yoga, martial arts, Pilates or other similar group exercise class)	X	X	X	X	<u>X</u>	X	Cm	P	P	X	X	Cm	X	X	Cm	X
Group Residential	X	X	C	C	<u>X</u>	X	X	X	X	X	X	X	X	X	X	X
Gymnasium, Public Health Club	X	X	X	X	<u>X</u>	X	Cm	X	P	C	X	P	X	X	X	C
Hair Products Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	Cm	X	X	X	X
Hair Salon	X	X	X	X	<u>X</u>	X	P ⁹	P	P	P ⁸	X	C	X	X	Cm	Cm
Hardware Store	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Hat Cleaning and Blocking	X	X	X	X	<u>X</u>	X	X	X	P	X	P	Cm	X	X	X	X
Hat Shop	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	X	Cm
Hazardous Household Materials Collection Center	X	X	X	X	<u>X</u>	X	X	X	X	X	Cm ¹⁹	X	Cm ¹⁹	X	X	X
Hazardous Waste Facility	X	X	X	X	<u>X</u>	X	X	X	X	X	Cm ¹⁹	X	X	X	X	X
Hazardous Waste Facility Specified	X	X	X	X	<u>X</u>	X	X	X	X	X	Cm ¹⁹	X	X	X	X	X
Health Food Store	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	P	P ¹⁸
Heating Equipment Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Hiring Hall	X	X	X	X	<u>X</u>	X	X	X	X	X	Cm	X	Cm	X	X	X
Hobby Supply Shop	X	X	X	X	<u>X</u>	X	X	P	P	X	X	X	X	X	P	X
Home & Business Maintenance Service	X	X	X	X	<u>X</u>	X	X	X	P	X	P	P	X	X	X	X
Home Improve. Center	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Home Occupations	P	P	P	P	<u>P³⁶</u>	P	X	X	X	X	X	X	X	X	X	X
Horses, Raising (See Stable Comm. & Stable Private)	P ¹	X	X	X	<u>X</u>	X	X	X	X	X	X	X	C	X	X	X
Horticultural Services	Cm	Cm	Cm	Cm	<u>X</u>	Cm	X	Cm	Cm	X	Cm	X	X	X	X	X
Hospital	X	X	X	X	<u>X</u>	X	C	X	X	X	X	X	C	X	X	X
Hospital, Convalescent	X	X	C	C	<u>X</u>	X	C	X	X	X	X	X	C	X	X	X
Hospital, Nursing	X	X	X	X	<u>X</u>	X	C	X	X	X	X	X	C	X	X	X
Hospital, Mental	X	X	X	X	<u>X</u>	X	C	X	X	X	X	X	C	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Hotel	X	X	X	X	X	X	X	X	C	P	X	X	X	X	X	P
Ice and Cold Storage Plant	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Ice Cream Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Ice Cream Parlor	X	X	X	X	X	X	P ⁹	P	P	P	Cm	Cm	X	X	P	P
Ice Sales, Storage and Retail	X	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Ink Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Interior Decorating Service	X	X	X	X	X	X	P	X	P	X	P	P	X	X	X	X
Janitorial Supplies/Sales	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Janitorial Services	X	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Jewelry Manufacturing	X	X	X	X	X	X	X	X	Cm	X	P	Cm	X	X	X	X
Jewelry Sales	X	X	X	X	X	X	X	P	P	P	X	X	X	X	P	P ²⁰
Kennel	X	X	X	X	X	X	X	X	C	X	C ¹	X	X	X	X	X
Labs (Medical, Dental)	X	X	X	X	X	X	P	X	X	X	P	Cm	X	X	X	X
Laboratories (Biochemical, Film, etc.)	X	X	X	X	X	X	X	X	Cm	X	P	C	X	X	X	X
Labor (Hiring Hall)	X	X	X	X	X	X	X	X	X	X	Cm	X	X	X	X	X
Land Reclamation Project	C	C	C	C	X	C	C	C	C	C	C	C	C	C ²¹	C	C
Lapidary Shop, Retail (Gems)	X	X	X	X	X	X	X	P	P	P	Cm	X	X	X	X	X
Laundry	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Laundromat	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X
Lawnmower Sales/Sales and Service	X	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Library	C	C	C	C	X	X	P	P	P	X	X	C	P	X	P	X
Lithographic Service	X	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Locksmith	X	X	X	X	X	X	X	P	P	P	P	Cm	X	X	X	X
Lumber Yard	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Machinery Storage	X	X	X	X	X	X	X	X	X	X	Cm	X	X	X	X	X
Machine and Tool Sales	X	X	X	X	X	X	X	X	P	X	P	C	X	X	X	X
Machine Shop	X	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Mail Order House	X	X	X	X	X	X	P	X	P	X	P	P	X	X	X	X
Manufacturing/Assembly	X	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Market (Food)	X	X	X	X	X	X	X	P	P	Cm	X	X	X	X	Cm	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	R-30 <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Market (wholesale)	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Massage Parlor (City Clerk permit required)	X	X	X	X	X	X	C	X	C	X	X	C	X	X	X	X
Mattress Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Medical Complex	X	X	X	X	X	X	C	X	C	X	X	X	C ²³	X	X	X
Medical Equipment Sales	X	X	X	X	X	X	C	X	P	X	X	Cm	X	X	X	X
Medical/Dental Office	X	X	X	X	X	X	P	P	P	X	X	Cm	P	X	Cm	X
Medical/Dental Clinic	X	X	X	X	X	X	P	P	P	X	X	Cm	X	X	X	X
Microwave Antenna/Tower	X	X	X	X	X	X	P ²²	X	P ²²	X	P ²²	P ²²	X	X	X	X
Mobile Home Park	X	X	C	C	X	P	X	X	X	X	X	X	X	X	X	X
Mobile Home (Including Dwelling Unit)	P	P	P	P	X	P	X	X	X	X	X	X	X	X	X	X
Mobile Home Sales	X	X	X	X	X	X	X	X	C	X	P	X	X	X	X	X
Mortuary and Funeral Parlor	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
Motel	X	X	X	X	X	X	X	X	C	P	X	X	X	X	X	P
Motion Picture Studio	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X
Motorcycle Sales & Service	X	X	X	X	X	X	X	X	C	X	P	X	X	X	X	X
Motor Vehicle Parts Store	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Motorcycle Sales Only	X	X	X	X	X	X	X	X	P ²⁴	X	P ²⁴	Cm	X	X	X	X
Motor Manufacturing (Electrical)	X	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Muffler Shop	X	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X
Music/Record Store	X	X	X	X	X	X	X	P	P	P	X	X	X	X	X	X
Museum	X; RR-1 (C ²⁵)	X; R-3 (C ²⁵)	X	X	X	X	Cm	P	P	P	X	Cm	P	Cm ²	X	Cm
Newsstand	X	X	X	X	X	X	P ⁹	P	P	P	P	P	X	X	P	P ¹⁸
Newspaper Distribution	X	X	X	X	X	X	X	X	C	X	P	P	X	X	X	X
Newspaper Printer	X	X	X	X	X	X	X	X	Cm	X	P	P	X	X	X	X
Notions and Dry Goods Store	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X
Novelties Manufacturing	X	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
Nurseries, Horticultural	Cm	Cm	Cm	Cm	X	Cm	Cm	Cm	Cm	X	X	X	X	X	Cm	X
Observatory	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Office (Business and Professional)	X	X	X	X	<u>X</u>	X	P	P	P	X	Cm	P	X	X	Cm	X
Office Equipment/Supplies Sales	X	X	X	X	<u>X</u>	X	X	X	P	X	P	Cm	X	X	X	X
Open Air Theater	X	X	X	X	<u>X</u>	X	X	X	X	C	X	X	C	X	X	X
Optical Products Manufacturing	X	X	X	X	<u>X</u>	X	X	X	Cm	X	P	C	X	X	X	X
Optical Products Sales	X	X	X	X	<u>X</u>	X	P	P	P	X	P	Cm	X	X	X	X
Orthopedic Devices Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	Cm	X	X	X	X
Orthopedic Devices Sales	X	X	X	X	<u>X</u>	X	P	P	P	X	P	Cm	X	X	X	X
Outdoor Sales	X	X	X	X	<u>X</u>	X	X	C	C	C	C	X	Cm	X	X	Cm
Packaging Business	X	X	X	X	<u>X</u>	X	X	X	C	X	P	Cm	X	X	X	X
Paper Products Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Paper Product Sales	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Parcel Delivery Service Office Only	X	X	X	X	<u>X</u>	X	P	Cm	P	X	P	P	X	X	X	X
Parking Lot, Commercial	X	X	X	X	<u>X</u>	X	C ²⁶	X ²⁶	C	C	C ²⁶	C ²⁶	X	X	X	C
Parks and Recreational Areas	C	C	C	C	<u>X</u>	C	P	P	P	P	P	P	P	Cm ²⁷	C	Cm
Pawnshop	X	X	X	X	<u>X</u>	X	X	X	Cm	X	X	X	X	X	X	X
Perfume Manufacturing	X	X	X	X	<u>X</u>	X	X	X	Cm	X	P	C	X	X	X	X
Pest Control Service	X	X	X	X	<u>X</u>	X	X	X	X	X	P	Cm	X	X	X	X
Pet Shop/Pet Grooming	X	X	X	X	<u>X</u>	X	X	P	P	X	P	P	X	X	Cm	X
Pharmacy	X	X	X	X	<u>X</u>	X	Cm	P	P	X	X	Cm	X	X	X	X
Photocopy Shop	X	X	X	X	<u>X</u>	X	P ⁹	P	P	X	P	P	X	X	X	X
Photoengraving & Finishing	X	X	X	X	<u>X</u>	X	X	X	P	X	P	Cm	X	X	X	X
Photofinishing, Retail	X	X	X	X	<u>X</u>	X	X	P	P	Cm	P	Cm	X	X	X	X
Photographic Supplies	X	X	X	X	<u>X</u>	X	X	P	P	C	P	X	X	X	X	X
Photographic Studio	X	X	X	X	<u>X</u>	X	P	P	P	X	Cm	Cm	X	X	X	X
Plastics Fabrication	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Plumbing Shop	X	X	X	X	<u>X</u>	X	X	X	P	X	P	X	X	X	X	X
Plumbing Supply Yard	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Police/Sheriff Station/Jail	X	X	X	X	<u>X</u>	X	C	X	C	X	P	C	P	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Post Office	X	X	X	X	<u>X</u>	X	P	P	P	X	P	P	P	X	X	X
Postal Annex, Private Ownership	X	X	X	X	<u>X</u>	X	P	P	P	X	X	X	X	X	X	X
Pottery Manufacturing	X	X	X	X	<u>X</u>	X	X	X	P	P	P	X	X	X	X	X
Pottery Sales	X	X	X	X	<u>X</u>	X	X	P	P	P	P	X	X	X	X	X
Prefabricated Building Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Printing	X	X	X	X	<u>X</u>	X	P	X	P	X	P	P	X	X	X	X
Public Utilities: Office	X	X	X	X	<u>X</u>	X	P	X	P	X	P	P	P	X	X	X
Public Utility Service Yards	X	X	X	X	<u>X</u>	X	X	X	C	X	C	X	C	X	X	X
Radio/Television Broadcasting Studio	X	X	X	X	<u>X</u>	X	C	X	C	X	P	P	X	X	X	X
Radio/Television Sales	X	X	X	X	<u>X</u>	X	X	X	P	X	X	X	X	X	X	X
Radio/Television Transmitter	X	X	X	X	<u>X</u>	X	C	X	C	X	C	C	X	X	X	X
Real Estate Office	X	X	X	X	<u>X</u>	X	P	X	P	P	X	P	X	X	X	X
Recording Studio	X	X	X	X	<u>X</u>	X	Cm	X	Cm	X	P	P	X	X	X	X
Recreational Facilities Private	C	C	C	C	<u>X</u>	C	C	C	C	C	C	C	X	X	C ¹⁸	C ¹⁸
Recreational Facilities Public	C	C	C	C	<u>X</u>	C	C	C	C	P	C	C	P	C	X	C
Recreational Storage	X	X	X	X	<u>X</u>	X	X	X	C	X	X	X	X	X	X	X
Recreational Vehicle Sales	X	X	X	X	<u>X</u>	X	X	X	Cm	X	C	X	X	X	X	X
Recycling Facilities ³⁰	X	X	X	X	<u>X</u>	X	X	X	C	X	C	C ³⁰	C	X	X	X
Reducing Salon	X	X	X	X	<u>X</u>	X	P	P	P	X	X	Cm	X	X	X	X
Rental Recreational Surf Shop	X	X	X	X	<u>X</u>	X	X	X	P	P	P	X	X	X	X	X
Residential Care, Limited—6 or Fewer	P	P	P	P	<u>P³⁶</u>	X	X	X	X	X	X	X	X	X	X	X
Residential Care, General—7 or More ²⁸	C ²⁹	C ²⁹	C	C	<u>C³⁶</u>	X	X	X	X	X	X	X	C	X	X	X
Restaurant—No Alcohol Sales	X	X	X	X	<u>X</u>	X	P ³¹	P	P	P	P	P ³¹	X	X	X	P
Restaurant—With Alcohol Sales	X	X	X	X	<u>X</u>	X	Cm ³¹	Cm	Cm	Cm	Cm	Cm ³¹	X	X	X	Cm
Retail Sales	X	X	X	X	<u>X</u>	X	X	P	P	P	Cm	Cm	X	X	P ³¹	P ³¹

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Rubber Products Fabrication	X	X	X	X	<u>X</u>	X	X	X	X	X	P	C	X	X	X	X
Rug Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Sash & Door Manufacturing	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Scales, Public	X	X	X	X	<u>X</u>	X	X	X	X	X	P	Cm	X	X	X	X
Schools Private (Elem., Jr. High, H.S.)	C	C	C	C	<u>X</u>	X	C	C	C	X	C	C	C	X	C	X
Schools Public (Elem., Jr. High, H.S.)	P	P	P	P	<u>X</u>	P	P	P	P	P	P	P	P	Cm ²	P	P
Schools, Technical	X	X	X	X	<u>X</u>	X	C	X	C	X	C	C	C	X	X	X
Scientific Instruments Manufacturing	X	X	X	X	<u>X</u>	X	Cm	X	X	X	P	P	X	X	X	X
Scientific Instruments Sales	X	X	X	X	<u>X</u>	X	C	X	P	X	P	Cm	X	X	X	X
Second Hand Dealer (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	P	P	X	P	X	X	X	X	X
Second Hand Store (City Clerk permit possible)	X	X	X	X	<u>X</u>	X	X	X	P	X	X	X	X	X	X	X
Service Station, including Auto Repair and Car Wash	X	X	X	X	<u>X</u>	X	X	C	C	C	C	C	X	X	X	X ³²
Sewage Treatment Plant	X	X	X	X	<u>X</u>	X	X	X	X	X	X	X	P	X	X	X
Shoe Repair/Sales	X	X	X	X	<u>X</u>	X	X	P	P	X	X	X	X	X	X	X
Shoe Manufacturing	X	X	X	X	<u>X</u>	X	X	X	Cm	X	P	Cm	X	X	X	X
Silk Screen Printing Shop	X	X	X	X	<u>X</u>	X	X	P	P	X	P	Cm	X	X	X	X
Sign Shop	X	X	X	X	<u>X</u>	X	X	X	P	X	P	Cm	X	X	X	X
Small Animal Hospital/Kennel	X	X	X	X	<u>X</u>	X	X	X	P	X	C ¹	C ¹	X	X	X	X
Soap Manufacturing (Cold Mix Only)	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Soft Drink Manufacturing & Bottling	X	X	X	X	<u>X</u>	X	X	X	X	X	P	X	X	X	X	X
Sporting Goods Sales	X	X	X	X	<u>X</u>	X	X	P	P	P	X	X	X	X	X	X
Stable, Commercial	C	X	X	X	<u>X</u>	X	X	X	X	X	X	X	C	C ²	X	X
Stable, Private	P ¹	X	X	X	<u>X</u>	X	X	X	X	X	X	X	X	X	X	X
Stadium	X	X	X	X	<u>X</u>	X	X	X	X	X	X	X	C	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	R-30 OL	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Stationery Store	X	X	X	X	X	X	P ⁹	P	P	P	P	P	X	X	P	X
Stationery Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Steel Fabrication Plan	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X
Stove Monuments and Tombstone Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Stone (Precious) Mfg.	X	X	X	X	X	X	X	X	P	X	P	P	X	X	X	X
Storage Building (Self- Storage, Boat, RV & Truck Rentals)	C ³³	C ³³	C ³³	C ³³	X	X	X	X	C	X	Cm	X	X	X	X	X
Storage of Non-Operative Vehicles (City Clerk permit possible)	X	X	X	X	X	X	X	X	C ³⁴	X	C ³⁴	X	X	X	X	X
Storage and Preparation of Vehicles (Associated With New Car Dealerships)	X	X	X	X	X	X	X	X	X	X	X	X	C ²	X	X	X
Storage of Sand, Gravel, etc.	X	X	X	X	X	X	X	X	X	X	C	X	C	X	X	X
Surf Shop																
Retail	X	X	X	X	X	X	X	P	P	P	P	X	Cm	X	X	Cm
With Manufacturing	X	X	X	X	X	X	X	X	P	P	P	X	Cm	X	X	Cm
Rental	X	X	X	X	X	X	X	X	P	P	P	X	X	X	X	X
Swap Meet	X	X	X	X	X	X	X	C	C	C	C	X	Cm	X	X	Cm
Swimming Pool Supplies/Equipment Sales	X	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X
Tailor Shop	X	X	X	X	X	X	X	P	P	X	P	P	X	X	X	X
Tattoo Parlor	X	X	X	X	X	X	X	X	Cm	X	X	X	X	X	X	X
Telephone Answering Service	X	X	X	X	X	X	P	P	P	X	P	P	X	X	X	X
Terminals and Stations (Taxi, Bus, Limousine, etc.) (City Clerk permit possible)	X	X	X	X	X	X	X	X	C	C	C	C	C	X	X	X
Textiles Manufacturing Processing	X	X	X	X	X	X	X	X	C	X	P	X	X	X	X	X
Theaters and Places of Public Assembly	X	X	X	X	X	X	X	X	P	C	X	X	P	C ²	X	C ¹⁸
Tile Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X

USES	ZONES															
	RR; RR-1; RR-2	RS-11; R-3; R-5; R-8	R-11; R-15	R-20; R-25	<u>R-30</u> <u>OL</u>	MHP	OP	LC	GC	VSC	LI	BP	P/SP	ER/OS	L- LC	L- VSC
Tile Sales	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Tile Rebuilding/Retreading	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Time-Share Project	X	X	X	X	X	X	X	X	C	C	X	X	X	X	X	C
Toiletries Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Tools Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Towing/Impounding of Vehicles	X	X	X	X	X	X	X	X	X	X	C	X	C	X	X	X
Toys Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Transfer, Moving and Storage	X	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X
Transient Habitation	X	X	X	X	X	X	X	C	C	C	X	X	C	X	X	C
Truck Rental	X	X	X	X	X	X	X	X	Cm	Cm	Cm	X	X	X	X	X
Truck Repair	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Truck Sales	X	X	X	X	X	X	X	X	Cm	X	C	X	X	X	X	X
Tutoring Center	X	X	X	X	X	X	Cm	Cm	Cm	X	X	Cm	X	X	X	X
Upholstery Installation	X	X	X	X	X	X	X	X	Cm	X	P	X	X	X	X	X
Utility Lines-Sewer, Gas, Petroleum, Telephone, Electric	P	P	P	P	<u>P³⁶</u>	P	P	P	P	P	P	P	P	C	P	P
Vending Machine Sales and Service	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X
Veterinarian	X	X	X	X	X	X	Cm	P	P	X	P	P	X	X	X	X
Vitamin Manufacturing	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Warehouse	X	X	X	X	X	X	X	X	X	X	P	C	X	X	X	X
Water Reservoir	C	C	C	C	X	C	C	C	C	C	C	C	C	C ²	C	C
Wearing Apparel Shop	X	X	X	X	X	X	X	P	P	P ⁶	X	X	X	X	Cm	Cm
Welding Shop	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Wholesale Business	X	X	X	X	X	X	X	X	P	X	P	C	X	X	X	X
Wine Storage and Mfg.	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Wire Fabrication	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Wood Products Sales Retail	X	X	X	X	X	X	X	X	P	X	P	X	X	X	X	X
Wood Products Mfg.	X	X	X	X	X	X	X	X	X	X	P	Cm	X	X	X	X
Yard Products Mfg.	X	X	X	X	X	X	X	X	C	X	P	Cm	X	X	X	X

NOTES:

- 1 See Animal Regulations (Ch. 30.55).
- 2 Not permitted within Coastal Zone ecological resource areas.
- 3 Limited to aquaculture uses (as defined by this title) within the Coastal Zone.
- 4 This use must still meet the locational requirements of Title 30.
- 5 Incidental repairs permitted per state certification requirements.
- 6 Permitted in conjunction with a hotel or visitor service complex.
- 7 "C" is required when use stands alone or "P" when use is accessory to hotel.
- 8 Permitted when in conjunction with a hotel or office/professional complex.
- 9 Ancillary use.
- 10 Duplex is a permitted use on lots of 5,000 square feet gross or greater that existed prior to adoption of this Code. For R-15 zones.
- 11 For R-15 zones dry cleaning is permitted provided that this service is accessory to the main function of a hotel or motel.
- 12 Unless permitted as accessory use in conjunction with a major or minor use permit.
- 13 Within Coastal Zone ecological resource areas, public educational institution uses shall be limited to nature centers and interpretive facilities.
- 14 Accessory to a single-family home.
- 15 On-site sale permitted when product manufactured on-site.
- 16 In conjunction with a hotel or permitted use.
- 17 Within Coastal Zone ecological resource areas, fish hatchery uses shall be limited to aquaculture uses as defined by this title.
- 18 In conjunction with permitted use.
- 19 See Hazardous Waste Facility Regulations (Ch. 30.57).
- 20 In conjunction with a hotel.
- 21 Within coastal zone ecological resource areas, land reclamation project uses shall be limited to restoration projects.
- 22 Subject to the Accessory Use Regulations (Ch. 30.48) and Design Review Regulations (Ch. 23.08).
- 23 Medical complex may be approved up to a 1.0 FAR and maximum of 3 stories as established and approved by a major use permit.
- 24 Incidental repairs permitted per state certification regulations.
- 25 Museums allowed in RR-1 and R-3 only in Southern El Camino Real Museum Special Purpose Overlay Zone with a major use permit subject to limitations. See Municipal Code Sections 30.08.010F and [30.34.090](#).
- 26 Amended Ord. 90-12.
- 27 Within Coastal Zone ecological resource areas, parks and recreational area uses shall be limited to public uses.
- 28 Nonconforming residential care facilities for 7 or more legally established as of March 9, 2005, may be expanded or intensified through issuance of a conditional use permit (major) pursuant to Municipal Code Section 30.16.010B12.
- 29 Residential care facilities, general for 7 or more are permitted through issuance of a conditional use permit (major) only if the property is located on a prime arterial circulation element road as shown on the General Plan.
- 30 See Recycling Facilities (Ch. 30.56).
- 31 Permitted as an accessory use up to 10% of leasable square footage of the center, not to exceed 1,500 square feet, unless approved by a minor use permit.
- 32 Existing service station may expand with a major use permit.
- 33 When located on a prime arterial, outdoor storage of boats and RVs and limited truck rentals are considered.
- 34 The following issues will need to be addressed in addition to other site specific issues that may arise through the process: lighting, hours of operation, noise, visibility of operation, screening, size of property and use, maximum time period to store a vehicle, and site improvements.
- 35 Applicable only to sites within the R30 Overlay zoning district proposed to be developed at a minimum density of 25 units per net acre and a maximum density of 30 units per net acre and proposed for at least 16 dwelling units. As required by Government Code Section 65583.2, residential development projects proposed to include at least 20 percent lower income units, as defined in Health and Safety Code Section 50079.5, and not including an application for a subdivision map, shall be approved as a use by right. A use by right may not be subject to any City discretionary approval that constitutes a project under the California Environmental Quality Act, however, such use by right does not exempt projects from design review or the requirements of the California Coastal Act.
- 36 Applicable only to uses that are accessory or ancillary uses to a residential use meeting all of the requirements of the R30 Overlay zoning district.

EXHIBIT 2018-07-3

**AMENDMENTS TO SECTION 30.16.010 (RESIDENTIAL DEVELOPMENT STANDARDS)
OF TITLE 30, ZONING OF THE ENCINITAS MUNICIPAL CODE**

Section 30.16.010 (Residential Development Standards) of Title 30 of the City of Encinitas Municipal Code, also referred to as the Zoning Code, is hereby amended to read as follows:

30.16.010 Development Standards

A. The development standards described in the tables below shall apply to the residential zones and are minimums unless otherwise stated. These standards shall apply to all land and buildings other than accessory buildings, permitted in their respective residential zones. In addition to the development standards provided in this chapter, each specific plan identified in Chapter 30.84, Specific Plans, may have separate development standards for residential zones in their jurisdictional boundaries. Refer to individual specific plans, as referenced in Chapter 30.84, for development standards in residential zones within adopted specific plans.

For building height, see Section 30.16.010B6. For off-street parking requirements, see Chapter 30.54.

1. Rural Residential Zones.

ZONE REQUIREMENTS	RR	RR-1	RR-2
a. Density (maximum dwelling units per net acre)	0.123 (8 acres for floodplain); 0.26—0.50 (2-4 acres depending on slope)	1.0	2.0
b. Midrange Density (See Section 30.16.010B1 & B2)	0.125 (8 acres for floodplain); 0.38 (3 acres depending on slope)	0.75	1.5
c. Net Lot Area	2,4, or 8 acres	1.0 acre	21,500 sq. ft.
d. Lot Width (ft.)	110	110	100
e. Cul-de-sac Lot Width (ft.)	30 at front setback	30 at front setback	30 at front setback
f. Panhandle Width on a Flag Lot (ft.)	20	20	20
g. Lot Depth (ft.)	150	150	150
h. Front Yard Setback (ft.)	30	30	30
i. Side Yard Setback (ft.) for each interior side ^{4,5}	15/15	15/15	10/10
j. Side Yard Setback (ft.) street side ⁵	20	15	15
k. Rear Yard Setback (ft.)	25	25	25
l. Lot Coverage (maximum percentage)	35%	35%	35%

2. Single-Family Residential Zones.

ZONE REQUIREMENT	R-3	R-5	R-8	R-11/RS-11
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ZONE REQUIREMENT	R-3	R-5	R-8	R-11/RS-11
a. Density (maximum dwelling units per net acre)	3.0	5.0	8.0	11.0
b. Midrange Density (See Section 30.16.010B1 & B2)	2.5	4.0	6.5	9.5
c. Net Lot Area (sq. ft.)	14,500	8,700	5,400	3,950
d. Lot Width (ft.)	80	70	60	40
e. Cul-de-sac Lot Width (ft.)	30 at front setback	30 at front setback	30 at front setback	30 at front setback
f. Panhandle Width on a Flag Lot (ft.)	20	20	20	20
g. Lot Depth (ft.)	100	100	90	90
h. Front Yard Setback (ft.)	25	25	25	20 ²
i. Side Yard Setback (ft.) for each interior side ^{4,5}	10/10	10/10	5/10	(RS-11) 5/5; (R-11) 5/0-5 ¹
j. Side Yard Setback (ft.) street side ⁵	10	10	10	10
k. Rear Yard Setback (ft.)	25	25	25	20
l. Lot Coverage (maximum percentage)	35%	35%	40%	40%
m. Floor Area Ratio		0.6	0.6	0.6 (Standard Lot Sizes); 0.5 (Substandard Lot) ³

3. Higher Density Single-Family and Multiple-Family Residential Zones.

ZONE REQUIREMENT	R-15	R-20	R-25	R-30 OL⁶	MHP
a. Density (Maximum dwelling units per net acre)	15.0	20.0	25.0	<u>30.0</u>	11.0
b. Midrange Density (See Section 30.16.010B1 & B2)	13.0	17.5	22.5	<u>N/A</u>	9.5
c. Net Lot Area (sq. ft.)	20,000	20,000	20,000	<u>30,000</u>	
d. Lot Width (ft.)	100	100	100	<u>100</u>	
e. Lot Depth (ft.)	150	150	150	<u>150</u>	
f. Front Yard Setback (ft.)	20	20	20	<u>10</u>	
g. Side Yard Setback (ft.) for each interior side (Standard Lot) ⁵	15/15	15/15	15/15	<u>10</u>	
h. Side Yard Setback (Substandard Lot) street side ^{3,5}	5/5	5/5	5/5	<u>N/A</u>	
i. Street Side Yard Setback (Standard Lot) (ft.) ⁵	20	20	20	<u>10</u>	
j. Street Side Yard Setback (Substandard Lot) ^{3,5}	10	10	10	<u>N/A</u>	
k. Rear Yard Setback (ft.)	15	15	15	<u>10</u>	
l. Rear Yard Setback Where Alley Exists	20	20	20	<u>10</u>	
m. Lot Coverage (maximum percentage)	40	40	40	<u>65</u>	
n. Building Height (See 30.16.010B6)					
o. Distance between buildings on the same lot less than 16 ft. in height	15	15	15	<u>15</u>	
p. Distance between buildings on the same lot greater than 16 ft. in height	20	20	20	<u>15</u>	

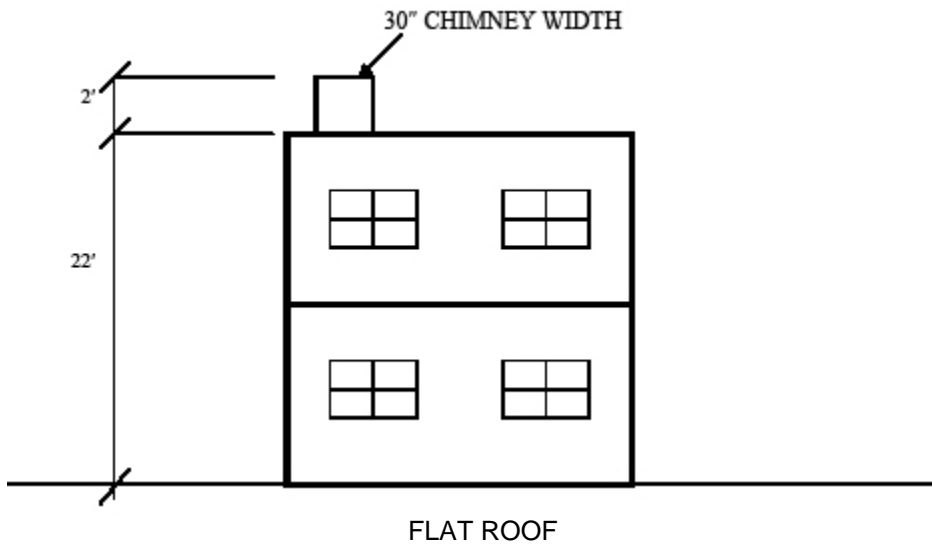
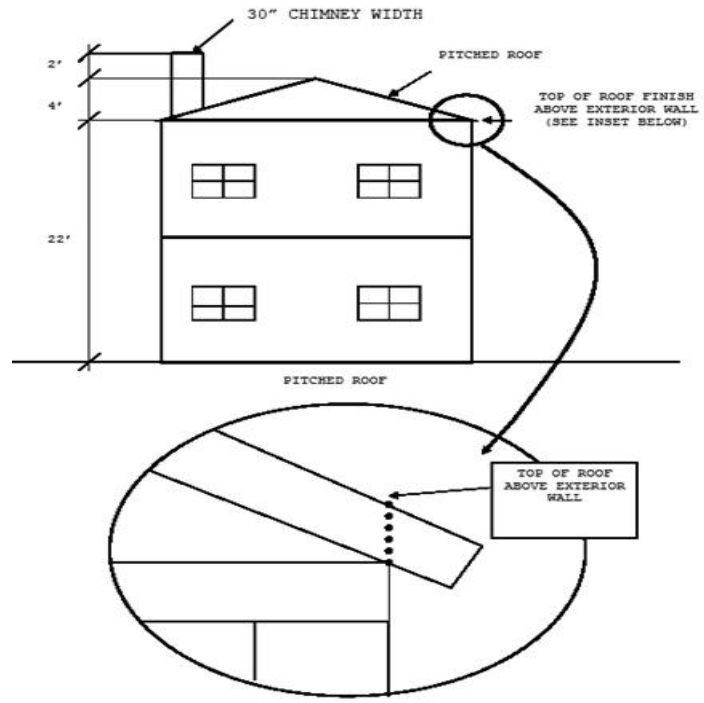
FOOTNOTES

- Requires a minimum 5-foot side yard setback for both side yards, unless a zero lot line development is proposed. For zero lot line development, a 5-foot minimum side yard setback is required for one side yard with a zero yard setback where the two units have common walls.
- See Section 30.16.010C4 and D10.
- Substandard lot under floor area ratio refers to a lot that does not meet the standard for lot area.
- See Section 30.16.010B9.
- See "Lot, Interior" in Section 30.04.010.
- A minimum net density of 25 dwelling units per acre is required in the R-30 OL Zone.

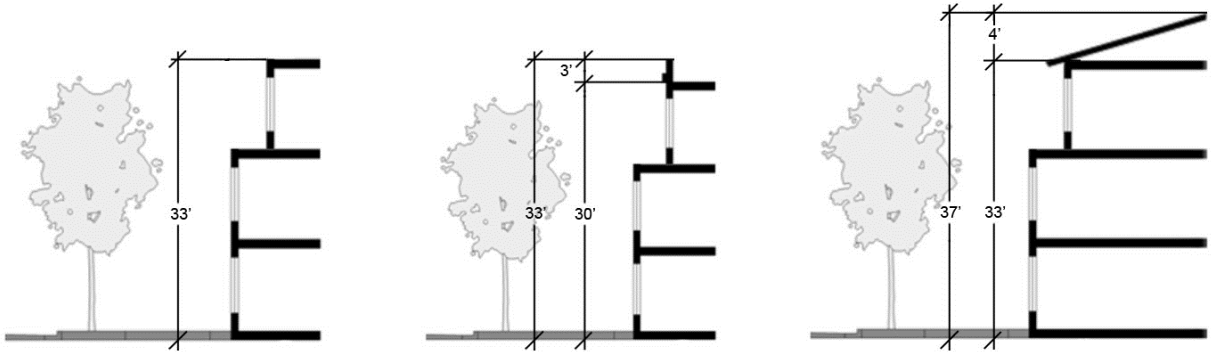
- B. All Residential Zones. The following development standards shall apply to all residential zones:
1. In determining the mid-range or maximum number of dwelling units allowed for a property, multiply net acreage by the mid-range density or maximum density given in Section 30.16.010A. Any fraction of a dwelling unit shall be reduced to the next lower whole unit not less than one. However, for properties located in and developing in conformance with the provisions of the R-30 Overlay, or properties requesting a density bonus, any fraction of a dwelling unit shall be rounded up to the next whole unit.
 2. Net acreage is the slope adjusted gross acreage not including acreage of the flood plains, beaches, permanent bodies of water, significant wetlands, major power transmission easements, railroad track beds, existing and future rights-of-way and easements for public or private streets/roads, and the area contained within the panhandle portion of a panhandle lot in a zone where the minimum required lot size is 10,000 square feet or less. The portion of access roadways or easements internal to a project that are used exclusively to provide access to rear-loaded garages are not required to be deducted from gross acreage. Driveways providing access to dwelling unit(s) on one lot are not deducted from gross acreage. Environmental constraints may reduce density.
 - a. The slope adjustment shall be required and is as follows:
 - i. All land in 0-25% slope of natural grade is allowed to use 100% of acreage.
 - ii. All land in 25-40% slope of natural grade is allowed to use 50% of acreage.
 - iii. All land in 40% + slope of natural grade is allowed to use 0% of acreage.
 - iv. Five-foot contour maps available from the City shall be used for calculating the slope adjustment.
 - b. The density of development shall be based on net acreage. Projects proposing to create a total of four units/residential lots or less may exceed mid-range density regulations without having to comply with the following findings, so long as the project will not exceed maximum density. In order to exceed mid-range density up to the maximum density for projects containing five or more dwelling units or residential lots, allowed for the subject site, the following findings must be made by the appropriate agency:
 - i. The project shows high sensitivity to the neighboring properties and area to ensure compatibility with land uses and community character; and
 - ii. The project design significantly exceeds the minimum standards for development (lot size, setbacks, lot width and depth, landscape standards and design standards); and
 - iii. The project either:
 - (A) Provides needed public improvements that are significantly beyond the requirements for the project, or
 - (B) Provides private or public recreational facilities that significantly exceed the project's requirements, or provides other significant benefits.

3. Street setbacks shall be measured from the ultimate street right-of-way according to the City Engineer or the maximum required street width if the street is proposed to be private or is now a private street.
4. When landscaping is required, landscaping shall consist predominantly of trees, shrubs, ground cover and decorative rocks, except for necessary walks, drives and fences. All required landscaping shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris.
5. Varieties of plants chosen for landscaping may be restricted through the development review process to protect or preserve views. All required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with required landscaping, buffering, and screening requirements. All required landscaping shall be maintained in a manner that will not depreciate adjacent property values or otherwise adversely affect adjacent properties.
6. The following standards shall apply to building height limits for residential buildings.
 - a. The standard height limit for residential buildings, shall be the lesser of two stories in the RR through R-25 and MHP zones and shall be the lesser of three stories in the R-30 Overlay zone or the following height, all as measured to the top of a flat roof (or in the case of a pitched roof to the top of the roof immediately above the exterior plane of the wall below, including roofing material):
 - 26 feet—RR to RR-1 zones citywide, RR through RR-2 in the Olivenhain Community.
 - 22 feet—RR-2 (except Olivenhain Community) ~~and higher zones~~ through R-25 and MHP zone, and substandard lots in the Olivenhain Community.
 - 33 feet – R-30 Overlay zone

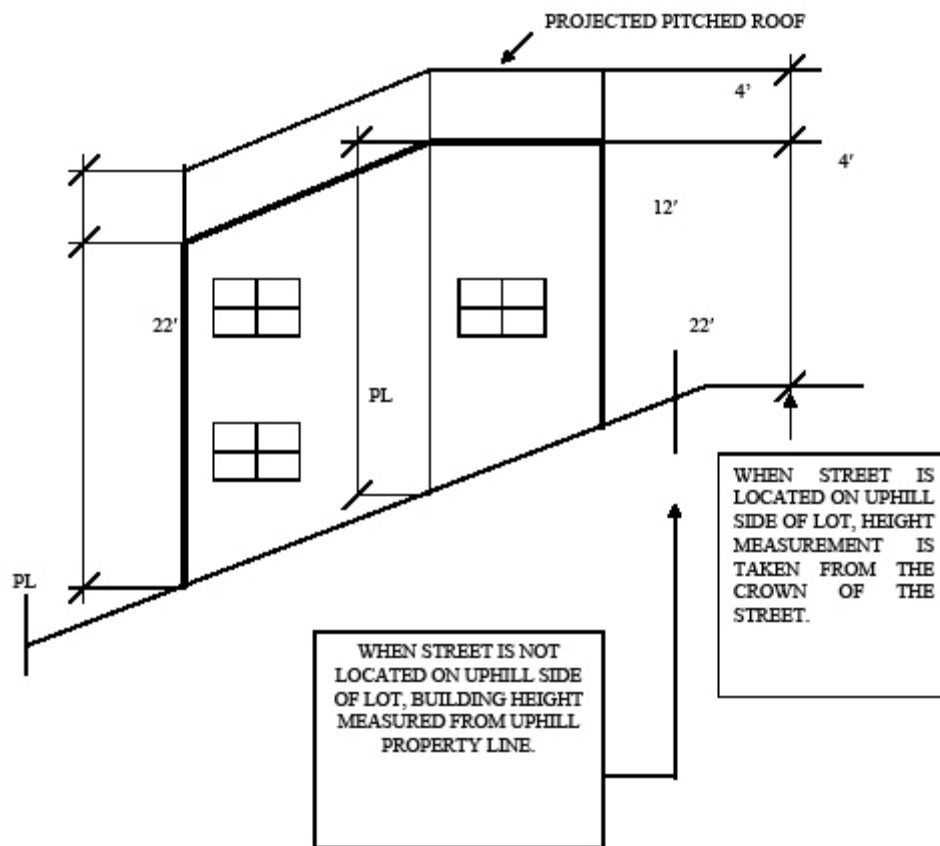
This height standard is subject to the following exceptions:



R-30 OL Zone Building Height



- i. On lots in R-3 to R-25 zones with greater than 10% slope, the building height at the uphill side of the lot shall not exceed 12 feet above the crown of the right-of-way. Where a street does not abut the uphill side of the sloped lot or a panhandle portion of a lot exists, this measurement shall be made at the property line located at the uphill side of the lot (excluding the panhandle of a lot) except as provided below. In no case shall the building exceed the applicable standard height limit at any point unless provided by the Code. Lot slope shall be determined in accordance with Section 30.16.010B6e.

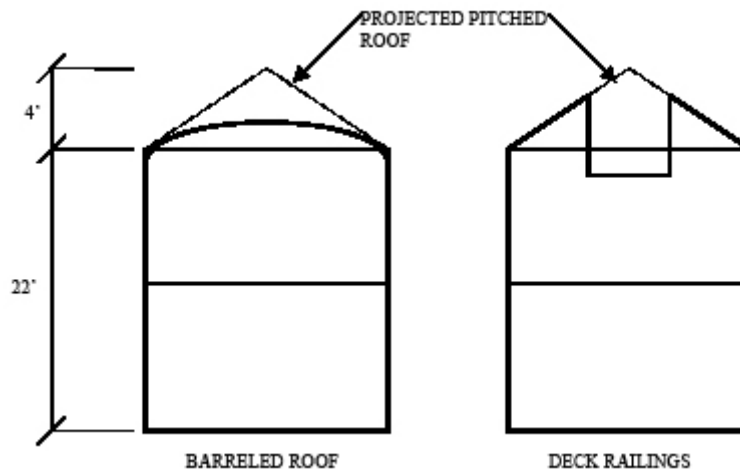


- ii. In all zones, elements such as towers (maximum diagonal dimension of 12 feet), hips, gables, and spires may extend no more than four feet above the permitted standard height limit. A roof that extends above the permitted standard height limit shall have a minimum 3:12 pitch. Barreled roofs and roof decks shall be permitted provided the design of the roof or deck railings do not extend beyond the envelope of a projected pitch roof as authorized by this section. An additional maximum of a two-foot projection (beyond the elements extending up to four feet

listed above) may be authorized by staff for chimneys, provided: (1) the perimeter of the chimney does not exceed 120 linear inches; and (2) the width of the chimney is no wider than 40 inches in any direction; and (3) a required non-decorative spark arrestor assembly may be added to the two-foot chimney; and (4) the building height plus projections do not exceed 30 feet in height for the RR through R-25 and MHP zones and 33 feet (flat roof) or 37 feet (pitched roof) for the R-30 Overlay zone.

iii. In addition to the allowed projections specified in Section 30.16.010B.6.a.ii above, buildings in the R-30 Overlay zone may exceed the 33-foot or 37-foot height limit, as applicable, a maximum of five feet to accommodate necessary equipment (such as elevator shafts and other mechanical equipment) and screening, as long as any projections do not occupy more than 25% of the roof area and are set back a minimum of 10 feet from the edge of the wall plane on all sides.

iiiiv. Existing residential structures in the New Encinitas Community constructed at a height exceeding the aforementioned 22 foot/26 foot height may be remodeled or added to at the height of the existing structure. The height of the existing structure shall be documented through a height survey or other manner found satisfactory by the Development Services Director, and the proposed addition/remodel must also maintain substantially the same design character as the existing structure, also to the satisfaction of the Development Services Director.



- b. All building permit applications for residential buildings shall provide building height information at a sufficient number of locations to substantiate that no point of the structure exceeds the standard building height limit, projections do not exceed the height restrictions, and the structure contains no more than two stories.
- c. Natural grade shall be determined as follows. Natural grade may be determined by the Planning and Building Development Services Director, or authorized agency when a discretionary application is being reviewed, with consideration given to:

- i. The prevailing topography of the site which has existed for some period of time prior to review of a project under consideration. Documentation of the grade shown on photographs, historical topographic surveys and/or in geotechnical reports prepared by certified professionals may be utilized on a case by case basis to determine the natural grade for purposes of development. The review shall take into account the vegetation on the site, the existing earth forms at the time of the review and the expectation that a reasonable person would consider the grade to be natural. Small earth form irregularities in topography, such as pits or mounds and similar features may be disregarded;
 - ii. Grading or other modifications of earth forms which result in gaining an advantage for future development, shall not be considered natural grade when substantial evidence can reasonably document that the grading or modifications of earth forms have resulted in circumvention of the regulations in the Municipal Code.
- d. ~~Finished pad elevation shall be determined as follows: An approved subdivision map may establish the finished building pad elevation from which building height is measured with consideration given to on-site and surrounding uses and terrain. Where the property is located significantly below the level of existing streets (as determined by the Planning and Building Director) a pad elevation, from which the building height is measured, may be approved subject to a use or design review permit. In addition to the provisions stated above, modifications to the determination of natural grade for purposes of measuring building height for development in the R-30 Overlay zone shall be allowed if one or more of the following findings can be made, as part of a discretionary approval by the Planning Commission:~~
- i. Grading to alter the natural grade is required to achieve adequate site drainage, to comply with flood or water quality regulations, to comply with recommendations from a licensed soils or geotechnical engineer or geologist related to soil or geotechnical conditions including soil remediation or to provide fire access to the site acceptable to the Fire Department and such grading precludes construction of the housing development at the minimum required density of twenty-five (25) dwelling units per net acre or the maximum allowed density of thirty (30) units per net acre without modifications to the determination of natural grade; or
 - ii. Grading to alter the natural grade is required to conform with Title 24, including accessibility requirements, or with other accessibility requirements imposed by state or federal law and such grading precludes construction of the housing development at the minimum required density of twenty-five (25) dwelling units per net acre or the maximum allowed density of thirty (30) units per net acre without modifications to the determination of natural grade; or
 - iii. Grading is required for remediation of hazardous wastes based on the findings of an Environmental Site Assessment and/or the requirements of a Remedial Action Plan and such grading precludes construction of the housing development at the minimum required density of twenty-five (25) dwelling units per net acre or the

maximum allowed density of thirty (30) units per net acre without modifications to the determination of natural grade; or

- iv. Strict interpretation of the code results in a physical constraint that precludes construction of the housing development at the minimum required density of twenty-five (25) dwelling units per net acre or the maximum allowed density of thirty (30) units per net acre.

e. The slope of a lot shall be determined as follows:

- i. For the purpose of determining whether a lot has a greater than 10% slope, the average lot slope within the building envelope (setback lines) must be established. The average lot slope is determined by calculating the total change in elevation from setback line to setback line (rise/run), and is established by placing three run-lines across the property and taking the combined average slope of the three lines. The lines are to follow the slope of the property; i.e., they are to be placed at right angles to the contour lines.
- ii. For properties in which the run-lines parallel the property lines, two run-lines shall be placed along the peripheral setback lines, with the third line placed down the center of the property. For situations in which the slope crosses the property at an angle, the three run-lines shall be placed in such a way as to reveal average slope of the entire building envelope, to the satisfaction of the Development Services Director ~~of Planning and Building~~. For properties of an irregular shape and topography, additional run-lines may be required on the site plan to the satisfaction of the Development Services Director ~~of Planning and Building~~.
- iii. Bluff-top properties with one property line located at the lower portion of the bluff shall not be subject to a designation of greater than 10% lot slope, unless, using the method of measurement described above, the portion of the property between the edge of bluff and the opposite setback line is determined to exceed 10%. A bluff exists when the vertical elevation between the top and the toe of the bluff is 10 feet or more.
- iv. All building permit applications for new residential construction or additions on which slope determination is an issue must provide topographic information in order for lot slope to be determined. For properties with an average slope of five percent or less, and for properties on which the owner is not disputing the degree of slope being greater than 10%, the topographic information may be provided by a note on the site plan indicating percentage of slope. For lots sloping greater than five percent on which slope determination is an issue, topographic information based on a permanent assumed benchmark shall be depicted on the site plan. The topographic information can be provided by the property owner, contractor, architect, designer, land surveyor or civil engineer. If substantial evidence is presented which indicates that the topographic information is inaccurate, a certified survey shall be provided from a professional land surveyor or civil engineer.

7. Floor area ratio (FAR) shall limit the amount of floor area of a building on a lot. For purposes of determining FAR, the following floor area is excluded:
 - a. Up to 400 square feet per dwelling unit for a garage or carport.
 - b. Floor area covered by a roof of open construction, such as a trellis, sunscreen or lattice work, where the total square footage of the open spaces of the covering is 50% or more of the total square footage of the floor area below.
 - c. Floor area whose walls are of open construction, such as a trellis, sunscreen or lattice work, or partial wall where 50% or more of the total square footage of the vertical planes of the perimeter of the bulk floor area is open. Columns to support structure above shall not count toward this 50%, such that typical open building recess areas and patios are not counted as floor area.
 - d. Floor area which has less than five feet of headroom between the floor and the ceiling.
 - e. That portion of the floor in the basement.
 - f. Floor area used solely for the capture, distribution or storage of solar energy.
8. An animal kennel that was lawfully established and was in existence on March 29, 1989 may expand and rebuild in accordance with the development standards for the zone in which it is located. When an expansion increases the intensity of the use, a major use permit shall be required. An increase in intensity would include, but not be limited to, an increase in animals, customers, and traffic, and a relocation or expansion of high activity areas (dog runs). When structural alterations are proposed that do not increase the intensity of the use, a design review permit shall be required pursuant to Chapter 23.08 of the Municipal Code. Such structural alterations would include, but not be limited to: building elevation redesign; landscaping, walkways and fences/walls, additions to utility rooms, office space and lobby space. The permit (major use permit and/or design review permit) shall be revoked only if the kennel is operated in a manner contrary to law or the use is removed by the owner.
9. Additions to existing nonconforming residential structures that were legally constructed prior to March 29, 1989, shall have an interior side yard setback in accordance with the following:
 - a. The existing interior side yard setback of the existing building may be maintained except that in no case shall the interior side yard setback of the addition be less than:
 - i. 10 feet for a 15-foot required side yard setback.
 - ii. Five feet for a 10-foot required side yard setback.
 - iii. In no case shall a side yard setback of less than five feet be permitted, including those existing structures located within a minimum five-foot side yard setback.
 - b. Second story additions are allowed for an existing nonconforming two-story dwelling based on the setbacks of paragraph 9a of this subsection B.
 - c. Additions in conformance with subsection 9a of this section shall be limited to one story for an existing nonconforming single story dwelling unless it is determined that

no view issues exist. Should no view issues exist based on the filing of a conceptual review application and subsequent site analysis, the Director of Planning and Building shall approve a second story addition based on the setbacks of subsection 10a. If it is determined that view issues exist, the applicant may file a design review application to have their application considered at a public hearing scheduled before the Planning Commission.

- d. New construction on vacant lots or to replace demolished units shall comply with the established interior side yard setbacks unless otherwise permitted pursuant to Chapter 30.76 (Nonconformity Regulations) of the Municipal Code.
 - e. Second story additions to existing single-story residential structures which comply with the setback standards in effect at the time of building permit application shall be processed in accordance with the standards contained in this chapter.
10. Additions or enclosures for existing third story rooms and/or decks that were legally constructed prior to March 29, 1989 may be approved through the design review process if it can be found that the addition and/or deck enclosure:
- a. Maintains some of the significant views enjoyed by residents of nearby properties, and
 - b. That the remodeled building is compatible in bulk and mass with buildings on neighboring properties, and
 - c. That the floor area ratio prescribed for the zoning district in which the project is located is not exceeded.
11. For single-family residential zones, the following development standards shall apply:
- a. Front yard setbacks within subdivisions of five or more lots should vary in a manner consistent with the pattern of development in the surrounding neighborhood and consistent with the provisions of the underlying zoning.
 - b. Garage placement/design standards for single-family subdivisions:
 - i. Garages shall be located to minimize or reduce their visual presence, to the extent practical.
 - ii. In RR to R-3 Zones, the placement of garages on a single-family lot shall vary; e.g., (a) located in the rear of the lot but accessed from the front; (b) located in the front portion of the lot with either direct access or side loaded; or (c) accessed from the alley or side street, or combination. In R-5 to RS-11 Zones, the placement of garages on the lot is encouraged to vary, to the extent practical.
 - iii. To the extent practical, access to the garage shall be from the alley or side street, if available.
 - c. For a new tract front yard setbacks may be reduced up to 25% on a maximum of one-half of the dwelling units within a residential tract; however, no street setbacks shall be less than 20 feet to the garage for front entry garages, and 15 feet to the garage for side entry garages.

12. Nonconforming general residential care facilities, if determined by City review as being lawfully established and in existence on the date of adoption of this Code section, may expand or rebuild in accordance with the development standards for the zone where it is located. When an expansion increases the intensity of the use, a major use permit shall be required. An increase in land use intensity may include, but not be limited to: an increase in the number of residents, traffic and/or noise impacts, or a relocation or expansion of outdoor activity areas.

13. Replacement housing consistent with the requirements of Government Code Sections 65583.2(g)(3) and 65915(c)(3) shall be provided on any site listed in the City's adopted housing element of the general plan, if the site is proposed for development and: (a) residences either exist on the site or existed on the site within the five-year period prior to submittal of the application; and (b) the residences were either deed-restricted, subject to rent control or any other limitation on rent, or occupied by low or very low income households.

C Single-Family Residential Zones (/RR-2/R-3/R-5/R-8/RS-11). In the single-family residential zones, the following development standards shall apply in addition to subsections A and B of this section:

1. Residences shall be oriented with the rear of the residence toward collector and larger streets where possible, consistent with the pattern of development in the neighborhood.
2. Walkways connecting with city sidewalk/trail systems shall where practical be provided in new residential developments.
3. Driveway or other concrete or asphalt concrete areas available for parking shall not exceed 50% where practical of the required front yard area.
4. To the extent practical, access to the garage shall be from the alley or side street, if available.

D. Higher Density Single-Family and Multiple-Family Residential Zones (R-11/R-15/R-20/R-25). In the higher density single-family and multiple-family residential zones, including the conversion of apartments to condominiums, the following development standards shall apply in addition to subsections A and B of this section:

1. A minimum of 10% of the floor area of the unit shall be provided as private open space for both ground floor units and units contained wholly on the second floor. For units wholly on the second floor this open space may be provided by outdoor decks.
2. Architecturally compatible trash enclosures, and adequate areas for collecting and loading recyclable materials, screened from view of the roadway, and convenient to all dwelling units within the project, shall be provided.
3. A minimum of 15 feet wide of screen type landscaping shall be provided and maintained on the project side of any property line separating the project from a rural residential or single-family residential zone.
4. A minimum of 250 cubic feet of lockable, enclosed storage area per unit shall be provided within a garage/carport area, or within the main building.

5. Fully screened recreation vehicle parking areas shall be provided or the development shall prohibit all parking of recreation vehicles.
6. A minimum of 30 trees per net acre shall be required as part of the project landscaping; the trees shall consist of a combination of box specimen and 15-gallon sizes. Smaller sized trees may be approved provided the trees reach a desired maturity height within three years after project occupancy.
7. A masonry wall, or equal six feet in height from the highest finished grade may be required along the project's rear and side property lines, unless the property line separates two higher density residential projects. Where the adjacent grade of abutting property is four feet or more lower or higher than the project site, the masonry wall shall be a minimum of six feet in height. No walls are required in front or street side yards unless needed for noise attenuation and/or privacy. All masonry walls greater than four feet in height shall be planted with vine cover material (or equal landscaping).
8. The following recreation facilities shall be provided unless waived during the design review process:
 - a. Children's play area;
 - b. Swimming pool;
 - c. Family picnic area.
9. Auxiliary Structures/Equipment and Utilities. The following development standards related to auxiliary structures/equipment and utilities shall apply:
 - a. All roof appurtenances including, but not limited to, air conditioning units, and mechanical equipment shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets and adjacent properties;
 - b. All ground-mounted mechanical equipment, including heating and air condition units, and trash receptacle areas and adequate areas for collecting and loading recyclable materials, shall be completely screened from surrounding properties by use of a wall, fence, or landscaping, or shall be enclosed within a building;
 - c. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment. All new and existing utility connections within the boundaries of the project shall be placed underground, with the exception of existing overhead power transmission lines in excess of 34.5 KV and long distance and main trunk communications facilities. Transformer, terminal boxes, meter cabinets, pedestals, concealed ducts and other facilities may be placed above ground provided they are screened with landscaping;
 - d. Trash receptacles and adequate areas for collecting and loading recyclable materials enclosed by a six-foot high masonry wall with view-obstructing gates shall be provided in an acceptable location;
 - e. Outdoor storage and sales areas shall be entirely enclosed by solid masonry walls not less than six feet in height to adequately screen such areas from view.

Reasonable substitutions such as masonry, wood or metal pilasters with wrought iron or chain link and view obscuring material may be approved during design review. This requirement does not apply to agriculture uses authorized per Chapter 30.33 (Urban Agriculture) of the Municipal Code.

10. The front yard setbacks may be reduced to 15 feet provided that the subject parcel is substandard in either size or the depth of the lot, and an alley abuts the rear of the parcel where the required parking is to be located. No paving (impervious surfaces) shall be permitted in the front yard other than a pedestrian sidewalk to the front entry with the rest of the front yard being landscaped.
11. Residences shall be oriented with the rear of the residence toward collector and larger streets where possible, consistent with the pattern of development in the neighborhood.
12. Walkways connecting with city sidewalk/trail systems shall where practical be provided in new residential developments.
13. Driveway or other concrete or asphalt concrete areas available for parking shall not exceed 50% where practical of the required front yard area.
14. To the extent practical, access to the garage shall be from the alley or side street, if available.

E. Residential 30 Overlay Zone (R-30 Overlay). In the higher density multiple-family residential R-30 Overlay zone, the following development standards shall apply in addition to those in subsections A and B of this section:

1. The R-30 Overlay regulations shall apply to all areas of the city so designated on the zoning map.
2. The R-30 Overlay provisions apply in addition to existing underlying zoning designations. Uses and standards of the underlying zone continue to apply until such time as a development is approved conforming with the provisions of R-30 Overlay zone prescribed in this subsection E.
3. In order to rely on the provisions of the R-30 Overlay zone, sites must be developed to a minimum density of twenty-five (25) dwelling units per net acre and must be large enough to accommodate a minimum of 16 multifamily units.
4. Units may be either rental or ownership dwellings.
5. Notwithstanding the provisions of Section 30.41.080, sites in the R-30 OL Zone shall not be permitted to pay in-lieu fees as an alternative to satisfying the affordable housing requirements in Chapter 30.41.
6. Façade Wall Plane Requirements. Articulation of the wall plane shall be required for all front elevations, and for all side and rear elevations visible from a public right-of-way:
 - i. No more than 75% of a building façade shall be on a single plane;

- ii. An average of a five-foot (5') offset, with a minimum of one-foot, is required for the remaining 25% of the building face.
7. Requirements for Transitions of R-30 Overlay if Adjacent to Existing Single-Family Development. If parcels in the R-30 Overlay zone share a property line with an adjacent parcel developed with an existing single-family residential use or duplex units, the following additional setback requirements apply to proposed projects in the R-30 Overlay zone to provide an appropriate transition to the existing use.
 - i. Additional setback required. The third story of residential uses in the R-30 Overlay zone shall be setback 30 feet from any property line adjacent to a parcel with an existing single family residential use or duplex units.
8. Permitted improvements in the required setback areas. Permitted improvements include landscaping, pathways, storm water quality facilities, passive site amenities, surface parking or similar facilities.
9. Maximum average unit size.
 - i. Maximum average size of dwelling units in the project shall not exceed 1,000 square feet of floor area for rental projects and 1,150 square feet of floor area for ownership projects. Ownership projects include all projects with a condominium map or where units may be sold individually.
10. Parking shall be provided in accordance with Chapter 30.54; however, units which are deed-restricted to be affordable to very-low and low income households (as defined in California Health and Safety Code Sections 50105 and 50079.5, respectively) shall provide off-street parking as follows:
 - Studios and one bedroom – 1.0 space per unit
 - Two bedrooms – 1.5 spaces per unit
 - Three+ bedrooms – 2.0 spaces per unit
 - Guest Parking – Inclusive in standards above
11. Private Storage Space: A minimum of 200 cubic feet of lockable, enclosed storage area per unit shall be provided within a garage or carport area, or within the main building
12. Private and Common Open Space:
 - i. Private Open Space - A minimum of 100 square feet per unit shall be provided as private open space for both ground floor units and units contained wholly on the second and third floors. For units wholly on the second and third floors, this open space may be provided by outdoor decks.
 - ii. Common Amenity Space: A minimum of 200 square feet per unit shall be provided as common amenity open space to be made available for use by all residents and/or

tenants. Common amenity space is permitted to be located within the perimeter setback area.

- iii. Private and common area may be combined for a total of 300 square feet per unit overall, located on-site.

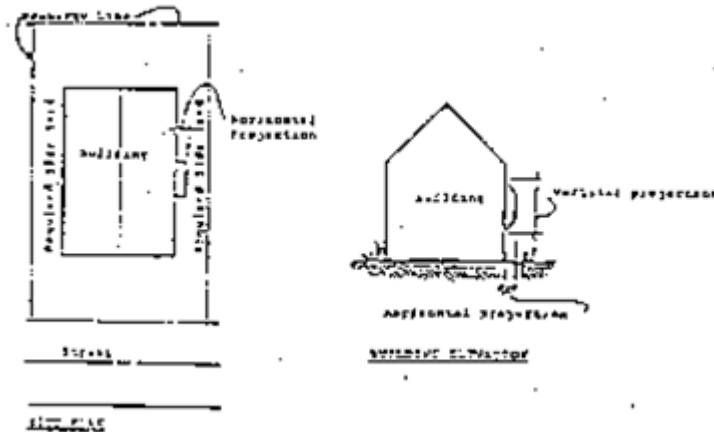
13. Project development shall comply with development standards found in Sections 30.16.010D.2, 3, 5, 6, 7, 9, 11, 12, 13, & 14. If there is a conflict between the standards of this Section and Section D, the development standards of this Section supersede.

EF. Accessory Structures. In all residential zones except for the R30 Overlay zone, the following development standards related to accessory structures shall apply (refer to Chapter 30.48, Accessory Use Regulations, for additional standards related to accessory uses, location, quantity permitted, size, etc. of permitted accessory structures):

1. A detached accessory structure shall meet the setback requirements of the main building for the front and street side yard areas.
2. An accessory structure shall comply with applicable floor area ratio standards with the exception to play houses, storage sheds, and other structures that do not require a building permit.
3. A detached accessory structure may be located within a required interior side yard or rear yard setback area provided that such structure is located no closer than five feet to an interior side or rear lot line, and shall not cover more than 50% of the required interior side or rear yard.
4. A detached accessory structure shall be at least six feet from the main structure or other structures on the property with eaves not less than four feet from the main structure or other structure. A detached accessory structure shall have no projections beyond the five-foot setback established by paragraph 3 of this subsection E except for roof eaves. Roof eaves may project a maximum of two feet into the required five-foot setback.
5. Accessory structures located within a required side yard or rear yard setback area shall be limited to one story and 12 feet in height. Roofs pitched not less than 3:12 may extend an additional two feet to a maximum 14 feet, to peak of roof. Detached accessory structures that meet the main building setbacks and do not project into any required setback area may have a building height as outlined for residential structures. See subsection B6 of this section. See paragraph 10 of this subsection E for standards related to minor accessory structures.
6. Swimming pools and spas may be located within the required interior or rear yard provided they are no closer than three feet to interior side and rear lot lines. Swimming pools may occupy more than 50% of the required rear yard. Pool equipment may be located no closer than three feet to interior side, street side or rear lot lines, and shall be fully screened (i.e., landscaping or fencing) from any adjacent property. Swimming pools and spas shall comply with all fencing requirements as set forth in subsection F3 of this section.

7. Canopies and covers for patios/decks with the floor less than 30 inches above grade may extend into a required rear or interior side yard provided that portions of such structures extending into the required yard area meet the following:
 - a. The canopy, covered patio or deck shall not exceed 12 feet in height or project closer than five feet to an interior side yard lot line or closer than 10 feet at the rear lot line;
 - b. The canopy or covers for a patio/deck shall be entirely open on at least three sides except for necessary supporting columns;
 - c. The canopy shall not cover more than 50% of the required interior side or rear yard.
8. Architectural features of the primary structure, such as porches, steps, eaves, awnings, chimneys, decks, balconies, stairways, wing walls, or bay windows, window seats, fireplaces, planters, roof overhangs and other architectural projections which do not create additional livable area may project into any front or rear yard not more than four feet. Such projections are permitted to project into any side yard area no more than that identified below:

<u>Required Side Yard Setback</u>	<u>Max. Vertical Projections</u>	<u>Max. Horizontal Projections</u>
5 feet	6 feet	2 feet
10 feet	8 feet	3 feet
15 feet	N/A	5 feet
20 feet	N/A	5 feet



The maximum vertical projection is the vertical height of a projection that would be permitted in the side yard setback area. The height is measured from the lowest point of the architectural feature to the highest point within the side yard setback.

9. Minor accessory structures refers to non-habitable structures such as small play houses and storage sheds that are accessory to a residential use and that are not otherwise regulated by this chapter and that are not regulated with a building permit under the Uniform Building Code. Such structures may be permitted to encroach to interior side and rear property lines subject to the following limitations:

- a. Minor accessory structures may be located within the interior side yard and rear yard setback provided that a minimum of five feet is maintained for clear access between the minor accessory structure and any other structure, other than a fence, retaining wall, or similar structure.
 - b. Minor accessory structures shall be limited to one story with a maximum height limit of 10 feet.
 - c. Minor accessory structures shall not exceed 120 square feet of floor area or projected roof area per structure. No more than four minor accessory structures shall be allowed on any site.
 - d. Accessory structures that otherwise meet the above limitations but require a permit under the Uniform Codes for plumbing, electrical, mechanical, or any other purposes shall not be considered a minor accessory structure and shall be subject to the issuance of a building permit and shall be subject to the typical setback and height standards outlined for accessory structures.
 - e. When located within five feet of a side or rear property line, minor accessory structures may not cumulatively extend for more than 50% of the length of a rear property line or for more than 25% of the length of a side property line.
10. For those parcels located under the Coastal Blufftop Overlay Zone Section 30.34.020B shall apply.

F.G Fences and Walls. In all residential zones, the following development standards related to fences and walls shall apply.

1. Fence Regulations. The following development standards shall apply to fences and walls.
 - a. Front Yard. In any front yard within 15 feet from the property line or road easement, a fence shall be limited to four feet in height, but may be constructed to a maximum of six feet provided that the top two feet of the fence is of material being at least 50% open which provides for visibility through that portion of the fence, except as provided herein and in subsections D, and E and F of this section.
 - b. Street Side, Interior Side and Rear Yard. In any street side yard, interior side yard or rear yard, a fence shall be limited to six feet in height, except as provided herein and in subsections D, and E and F of this section.
 - c. Street Corner, Sight Distance. Within 15 feet of an intersection of two streets or a private easement providing vehicular access to two or more primary dwelling units, a fence may not exceed four feet. A greater setback may be required by the Development Services Director ~~of Public Works~~ if the proposed wall or fence is determined to be in an unsafe location.
2. Noise Attenuation Wall. A six-foot solid wall may be approved in any required setback upon review of a noise study prepared by a recognized acoustical engineer demonstrating the need for a noise attenuation wall and, if required by the Development Services Director ~~of Public Works~~, an analysis of adjacent road intersection demonstrates that adequate sight distance is maintained.

The residential fence standards contained in paragraphs 1 and 2 of this subsection **FG** are summarized as follows:

Maximum Fence Height

FRONT	STREET	STREET CORNER	INTERIOR SIDE REAR
4 feet solid + 2 feet 50% open	6 feet solid	4 feet solid	6 feet solid
6 feet solid w/15-foot setback	4 feet w/15 feet from corner	6 feet solid w/15-foot setback	

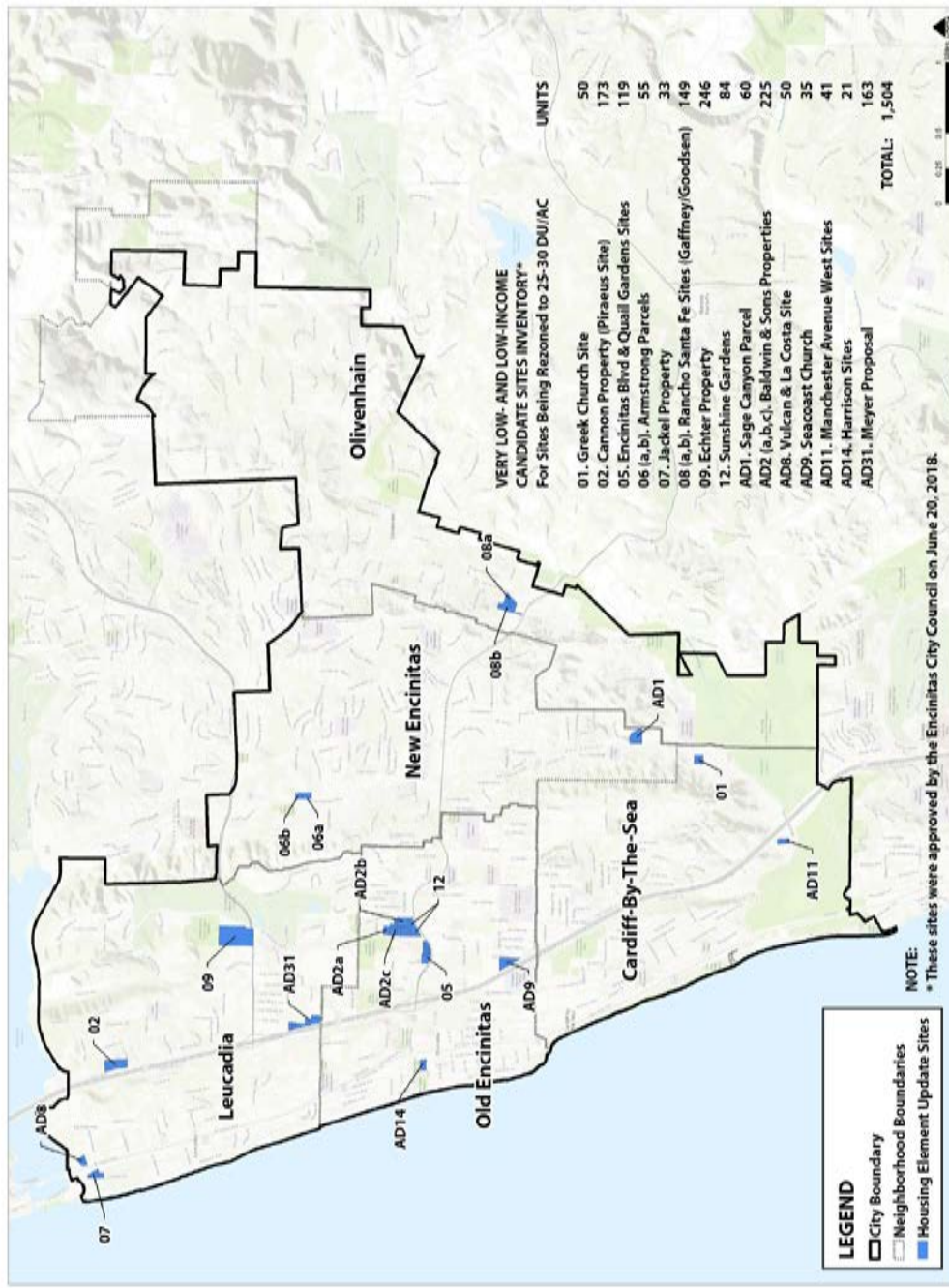
3. Pool Fencing Requirements. A minimum five-foot fence with self-latching gate shall be provided to enclose all pools and spas as set forth in the City Building Code.
4. Temporary Fence Materials. Fiberglass sheeting, bamboo sheeting, or other similar temporary material shall not be permitted as a fencing material on street yard frontages.
5. Tennis Court Fencing. Fences surrounding tennis courts may be located within an interior side yard or rear yard provided that the fence is located no closer than five feet to an interior side or rear lot line and said fence does not exceed 12 feet in height.
6. Barbed Wire and Electrical Fencing. Barbed wire and electrical fencing are prohibited in all residential zones, except for the following:
 - a. Barbed wire is permitted for agricultural uses only.
 - b. High voltage electrical fencing is permitted for containment of large animals subject to the following regulations:
 - i. Electrical fencing may be maintained on the property line at a maximum of six feet in height. When the electrical fence is adjacent to a public road or access easement, the electrical fence shall be located on the inside of a nonelectrical fence.
 - ii. Permits shall be obtained from the Building Department unless exempt. UL (Underwriters Laboratory) approved and other recognized agencies approved electrical fencing is exempt from permits.
 - iii. Appropriate signage shall be posted to give notice of the electrical fencing.

(Ord. 89-41; Ord. 90-16; Ord. 92-21; Ord. 92-30; Ord. 93-14; Ord. 93-18; Ord. 94-02; Ord. 94-11; Ord. 97-17; Ord. 2003-08; Ord. 2003-10; Ord. 2005-03; Ord. 2006-06; Ord. 2010-13; Ord. 2014-12; Ord. 2015-01; Ord. 2016-08)

EXHIBIT 2018-07-4

Amendments to City of Encinitas Official Zoning Map

The Official Zoning Map (EMC Section 30.08.020) also known as the Zoning Map of the City (EMC Section 30.01.050) and the Local Coastal Program Zoning Map (collectively, Map) shall be amended to add the R-30 Overlay Zone as required for those sites as shown on the map.



The Official Zoning Map (EMC Section 30.08.020) also known as the Zoning Map of the City (EMC Section 30.01.050) and the Local Coastal Program Zoning Map (collectively, Map) shall also be amended to change the zoning designation of APN 257-01-117 (Site L7) from Rural Residential (RR1) to Residential 3 (R3).

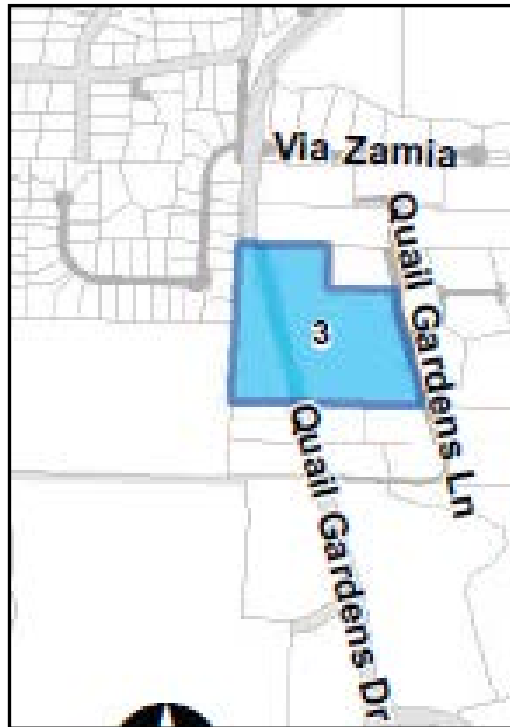


EXHIBIT 2018-07-5a

Section 1.3 of the Encinitas Ranch Specific Plan is amended and Section 1.7 is added, to read as follows:

1.3 Land Use Plan

A maximum of 446 single family homes are planned at a maximum density of 3.0 du/ac in the Quail Hollow East, ~~Sidonia East~~, North Mesa and South Mesa Planning Areas, many in the vicinity of an 18-hole golf course. An approximately 16-acre portion of the Sidonia East Planning Area has been planned for 246 to 296 multifamily residential units (at a net density of 25 to 30 du/ac) as part of an “agrihood” development included in the City’s 2018 Housing Element Update. In addition, approximately 8.0 acres in the North Mesa Planning Area and approximately 8.2 acres in the Sidonia East Planning Area are zoned for medium density single family residential use at a maximum density of 5.0 du/ac. Half acre lots will be constructed on the remainder of the Sidonia East Planning Area adjacent to the golf course. Natural open space will surround much of the residential area and the golf course. In addition to the 172-acre golf course, approximately 115.8 ~~130~~ acres of land will be zoned for agricultural operations on the mesa. Magdalena Ecke Preserve, owned and operated by the County of San Diego, contains 29.8 acres in the northwestern quadrant of the Specific Plan Area.

In Green Valley, on the west side of El Camino Real, a mix of regional commercial and mixed-use areas will be provided in conjunction with a 25.6-acre greenbelt containing passive and active recreational uses south of Leucadia Boulevard and natural open space north of Leucadia Boulevard. The Regional Commercial Center will be constructed on approximately 73.8 acres and is intended as a major retail complex that will serve Encinitas and surrounding communities. More than 100 acres of land, including the bluffs which separate the mesa from Green Valley, will be preserved as natural open space within the Specific Plan Area. Pedestrian paths will allow limited access into portions of this open space. A total of 24.8 acres of mixed-use development is planned in Green Valley.

In addition, mixed-use development is planned on 13.0 acres in the southwestern portion of the site, located on the west side of Saxony Road. An elementary school site will be located in the South Mesa Planning Area. *Paragraph amended 3/18/98 (Reso. 98-17)*

The project will also include a comprehensive recreation trail system and a network of collector and local streets to provide interior project circulation. *Paragraph amended 3/18/98 (Reso. 98-17)*

Approximately 12.8 acres in the southern portion of the Specific Plan Area is planned for community use development on both sides of Quail Gardens Drive. Also, a total of ~~130.0~~ 115.8 acres of agricultural land will be preserved which includes ~~the existing ranch~~ agricultural operations on the east side of Saxony Road, a portion of the land northeast of the Sidonia Street/Leucadia Boulevard intersection, land north of the Magdalena Ecke Preserve, and some land in the northern portion of the South Mesa.

1.7 Specific Plan Amendment (Case No. 17-128)

The 2018 Specific Plan Amendment incorporated revisions to the Specific Plan in the Sidonia East Planning Area. In 2018, as part of the City's Housing Element Update, an approximately 16-acre portion of the Sidonia East Planning Area was designated for 246 to 296 multifamily residential units (at a net density of 25 to 30 du/ac) as part of an "agrihood" development. The site sits at the junction of a major 4-lane arterial and a local 2-lane road. The owner had expressed interest in developing 250 residential units in conjunction with a working agricultural practice. The Agricultural Zone provisions of this Specific Plan encourage the continued agricultural use of portions of the Specific Plan Area and the provision of a favorable setting in which to continue agricultural operations. The "agrihood" concept proposed allows for the continued viability of an agricultural business on the site.

EXHIBIT 2018-07-5b

Section 2.1, Policy 14.3 of Section 2.3.3, Policy 24.3 of Section 2.3.6, and Policy 29.1 and 29.3 of Section 2.3.7 of the Encinitas Ranch Specific Plan are amended to read as follows:

2.1 Community Vision

The Encinitas Ranch Specific Plan is intended to encourage the development of the largest remaining parcel located within the City of Encinitas' Sphere of Influence. This Specific Plan attempts to maintain the site's agricultural heritage, while permitting development that complements the character of the various existing Encinitas communities, especially New and Old Encinitas and Leucadia. Areas of greater land use intensity are permitted by this Specific Plan in certain specific locations adjacent to El Camino Real, Leucadia Boulevard, Quail Gardens Drive, and Saxony Road. These areas of greater intensity will help meet the needs of project area and city residents for retail and office services, mixed-use development, and multi-family housing. Other uses proposed within the Specific Plan include community-serving uses such as parks, an elementary school site, areas for theaters and museums, and a possible expansion site for Quail Botanical Gardens.

2.3.3 Residential

- POLICY 14.3: Provide an opportunity in the Green Valley, Sidonia East, and West Saxony areas to meet some of the needs of the City of Encinitas for affordable housing.

2.3.6 Mixed-Use Development

- POLICY 24.3: Promote the use of progressive density and increasing building heights (up to three stories) at community centers (e.g., West Saxony, Sidonia East, and Green Valley) as a means of minimizing housing costs and reinforcing community centers.

2.3.7 Agriculture

- POLICY 29.1: Provide that an Agriculture/Open Space Preservation land use category be applied to a portion of the properties located within this Specific Plan south of the Leucadia Boulevard extension on the upper mesa or combination of lands in the South Mesa and East Saxony Planning Areas.
- POLICY 29.3: Require that new residential development be located and clustered to avoid inhibiting continued agricultural use of land reserved for that purpose, and where feasible, require that new development be located adjacent to existing development or areas planned for development. In instances where continued agricultural use is no longer feasible, encourage sensitive residential development that allows for the continued viability of an agricultural business on the site.

EXHIBIT 2018-07-5c

Sections 3.1, 3.2 and 3.3.5 of the Encinitas Ranch Specific Plan are amended to read as follows:

3.1 General Project Description

The Encinitas Ranch Specific Plan is designed to allow agricultural uses to continue operating as a viable business, while permitting a mix of residential, commercial, mixed use, recreation, and open space uses to develop on the remaining portions of the project site. *Paragraph amended 3/18/98 (Reso. 98-17)*

To facilitate discussion of the Land Use Plan, the Encinitas Ranch Specific Plan Area has been divided into eight separate segments which have been designated as "Planning Areas" as shown in Figure 5, *Planning Areas*. Each Planning Area has been given a name based on its geographical position and historical context in the community. All Planning Areas have been planned in this document to a level of detail permitting these areas to proceed directly to the tentative map stage. *Paragraph amended 3/18/98 (Reso. 98-17)*

The Land Use Plan provides that the Agricultural Zone will remain in the locations of the existing greenhouses in the East Saxony Planning Area and a portion of the Sidonia East Planning Areas, in addition to areas in the North Mesa and South Mesa Planning Areas

3.2 Land Use Plan

The Land Use Plan, as depicted in Figure 6, proposes residential, commercial, and mixed-use development in addition to a substantial amount of natural open space, recreational area, and agricultural uses on a total of 852.8 acres, which includes the 29.8-acre Magdalena Ecke Park. No development is proposed within the Magdalena Ecke Park; the park will remain as permanent natural open space. A statistical summary of the Land Use Plan is shown in Table 3-1.

In developing the Specific Plan for Encinitas Ranch, every effort has been made to ensure preservation of existing poinsettia agricultural activities on-site and the continued viability of agriculture within the Specific Plan Area. The City of Encinitas, in its General Plan, recognizes that portions of the land within the Specific Plan Area are desirable agricultural lands. As such, the General Plan designates it for long term preservation as agriculture. The Land Use Plan assumes that the existing ranch farming facilities and uses in the East Saxony Planning Area of the project site will remain in continued operation at their present location. This plan designates 115.8 430 acres of land for agricultural use in the East Saxony, Sidonia East, South Mesa and North Mesa Planning Areas. (See Figure 6, *Land Use Plan*, and Table 3-1, *Land Use Plan Summary*.) It is anticipated that the majority of agricultural operations within the East Saxony Planning-and-Sidonia-East Areas will take place in large greenhouses. Secondary uses may include biotechnical and bioresearch laboratories and facilities.

Without the need to amend this Specific Plan, any areas within Encinitas Ranch, except those designated as Open Space, may be subdivided and developed for agricultural purposes since this Specific Plan permits agricultural uses by right. For the purposes of this Specific Plan, agricultural uses will include all aspects of research, development, propagation, finishing, distribution, and wholesale marketing, together with associated functions. These uses may require a variety of structures including laboratories, greenhouses or other growing and

production facilities, field nurseries, shade houses, packing and shipping facilities, offices, storage facilities and other similar facilities. Residential facilities for employees of the agricultural operations may be constructed, maintained, and occupied on the property, provided that such uses are consistent with the uses and development standards of the underlying zone.

An 18-hole golf course with clubhouse facilities and driving range is planned on 171.8 acres. The clubhouse, driving range, and nine holes of golf are located north of Leucadia Boulevard, and nine holes of golf are located on the south side of Leucadia Boulevard. The course is designed to respond to the existing site topography, incorporate existing reclaimed water storage ponds, and minimize encroachment into areas of sensitive biological resources. The clubhouse, driving range, and golf course will be available for municipal use. The entire facility will not only provide important recreational benefits to the residents of Encinitas, but will serve to attract visitors and tourists to the City of Encinitas.

Another public use on-site will be an elementary school. At the request of the Encinitas Union School District, the project will include a 10-acre school site, which is located in the South Mesa Planning Area. *Paragraph amended 3/18/98 (Reso. 98-17)*

The Land Use Plan is anticipated to generate a total of 253 elementary school students (grades K-6), 108 junior high school students (grades 7-9) and 215 high school students (grades 10-12). It is anticipated that these students will be accommodated in existing schools within the San Dieguito Union High School District, either in permanent facilities or in portable classrooms. Should the Encinitas Union Elementary School District select the designated school site within the South Mesa Planning Area for construction of an elementary school facility, then the elementary school students generated by the project are expected to attend the new school. Otherwise, the elementary students shall attend an existing school within the district. The proposed school would have a capacity of approximately 600 students. *Paragraph amended 3/18/98 (Reso. 98-17)*

The most intense development with Encinitas Ranch will occur in the Green Valley Planning Area, adjacent to El Camino Real. This area will include a 73.8-acre Regional Commercial Center (straddling Leucadia Boulevard) and approximately 24.8 acres to be developed as a mixed-use development with a variety of commercial, office, and multi-family residential uses along with commercial/office uses. A linear greenbelt, public recreation area, and open space area consisting of 25.6 acres will be located adjacent to El Camino Real. This open space will contain a mix of passive and active recreational areas, as well as a drainage channel with riparian vegetation and natural open space. The recreation area will contain athletic playing fields, trails, and restroom facilities. Access into Green Valley will be available from Leucadia Boulevard, Town Center Drive and the extensions of Garden View Road and Via Cantabria. Collector and local serving roads will connect the Regional Commercial Center in Green Valley to the mixed-use areas of Green Valley. *Paragraph amended 12/4/96 (Reso. 96-89) and 3/18/98 (Reso. 98-17).*

Besides the mixed-use development in Green Valley, there is a total of 13.0 acres of mixed-use development planned on the west side of Saxony Road in the southwestern portion of the project site. The West Saxony Planning Area is designed with the ability to contain community-serving uses such as a theater, and/or museum. If these uses are not built, then the area would develop with a mix of traditional residential and office uses.

In 2018, as part of the City's Housing Element Update, an approximately 16-acre portion of the Sidonia East Planning Area was designated for 246 to 296 multifamily residential units (at a net density of 25 to 30 du/ac; "ER-R-30") as part of an "agrihood" development. The site sits at the junction of a major 4-lane arterial and a local 2-lane road. The owner had expressed interest in developing 250 residential units in conjunction with a working agricultural practice at the intersection of Leucadia Boulevard and Quail Gardens Drive. The Agricultural Zone provisions of this Specific Plan encourage the continued agricultural use of portions of the Specific Plan Area and the provision of a favorable setting in which to continue agricultural operations. The "agrihood" concept proposed allows for the continued viability of an agricultural business on the site.

The Encinitas Ranch project also includes single family residential development. Single family dwelling units will be constructed in the Quail Hollow East, North Mesa, South Mesa and Sidonia East Planning Areas. If any of the single family residential areas within these Planning Areas zoned Encinitas Ranch single family residential three dwelling units per acre ("ER-SFR3") or Encinitas Ranch single family residential three dwelling units per acre, variable ("ER-SFR3V") are developed with fewer than the maximum number of allowable units, based on recorded final maps, then a density transfer shall be allowed; (see "Mesa Single Family Density Transfer table in Section 6.5) provided, however (i) the density transfer shall be to another area zoned "ER-SFR3" or "ER-SFR3V" within one of these Planning Areas, (ii) any increase within a Planning Area shall not exceed 5% (i.e. the total number of units shall not exceed the approved density factor, plus 5%), and (iii) the total number of residential units within the Quail Hollow East, North Mesa, South Mesa and Sidonia East Planning Areas shall not exceed ~~527~~ 823 units.

The Quail Gardens East Planning Area will contain 12.8 acres of community use development which is planned on both sides of Quail Gardens Drive. This community use area is designed to accommodate a variety of cultural services and recreational uses, as well as drainage and storm water detention facilities. *Paragraph amended 3/18/98 (Reso. 98-17)*

3.3.5 Sidonia East Planning Area Paragraph amended 3/18/98 (Reso. 98-17)

A. Descriptive Summary – Sidonia East

The Sidonia East Planning Area, located on the east side of Sidonia Street in the western portion of the Encinitas Ranch Specific Plan Area, is intended to reflect the ~~detached home~~ character of the existing residential development located to the west of Sidonia Street. The land use in this Planning Area shall be agricultural and residential. The 25.7-acre area located north of Leucadia Boulevard and west of Quail Gardens Drive shall be zoned for agricultural uses and 246 to 296 multi-family residential units ("ER-R-30"). No more than 53 homes may be constructed with the 12.4-acre single family residential portion of the Planning Area south of Leucadia Boulevard, plus any additional units pursuant to any allowable density transfer (See Section 6.5); 41 units within an 8.2-acre area west of Quail Gardens Drive, and 12 units within a 4.2-acre area east of Quail Gardens Drive (minimum lot size for units within the 4.2-acre area is 20,000 allowing remaining units available for density transfer). Figure 13 illustrates the proposed configuration of land uses in the Sidonia East Planning Area. *Paragraph amended 3/18/98 (Reso. 98-17)*

B. *Applicable Zone Standards & Exceptions – Sidonia East*

1. Single Family Residential Zone

The provisions of Section 6.5 relating to the “ER-SFR3” and “ER-SFR5” Zones as set forth in the Encinitas Ranch Zoning Ordinance shall apply. *Paragraph amended 3/18/98 (Reso. 98-17)*

2. Agricultural Zone

The provisions of Section 6.2 relating to the “AG” Zone as set forth in the Encinitas Ranch Zoning Ordinance shall apply. *Paragraph added 3/18/98 (Reso. 98-17)*

3. Multi-Family Residential Zone

The provisions of Section 6.6 related to the “ER-R-30” Zone as set forth in Encinitas Ranch Zoning Ordinance shall apply.

C. General Planning Standards – Sidonia East

3. Approximately 21.5 acres north of Leucadia Boulevard within the Sidonia East Planning Area would be developed as an “agrihood.” Of those 21.5 acres, 16 acres shall be zoned ER-R-30 (14.2 acres of usable land, and 1.8 acres within Leucadia Boulevard and Quail Gardens Drive), and the remaining 5.5 acres would remain zoned for agricultural uses. The Agricultural Zone provisions of this Specific Plan encourage the continued agricultural use of portions of the Specific Plan Area and the provision of a favorable setting in which to continue agricultural operations. The “agrihood” concept proposed allows for the continued viability of an agricultural business on the site. Primary vehicular access would be from Quail Gardens Drive, with secondary access as determined appropriate by the City. A fifty (50) foot building setback shall be created along the western boundary of the “agrihood” development to buffer it from existing single family homes to the west. The “agrihood” would consist of a residential development interwoven with amenities such as a community garden, farm field, edible paseos, a barn, and greenhouses. In this way, multi-family housing will be integrated into the agricultural character as part of the “agrihood” development through innovative planning and design.



Agrihood Concept Plan

11.06.2017

This exhibit is provided for illustrative purposes only. Actual Design of the project including ingress, egress, internal circulation, building locations, building configurations, etc. will be determined at the Tentative Map stage.

LEGEND

- AGRICULTURE
- RESIDENTIAL (5 DU/AC.)
- RESIDENTIAL (3 DU/AC.)
- RESIDENTIAL (25-30 DU/AC.)
- PEDESTRIAN AND OFF-STREET BICYCLE TRAIL
- PEDESTRIAN TRAIL



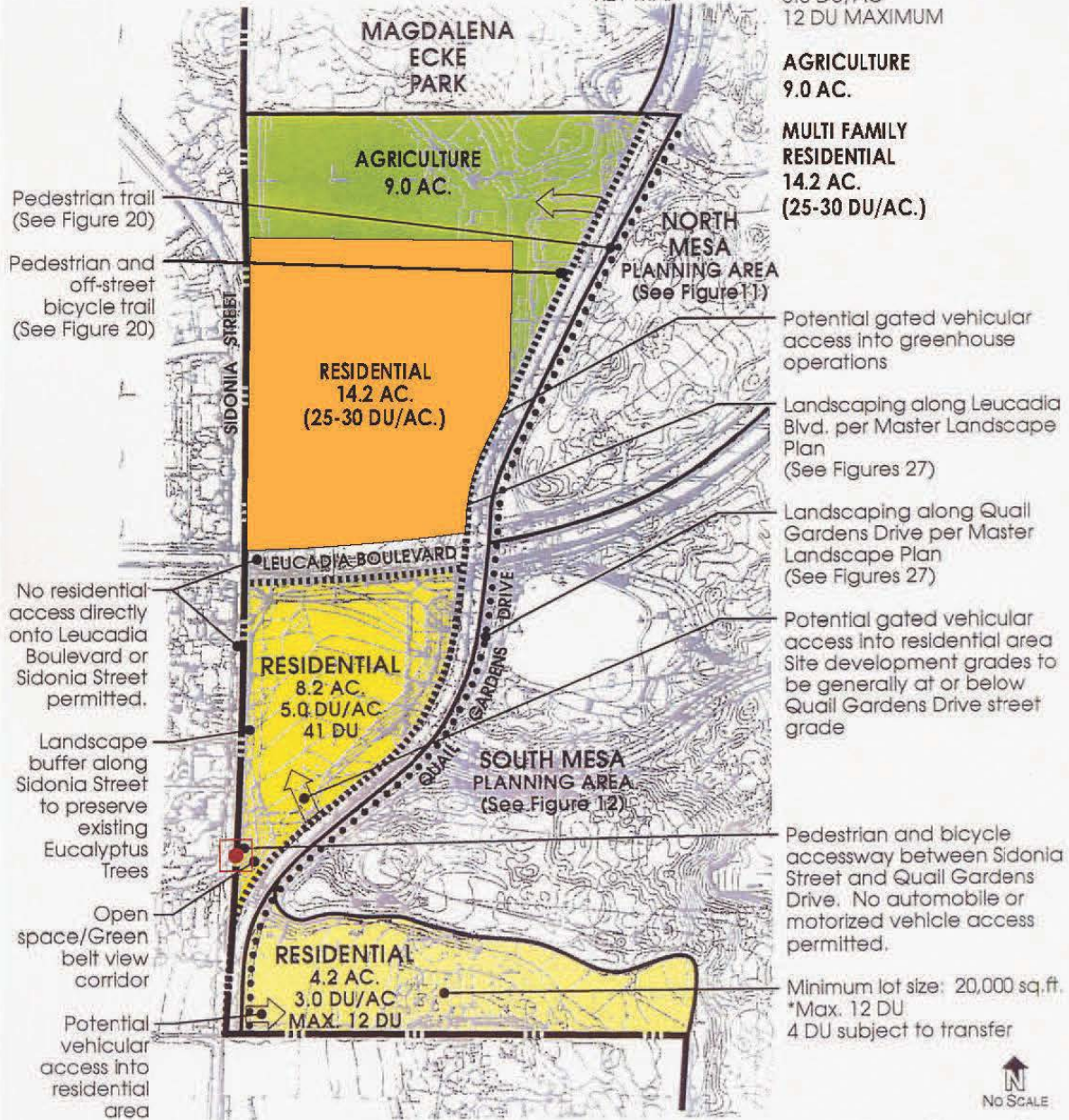
SIDONIA EAST PLANNING AREA

SINGLE FAMILY RESIDENTIAL
 8.2 AC.
 5.0 DU/AC
 41 DU MAXIMUM

4.2 AC.
 3.0 DU/AC
 12 DU MAXIMUM

AGRICULTURE
 9.0 AC.

MULTI FAMILY RESIDENTIAL
 14.2 AC.
 (25-30 DU/AC.)

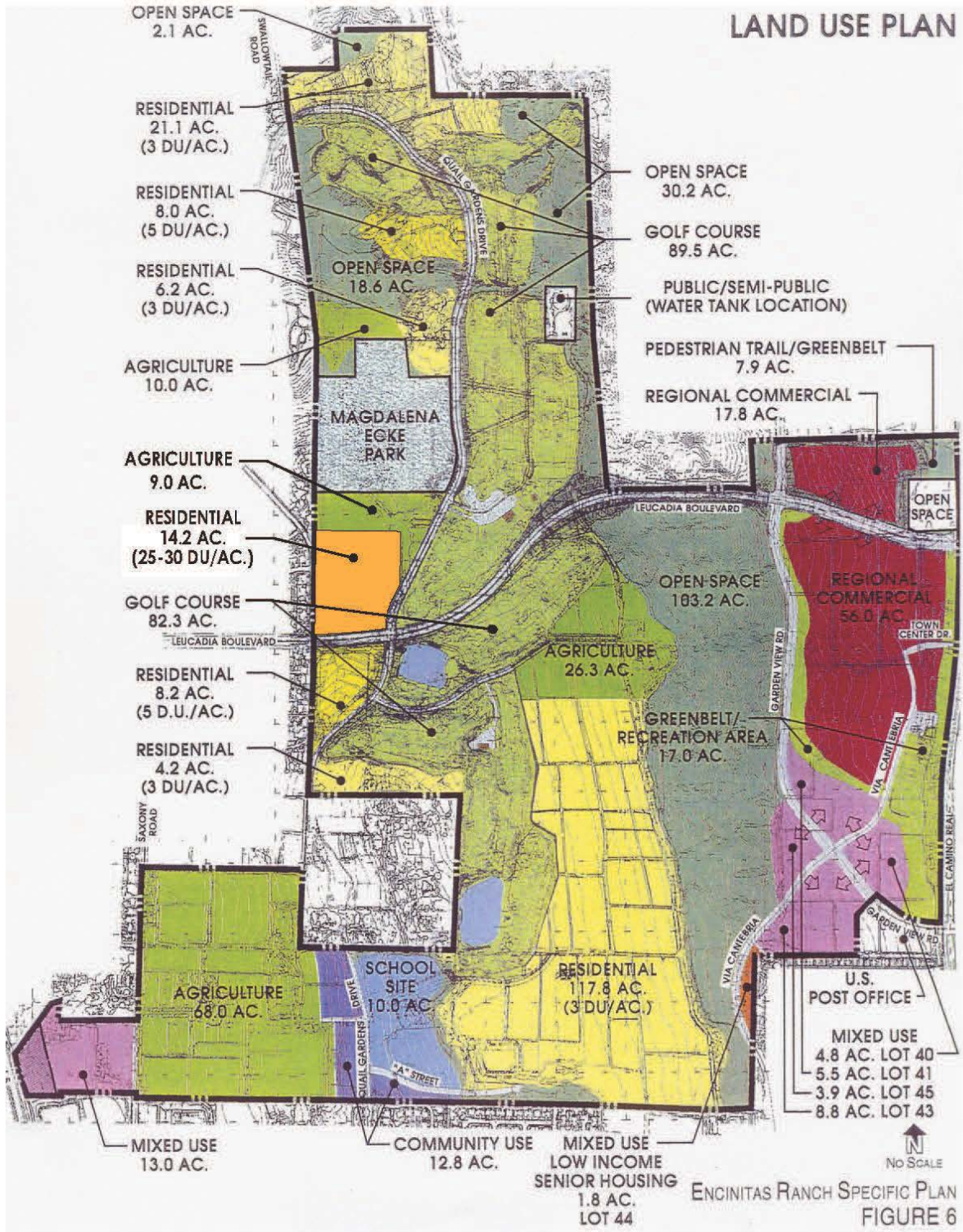


This exhibit is provided for illustrative purposes only. Actual design of each parcel including ingress, egress, internal circulation, exact parcel size and configuration, etc., will be determined at the Tentative Map stage.

ENCINITAS RANCH SPECIFIC PLAN
FIGURE 13



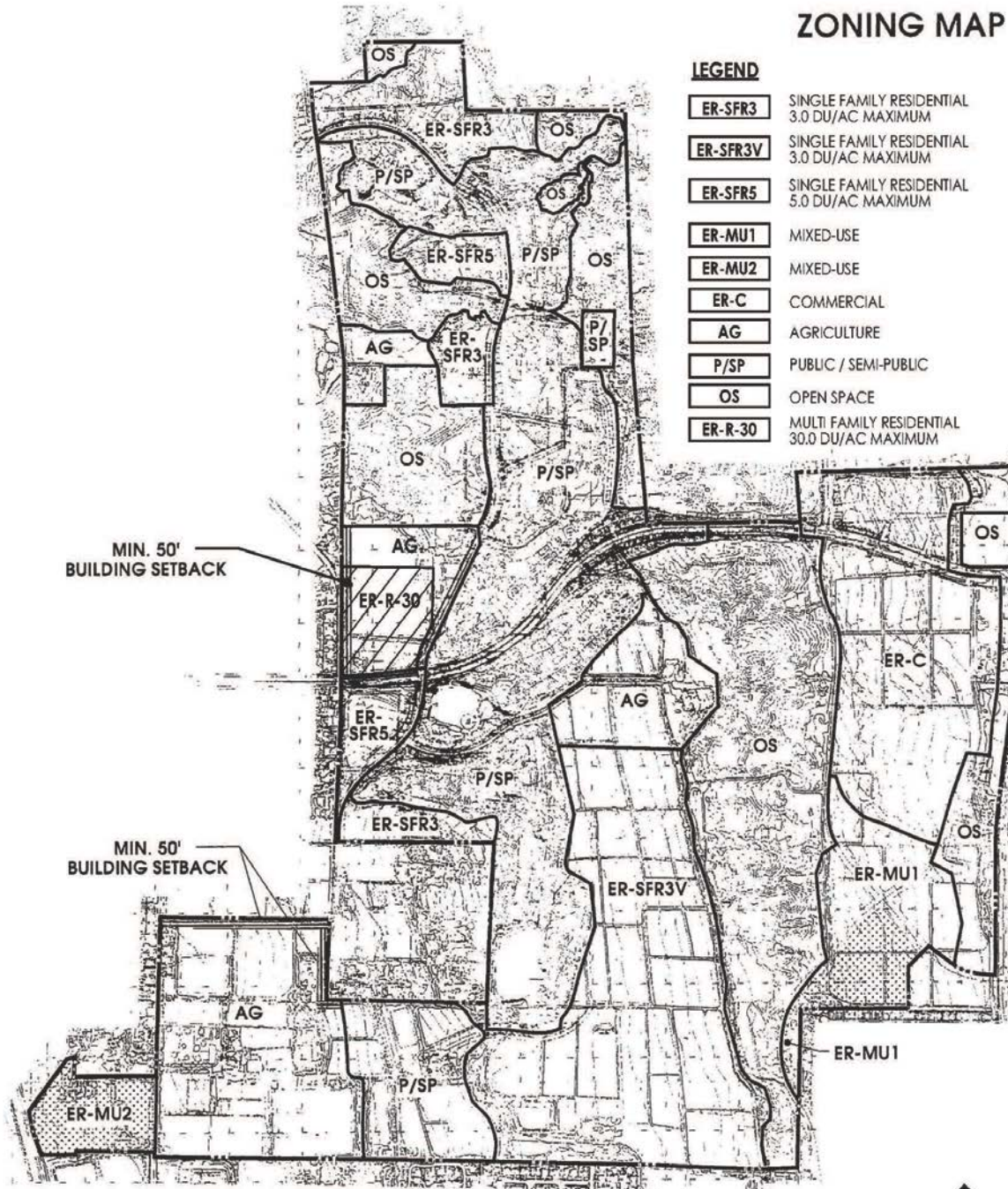
EXHIBIT 2018-07-5d



ZONING MAP

LEGEND

- ER-SFR3** SINGLE FAMILY RESIDENTIAL
3.0 DU/AC MAXIMUM
- ER-SFR3V** SINGLE FAMILY RESIDENTIAL
3.0 DU/AC MAXIMUM
- ER-SFR5** SINGLE FAMILY RESIDENTIAL
5.0 DU/AC MAXIMUM
- ER-MU1** MIXED-USE
- ER-MU2** MIXED-USE
- ER-C** COMMERCIAL
- AG** AGRICULTURE
- P/SP** PUBLIC / SEMI-PUBLIC
- OS** OPEN SPACE
- ER-R-30** MULTI FAMILY RESIDENTIAL
30.0 DU/AC MAXIMUM



↑
N
NO SCALE

ENCINITAS RANCH SPECIFIC PLAN
FIGURE 25

EXHIBIT 2018-07-5e

Table 3-1 of Chapter 3.0 of the Encinitas Ranch Specific Plan is amended to read as follows:

**TABLE 3-1
ENCINITAS RANCH
LAND USE PLAN SUMMARY**

LAND USE	ACREAGE	COMMERCIAL/ OFFICE (SF)	DENSITY ALLOWED	MAX. DU		
				ALLOWED	APPROVED ⁽⁵⁾	PLANNED
Mesa ⁽¹⁾ Residential						
Medium Single Family Residential	16.2	-	5.0	81	-	81
Low Single Family Residential	149.3	-	3.0	446	-	446
<u>Multi-Family Residential</u>	<u>14.2</u>		<u>30.0</u>	<u>296</u>		<u>246</u>
SUBTOTAL	<u>179.7</u> 165.5	-		<u>527</u> 823		<u>773</u> 527
GREEN VALLEY MIXED USE						
Residential Lots 40, 41	10.3	-	25.0	257	118	
Comml/Off/Res Lot 45	3.9	-	25.0	97		97
Comml/Off/Res Lot 43	8.8	3,000	25.0	224	91	
Low Income Senior Lot 44	1.8	-	25.0	45		44
SUBTOTAL	24.8	3,000		450 ⁽⁴⁾		350
WEST SAXONY MIXED USE						
Multi-Family Residential	8.1	-	20.0	162	138	
Office	4.9	25,000	-	-	-	
SUBTOTAL	13.0	25,000		162		138
Open Space ⁽²⁾	179.0	-	-	-	-	-
Golf Course & Clubhouse ⁽²⁾	171.8	-	-	-	-	-
Agricultural ⁽²⁾	130.0 <u>115.8</u>	-	N/A	-	-	25
Regional Commercial Center	73.8	750,000 ⁽³⁾	-	-	-	-
Community Use	12.8	75,000	-	-	-	-
Elementary School Use	10.0	-	-	-	-	-
Major Roads	42.3	-	-	-	-	-
Magdalena Ecke Park	29.8	-	-	-	-	-
PROJECT TOTAL	852.8	853,000		<u>1,139</u> <u>1,435</u>	<u>1,040</u>	<u>1,286</u>

Table amended 12/4/96 (Reso. 96-89) and 3/18/98 (Reso. 98-17) and 3/17/04 (Reso. 2004-13) and 9/23/09 (Reso. 09-47)

- (1) Mesa includes the Quail Hollow East, Sidonia East, North Mesa and South Mesa Planning Areas.
- (2) Open Space acreage includes undisturbed land, manufactured slopes adjacent to roads, drainage detention areas, trails outside of the golf course, and linear greenbelt/recreation area adjoining El Camino Real. Additional Open Space is contained within the golf course, the agricultural area, and the undeveloped residential areas.
- (3) No more than 725,000 SF is permitted unless a community-oriented use (such as a community theater) acceptable to the City has been constructed or is under construction. The number of square feet acceptable to the City, which can be a maximum of 15,000 SF, shall be deducted from the total 750,000 SF of uses, with the remaining number of square feet permitted for commercial use. This does not apply to "interim" community-oriented uses (such as an open art fair) as determined by the City's discretion.
- (4) The total residential units permitted within the Green Valley Planning Area shall not exceed 450 dwelling units.
- (5) Approved Maximum Dwelling Units includes already developed units and approved Tentative Map units.

EXHIBIT 2018-07-5f

The last paragraph of page 4-14 of Section 4.3 of the Encinitas Ranch Specific Plan shall be amended to read as follows:

No trails will be provided in the East Saxony Planning Area, unless reviewed and approved by the Development Services Director in conjunction with a major subdivision application and appropriate environmental review. No trails shall be provided within agricultural areas because of potential safety and vandalism concerns, except in the Sidonia East Planning Area where trails associated with the “agrihood” development will be located within agricultural areas.

EXHIBIT 2018-07-5g

Chapter 6.0, Table 6-2, and Sections 6.2.1, 6.2.3, 6.6, 6.6.1, 6.6.2, 6.7, 6.7.1, 6.7.2, 6.8, 6.8.1, 6.8.2, 6.9, 6.10, 6.10.1, 6.9.2, 6.10, 6.10.1, 6.10.2, 6.10.3, 6.10.4, 6.11, 6.12, 6.12.1, 6.12.2, 6.12.3, 6.12.4, 6.12.5, 6.12.6, 6.12.7, 6.12.8. of the Encinitas Ranch Specific Plan is amended and Section 6.6 is added, to read as follows:

6.0 ENCINITAS RANCH ZONING ORDINANCE

The Encinitas Ranch Specific Plan is intended to preserve and promote agricultural uses, encourage recreation, and provide for natural habitat protection, while providing for the development of land in a manner consistent with the character and needs of the City of Encinitas. To accomplish these goals, this Specific Plan includes this zoning ordinance which sets forth permitted uses and development standards for various land use areas known as “zones” located within the Encinitas Ranch Specific Plan Area. This Specific Plan identifies a total of ~~eight~~ten separate zones within Encinitas Ranch, as follows: *Paragraph amended 3/18/98 (Reso. 98-17)*

- Agricultural Zone (“AG” Zone)
- Open Space Zone (“OS” Zone)
- Single Family Residential Zones; Encinitas Ranch single family residential three dwelling units per acre (“ER-SFR3”), Encinitas Ranch single family residential three dwelling units per acre, variable (“ER-SFR3V”) and Encinitas Ranch single family residential five dwelling units per acre (“ER-SFR5”) *Paragraph amended 3/18/98 (Reso. 98-17)*
- Multi-Family Residential Zone; Encinitas Ranch multi-family family residential thirty dwelling units per net acre (“ER-R-30” Zone)
- Mixed-Use Zones (“ER-MU1” and “ER-MU2” Zones)
- Commercial Zone (“ER-C” Zone)
- Public/Semi-Public Zone (“P/SP” Zone)

**TABLE 6-2
ZONING CATEGORIES**

The table below designates the zoning categories that are applicable to each Planning Area within the Encinitas Ranch Specific Plan Area. Refer to Figure 25, *Zoning Map*, for the location, size, and configuration of the individual zones within each Planning Area.

PLANNING AREAS	ZONING CATEGORIES									
	AG ZONE	OS ZONE	P/SP ZONE	ER-SFR3 ZONE	ER-SFR3V ZONE	ER-SFR5 ZONE	<u>ER-R-30 ZONE</u>	ER-C ZONE	ER-MU1 ZONE	ER-MU2 ZONE
GREEN VALLEY		X						X	X	
QUAIL HOLLOW EAST		X		X						
NORTH MESA	X	X	X	X		X				
SOUTH MESA	X		X		X					
SIDONIA EAST	X			X		X	<u>X</u>			
QUAIL GARDENS EAST			X							
EAST SAXONY	X									
WEST SAXONY										X
SPECIAL ZONING DISTRICTS & USES	AG ZONE	OS ZONE	P/SP ZONE	ER-SFR3 ZONE	ER-SFR3V ZONE	ER-SFR5 ZONE	<u>ER-R-30 ZONE</u>	ER-C ZONE	ER-MU1 ZONE	ER-MU2 ZONE
AG USES IN A NON-AG ZONE			X	X	X	X	<u>X</u>	X	X	X
PARK & REC OVERLAY		X ⁽¹⁾	X		X	X	<u>X</u>	X	X	X
OUTDOOR DINING STANDARDS								X	X	X

⁽¹⁾ Note: The only area designated as “OS” within the Encinitas Ranch Specific Plan Area that is subject to a Park & Recreation overlay is the linear greenbelt/recreation areas located adjacent to El Camino Real, south of Leucadia Boulevard. The Park and Recreation overlay does not apply to any other “OS” Zones within the Encinitas Ranch Specific Plan Area.

Table Amended 8/23/95 (Reso. 95-91) and 3/18/98 (Reso. 98-17)

Agricultural Zone (“AG” Zone)

6.2.1 DESCRIPTION OF AGRICULTURAL ZONES

Four separate areas within the Specific Plan Area are within the Encinitas Ranch Agricultural Zone; 68.0 acres within the East Saxony Planning Area, 26.3 acres within the South Mesa Planning Area, 10 acres within the North Mesa Planning Area and 9.025.7 acres within the Sidonia East Planning Area. The Agricultural Zone provisions below have been written broadly in order to encourage the continued agricultural use of portions of the Specific Plan Area and to provide a favorable setting in which to continue agricultural operations. *Paragraph added 3/18/98 (Reso. 98-17)*

6.2.3 DEVELOPMENT STANDARDS

B. *Specific Agricultural Zone Standards:*

1. SPECIFIC AGRICULTURAL ZONE STANDARDS – AGRICULTURAL USES ⁽³⁾	AG ZONE	
	Greenhouse and Other Crop Protection Structures	All Other Agriculture Buildings
Maximum Percentage of Net Area Covered with Buildings/Structures	No requirement	No requirement
Minimum Lot Area ⁽¹⁾	10 AC	10 AC
Minimum Lot Width	No requirement	No requirement
Minimum Lot Depth	No requirement	No requirement
Front Yard Setback	No requirement	No requirement
Street Side Yard Setback	No requirement	No requirement
Interior Side Yard Setback	No requirement	No requirement
Rear Yard Setback	No requirement	No requirement
Minimum Setback for any Structure Adjacent to Public Streets and Residentially Zoned Areas	25 FT	50 FT
Maximum Encroachments into Yards ⁽²⁾	4 FT for all yards	4 FT for all yards
Minimum Distance Between Buildings	No requirement	No requirement
Minimum Setback for Any Building from Offsite, Non-residential zones	10 FT	10 FT

Table amended 3/18/98 (Reso. 98-17)

(1) May be reduced to allow farm employee housing (not to exceed 25 units within the overall Encinitas Ranch Specific Plan Area, including a maximum of 10 units within the Sidonia East Planning Area) and to isolate areas in which development is restricted. This may also be reduced to 5 acres in the Sidonia East Planning Area to accommodate “agrihood” development.

(2) Includes encroachments by chimneys, fireplaces, steps, stairs, eaves, porches, balconies, decks, bay windows, planters, and similar architectural features.

(3) Setbacks shall apply in the Agricultural Zone regardless of the status of a Williamson Act contract.

6.6 MULTI-FAMILY RESIDENTIAL ZONE (“ER-R-30” ZONE)

6.6.1 DESCRIPTION OF MULTI-FAMILY RESIDENTIAL ZONE

The multi-family residential zone establishes a density range of 25-30 dwelling units per net acre (“ER-R-30”) consistent with the City of Encinitas General Plan Housing Element. The following uses and development standards are specific to ER-R-30 zoned properties in the Specific Plan Area.

6.6.2 USES PERMITTED

A. *Permitted Uses.* All uses identified as “permitted by right” in the R-30 OL zone, as defined in the Encinitas Municipal Code Zoning Matrix, shall be permitted uses within this Specific Plan zone ER-R-30. Additionally, the following uses shall be permitted uses within the ER-R-30 zone.

Agricultural produce sales.
Farmers Market.
Outdoor dining uses.
Outdoor event uses.
Farm-to-Table Restaurant.

B. *Permitted Accessory Use.* Any use that is not specifically listed in Subsection A above, may be considered a permitted accessory use, provided that the Development Services Director finds that the proposed accessory use is substantially the same in character and intensity as those listed in the designated subsections. Accessory uses are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to the primary use(s).

6.6.3 DEVELOPMENT STANDARDS

The “ER-R-30” Zone shall be subject to the R-30-OL Development Standards established as part of the 2018 Housing Element Update.

6.66.7 Mixed Use Zone (“ER-MU1” Zone)

6.6-1 6.7.1 USES PERMITTED

6.6-2 6.7.2 DEVELOPMENT STANDARDS

6.76.8 Mixed-Use Zone (“ER-MU2” Zone)

6.7-1 6.8.1 USES PERMITTED

6.7-2 6.8.2 DEVELOPMENT STANDARDS

6.86.9 Commercial Zone (“ER-C” Zone) Paragraph amended 3/18/98 (Reso. 98-17)

6.8-16.9.1 USES PERMITTED PARAGRAPH AMENDED 3/18/98 (RESO. 98-17) AND 2/13/02 (ORD. 2002-02)

6-8-26.9.2 DEVELOPMENT STANDARDS PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-96.10 *Outdoor Dining Standards (All “ER-MU” and “ER-C” Zones and Interim Use Standards)* Paragraph amended 3/18/98 (Reso. 98-17)

6-106.11 *Interim Use Standards Paragraph* amended 3/18/98 (Reso. 98-17)

6-10-16.11.1 USES PERMITTED

6-10-26.11.2 DURATION OF PERMITTED INTERIM USES PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-10-36.11.3 DEVELOPMENT PLAN REQUIREMENT PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-10-46.11.4 TRANSITION OF INTERIM STRUCTURES TO PERMANENT STRUCTURES PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-116.12 *Public/Semi-Public Zone Paragraph* amended 3/18/98 (Reso. 98-17)

6-126.13 *Signage Paragraph* amended 3/18/98 (Reso. 98-17)

6-12-16.13.1 DEFINITIONS PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-12-26.13.2 GENERAL REGULATIONS PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-12-36.13.3 NONRESIDENTIAL PERMANENT SIGN STANDARDS PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-12-46.13.4 FREESTANDING/MONUMENT SIGNS PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-12-56.13.5 WALL SIGNS PARAGRAPH AMENDED 3/18/98 (Reso. 98-17)

6-12-66.13.6 PROJECTING SIGNS PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-12-76.13.7 OTHER SIGN TYPES PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

6-12-86.13.8 COMMERCIAL TEMPORARY SIGN STANDARDS PARAGRAPH AMENDED 3/18/98 (RESO. 98-17)

EXHIBIT 2018-07-5h

Sections 8.1, 8.2, 8.3, 8.5 & 8.6 of the Encinitas Ranch Specific Plan are amended, to read as follows:

8.1 Land Use

GOAL 1: Encinitas will strive to be a unique seaside community providing a balance of housing, commercial, light industrial/office development, recreation, agriculture and open space compatible with the predominant residential character of the community.

Project Conformance

The Encinitas Ranch Specific Plan provides a broad mix of land uses within the Specific Plan Area including agriculture, open space, commercial, recreation, and residential uses. The project will preserve the residential character of the City by providing much of the planned single family residential development adjacent to existing residential areas in Encinitas. Detached single family and multi-family homes will make up all of homes on the Mesa. The community character of the mesa will be ~~predominately~~ detached residential development and attached multi-family development surrounded by a golf course and natural open space. *Paragraph amended 3/18/98 (Reso. 98-17)*

Implementation of the Specific Plan will achieve a balance of housing through the inclusion of multi-family (attached and detached) units in the Green Valley, Sidonia East and West Saxony Planning Areas. Higher density residential land uses are appropriate for these locations since multi-family housing will be compatible with the higher intensity uses in these areas, the potential accessibility of these areas from Circulation Element Roads, and their proximity to commercial services and transit stops. Existing lower density residential uses occur north of the West Saxony Planning Area and west of the Sidonia East Planning Area. The Encinitas Ranch Specific Plan has been designed to address this adjacency and compatibility issue by proposing buffers between the two uses. A buffer/screen landscape treatment will be required along the northern boundary of the West Saxony Planning Area, and shall consist of dense plantings of shrubs, vines and trees of varying heights. In addition, a minimum five (5) foot high wall or fence will be erected at the project boundary. *Paragraph amended 3/18/98 (Reso. 98-17)*

As part of the Encinitas Ranch project, a maximum of 753,000 square feet of commercial and office uses will provide a wide diversity of shopping opportunities on-site. These uses will be concentrated in the West Saxony and Green Valley Planning Areas. A large regional-serving commercial complex of 650,000 square feet is planned within Green Valley. Possible uses to be constructed within the 73.8-acre center include a supermarket, a drug store, clothing stores, a home improvement store, a discount store, a bookstore, restaurants, and a sports specialty store. This Regional Commercial Center will draw from a wide area and will attract shoppers from surrounding communities, as well as shoppers from the City of Encinitas and the Encinitas Ranch Specific Plan Area. Such uses will provide a strong tax base for the City and broaden the City's economic base with stores and commercial uses not presently available within the City of Encinitas. *Paragraph amended 3/18/98 (Reso. 98-17)*

The Land Use Plan proposes 25,000 SF of office uses and limited retail uses on 4.9 acres west of Saxony Road in the West Saxony Planning Area. *Paragraph amended 3/18/98 (Reso. 98-17)*

In conformance with Land Use Policy 1.7, the Green Valley Regional Commercial Center will be served by El Camino Real and Leucadia Boulevard, two major thoroughfares in the City of Encinitas which will provide convenient access to the Center. The West Saxony mixed-use zone will be easily accessible from Interstate 5, Encinitas Boulevard, and Leucadia Boulevard via Saxony Road. The "agrihood" development within the Sidonia East Planning Area will be easily accessible from Interstate 5, Leucadia Boulevard, and Quail Gardens Drive. As required by Land Use Policy 1.15, the easy and safe circulation and movement of bicyclists, pedestrians and the handicapped will be ensured in Encinitas Ranch through the provision of off-street bike paths, pedestrian crosswalks, sidewalks, pedestrian trails, and wheelchair ramps. *Paragraph amended 3/18/98 (Reso. 98-17)*

GOAL 3: To assure successful planning for future facilities and services, and a proper balance of uses within the City, the City of Encinitas will establish and maintain a maximum density and intensity of residential and commercial uses within the city which will:

- A. Provide a balance of commercial and residential uses which creates and maintains the quality of life and small-town character of the individual communities; and**
- B. Protect and enhance the City's natural resources and indigenous wildlife.**

Project Conformance

One of the goals of the Encinitas Ranch Specific Plan is to retain the agricultural and small town character of the project site, while accommodating higher intensity development adjacent to Circulation Element Roads (i.e., El Camino Real and Saxony Road). The project will include extensive amounts of natural open space, passive parks, and recreational facilities (approximately 215 acres). This area will satisfy the need for more community-serving parks, open space, and recreation areas. The agricultural land uses will preserve the agricultural heritage of the project site. *Paragraph amended 3/18/98 (Reso. 98-17)*

Much of the residential area will be allotted to single family detached housing consistent with the General Plan land use designations. However, all segments of the population will be provided with housing opportunities within Encinitas Ranch by the inclusion of multi-family residential and experimental housing in the Green Valley, Sidonia East, and West Saxony Planning Areas. *Paragraph amended 3/18/98 (Reso. 98-17)*

GOAL 4: The City of Encinitas will ensure that the rate of residential growth:

- A. Does not create a demand which exceeds the capability of available services and facilities;**
- B. Does not destroy the quality of life and small town character of the individual communities;**
- C. Does not exceed a rate which excludes the public from meaningful participation in all aspects of land decision making regarding proposed projects;**

- D. Provides the City with the ability to plan ahead for the location, timing, and financing of required services and facilities; and
- E. Does not exceed an annual allotment of dwelling units based on the projected ultimate buildout of dwellings in the City of Encinitas assuming a 25-year buildout period.

Project Conformance

The Specific Plan provides approximately 1,435,139 dwelling units in the Land Use Plan. This increase in residential units creates the need for public services such as schools, recreation areas, and cultural facilities such as theaters, museums, etc.. The Specific Plan proposes the dedication of a site for a community-serving elementary school and a variety of recreational areas including an 18-hole municipal golf course, several athletic playing fields, and a comprehensive network of pedestrian and bicycle trails. Cultural structures will be encouraged to develop in the mixed-use zones of the West Saxony and Green Valley Planning Areas and in the Community Use Zone of the Quail Gardens East Planning Area. The project is designed to be phased to provide services and facilities concurrent with project need. Additionally, the Specific Plan provides for the continuation of agricultural operations on-site while accommodating residential growth. *Paragraph amended 3/18/98 (Reso. 98-17)*

The Encinitas Ranch project site has been pre-designated by the City as "SP" (i.e., Specific Plan). This Specific Plan has been prepared in conformance with the "SP" pre-designation for the property. Along with approval of this document, the City also will be approving specific zoning for the property (see Figure 25, *Zoning Map*). Therefore, the project site has already been pre-zoned in anticipation of annexation of the property into the City of Encinitas.

The Encinitas Ranch Specific Plan has been carefully designed and developed to preserve the small-town flavor of the Leucadia community. Single family residential (~~3.2 du/ac overall maximum density~~), multi-family residential, agricultural, open space, and golf course uses are located on the mesa top abutting existing residential development. *Paragraph amended 3/18/98 (Reso. 98-17)*

GOAL 6: Every effort will be made to ensure that the existing desirable character of the communities is maintained.

Project Conformance

The Encinitas Ranch Specific Plan Area is surrounded by a variety of land uses. Planned single-family residential dwellings on-site will be consistent with lot sizes and design to complement surrounding existing residential neighborhoods. *Paragraph amended 3/18/98 (Reso. 98-17)*

The Land Use Plan proposes commercial and mixed-use uses along a portion of Saxony Road and on the west side of El Camino Real, two of the City's most important Circulation Element Roads. The commercial and mixed-uses in Green Valley will be physically separated from the single family residential and agricultural uses on the mesa by more than 100 acres of natural open space and more than a 200 foot elevational change in topography. *Paragraph amended 3/18/98 (Reso. 98-17)*

The mixed-use development planned for the West Saxony Planning Area is compatible with its location adjacent to the I-5 freeway and the Magdalena Ecke YMCA and Ecke Sports Park; across the street is the CPC San Luis Rey Hospital. The mixed-use development within West Saxony will be buffered from the existing low density residential uses to the north, and physical design and landscape buffer solutions shall be implemented in order to ensure compatible land uses. For example, the maximum permitted building height in these areas will be thirty-five (35) feet which is comparable to the height of the existing development in the area. Additionally, commercial/office buildings in the West Saxony Planning Area shall be constructed in a residential/garden style design to ensure compatibility with existing residential uses to the north. *Paragraph amended 3/18/98 (Reso. 98-17)*

The “agrihood” development at the northwest corner of Leucadia Boulevard and Quail Gardens Drive (within the Sidonia East Planning Area) would be consistent with the Agricultural Zone provisions of this Specific Plan, which encourage the continued agricultural use of portions of the Specific Plan Area and the provision of a favorable setting in which to continue agricultural operations. The “agrihood” concept proposed allows for the continued viability of an agricultural business on the site. The development would be appropriately buffered from existing low density residential uses to the west by a 50-foot landscaped buffer.

GOAL 7: Development in the community should provide an identity for the city while maintaining the unique identity of the individual communities.

Project Conformance

Each residential, commercial, and mixed-use zone is designed to incorporate elements of a project-wide design theme to help create a harmonious and aesthetically-pleasing community. These elements include architectural style, building color, construction materials, and landscaping. Section 7.0 of this Specific Plan addresses design guidelines for landscaping and structures that allow diversity in selection while maintaining a common theme to unite and distinguish the community.

The Encinitas Ranch project will coordinate the street/public improvements (i.e., streetscape, landscape, site design, etc.) necessary to implement the project.

In the mixed-use zones of the Green Valley and West Saxony Planning Areas, building heights up to three (3) stories will be permitted to provide community focus. Residential development throughout the project site shall not exceed thirty (30) feet in height without Design Review approval. The Encinitas Ranch Zoning Ordinance expressly allows building heights up to 45 feet in the Green Valley Mixed-Use Zone and Agricultural Zone and up to 35 feet in height in the West Saxony Planning Area. In the Sidonia East Planning Area, the ER-R-30 Zone allows for heights up to 37 feet, consistent with the development standards established for the R-30-OL zone as part of the 2018 Housing Element Update. *Paragraph amended 3/18/98 (Reso. 98-17)*

8.2 Housing

GOAL 1: The City will encourage the provision of a wide range of housing by location, type of unit, and price to meet the existing and future housing needs in the region and City. (I-A through H; II-A through D; III-C and D; IV-A through F; V-B through G; VI-A, C through 1; VII-C; VIII-C)

Project Conformance

To achieve a balance of housing opportunities, multi-family units including townhomes, free-standing apartment buildings, senior citizen housing, apartments, and residential units over office and retail uses are also proposed in the Green Valley Planning Area. Multi-family attached units will be constructed in the West Saxony and Sidonia East Planning Areas. Higher density residential is appropriate for these areas due to the proximity to Circulation Element Roads and nearby commercial and public uses and transit stops. *Paragraph amended 3/18/98 (Reso. 98-17)*

GOAL 3: The City will encourage the maintenance and preservation of the existing housing stock as well as quality workmanship in new housing.

Project Conformance

Single family and multi-family residential development in the Specific Plan Area is planned on approximately 224 percent of the project site. The multi-family units are situated in close proximity to and within mixed-use zones, away from sensitive topographic areas, or adjacent to Circulation Element roads and nearby transit stops. Low density clusters of single-family dwellings are planned in small enclaves around the perimeter of portions of the golf course in the North Mesa and Quail Hollow East Planning Areas, thereby preserving natural open space and sensitive biotic communities. The Land Use Plan for Encinitas Ranch has been developed to maximize the amount of open space adjoining residential development, particularly areas of mixed-use and multi-family housing. Housing will be clustered adjacent to natural open space areas and the planned golf course in portions of the North Mesa, Quail Hollow East, South Mesa, and Green Valley Planning Areas. Higher density residential development shall be constructed adjacent to the greenbelt/park in Green Valley and at the northwest corner of the Leucadia Boulevard/Quail Gardens Drive intersection within the Sidonia East Planning Area. *Paragraph amended 3/18/98 (Reso. 98-17)*

8.3 Circulation

GOAL 2: The City will make every effort to develop a varied transportation system that is capable of serving both the existing population and future residents while preserving community values and character. (Coastal Act/30252/30153)

Project Conformance

To reflect the low density residential and agricultural heritage that exists in the project vicinity of the project site, modified development standards for road width, lighting, curbs, and other similar matters will be permitted in the Quail Hollow East and North Mesa Planning Areas, subject to minimum public health and safety requirements, as determined by the Development Services Director ~~of Community Development and the City Engineer~~, and subject to the appropriate landowner agreements. Single family development in the Sidonia East Planning Area will be designed to reflect the residential uses, and character of the existing development located west of Sidonia Street. Multi-family housing will be integrated into the agricultural character as part of the "agrihood" development through innovative planning and design. *Paragraph amended 3/18/98 (Reso. 98-17)*

GOAL 3: The City of Encinitas will promote the use of other modes of transport to reduce the dependence on the personal automobile. (Coastal Act/30252)

Project Conformance

In the Green Valley Planning Area, the multi-family residential units will be of high enough density to support a limited mass transit system such as bus routes. Off-street combination pedestrian and bicycle trails, as well as sidewalks, will be constructed to connect the Regional Commercial Center with the Mixed-Use Zone. In fact, a comprehensive network of painted bicycle lanes, sidewalks, and off-street trails are planned throughout the Specific Plan Area, helping to limit reliance on the automobile. Bicycle storage racks and small plazas and gathering nodes for pedestrians are encouraged to be provided throughout the Commercial and Mixed-Use Zones to augment a pedestrian-friendly atmosphere. In the Sidonia East Planning Area, the multi-family units as part of the “agrihood” development will be located within ¼ mile walk of transit stops on Leucadia Boulevard.

8.5 Resource Management

GOAL 11: The City recognizes the important contribution of agricultural and horticultural land uses in the local economy and the emphasis of the need to maintain these activities.

Project Conformance

In the Land Use Plan, approximately ~~115.8~~ 130.0 acres of land within the project site will be devoted to agriculture. The poinsettia agricultural activity and its greenhouses and other agricultural operations will be preserved at its present location consisting of approximately 68.6 acres. It will be encouraged to upgrade and renovate the current structures to remain competitive; modernizing the operation will strengthen the economic vitality of the agricultural business and secure its future productiveness. The poinsettia operations will also maintain a 10-acre agricultural area in the North Mesa Planning Area, north of the Magdalena Ecke Park, as a remote facility used to store and manage genetic material. *Paragraph amended 3/18/98 (Reso. 98-17)*

Approximately ~~9.025.7~~ acres of land within the Sidonia East Planning Area, north of Leucadia Boulevard, will be used for ~~the existing~~ agricultural facilities. Additionally, the “agrihood” development will encourage the continued agricultural use of portions of the Sidonia East Planning Area and the provision of a favorable setting in which to continue agricultural operations. The “agrihood” concept proposed allows for the continued viability of an agricultural business on the site, operated by Dramm & Echter, along with additional acreage adjacent to the existing facilities. Approximately 26.3 acres within the North Mesa Planning Area, directly across the golf course from its existing facilities, is proposed for agricultural use by Dramm & Echter and will accommodate open field flower production. *Paragraph added 3/18/98 (Reso. 98-17)*

The Encinitas Ranch Specific Plan will include a variety of multi-family housing types in Sidonia East and the mixed-use area of Green Valley. This housing could provide shelter for farm employees of the Paul Ecke Ranch. In addition, up to 25 farm employee housing units may be constructed in the agricultural areas. *Paragraph amended 3/18/98 (Reso. 98-17)*

The floodplain in Green Valley is being reconfigured as part of the Encinitas Ranch project. The existing drainage channel will be replaced by an earthen channel landscaped with native riparian plant species. The existing channel periodically overflows, flooding El Camino Real. The new channel will eliminate this flooding hazard by accommodating higher flow volumes. The land to the west of the new channel will be developed with mixed-use development and a Regional Commercial Center. With the steady increase and

encroachment of urbanization along El Camino Real, the viability of land in Green Valley for agriculture has been greatly diminished. The highest and best use of the land in Green Valley is no longer for agriculture, but for more intensive urban uses. The Specific Plan provides for continued ~~permanent~~ agricultural use in portions of the South Mesa, North Mesa, East Saxony, and Sidonia East Planning Areas. *Paragraph amended 3/18/98 (Reso. 98-17)*

8.6 RECREATION

GOAL 1: The maintenance of the open space resources in the planning area will continue to be emphasized. (Coastal Act/30240)

Project Conformance

The Specific Plan responds to the need for additional recreational facilities within the project area by developing a variety of recreational opportunities for residents of the Specific Plan Area and the City of Encinitas as a whole. An expansive, 18-hole municipal golf course on the mesa will provide golfing opportunities to City residents and attract players from surrounding regions. A public recreation area, which includes athletic playing fields, is proposed in the eastern section of the Green Valley Planning Area within the 25.6-acre greenbelt/recreation area along El Camino Real. This recreation area will be easily accessible from the adjacent mixed-use and multi-family residential development. A public hiking and biking trail will be incorporated into a linear greenbelt adjacent to the recreation area; the trails in the greenbelt will connect with the project-wide system of trails, on-street bicycle lanes, and sidewalks.

~~454-747~~ multi-family homes (attached and detached) have been approved for construction under the Land Use Plan, with 45 additional multi-family units permitted. It is anticipated these multi-family developments are required by this Specific Plan to provide private recreational areas and facilities for the use of project residents and their guests, unless this requirement is waived during the Design Review process. These recreational areas/facilities may include such uses as swimming pools, spas, basketball courts, tot lots, tennis courts, volleyball courts, and recreation rooms. The facilities to be provided should be reasonably related to the projected population. *Paragraph amended 3/18/98 (Reso. 98-17)*

EXHIBIT 2018-07-5i

Table 9 of Section 9.1.3 of the Encinitas Ranch Specific Plan is amended, to read as follows:

**TABLE 9
PROJECT PHASING PLAN SUMMARY**

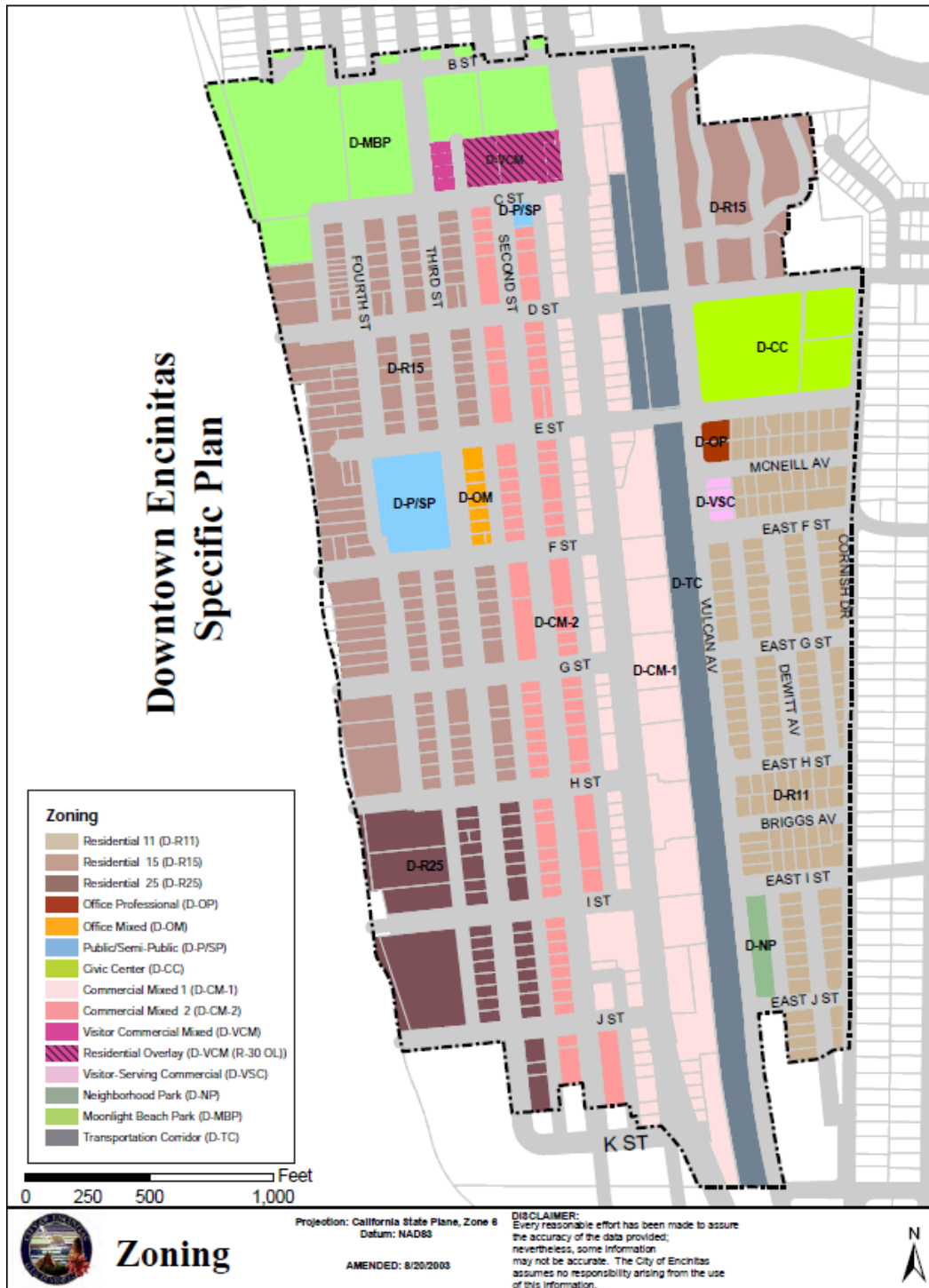
LAND USE	PLANNING AREA	ACRES	MAXIMUM DWELLING UNITS	COMMERCIAL/OFFICE/CHURCH SQ. FOOTAGE
PHASE I				
Regional Comm. Center ⁽¹⁾	Green Valley	56	--	475,000 SF
Open Space/Recreation Area	Green Valley	17	--	--
Golf Course/Clubhouse	North & South Mesa	171.8	--	--
Single Family Residential	North Mesa	6.2	18 du	--
Single Family Residential	Quail Hollow	21.1	63 du	--
Mixed-Use	West Saxony	8.1	138 du	--
Mixed-Use	Green Valley	18.3	189 du	--
Phase I Subtotal		298.5	408 du	475,000 sf
PHASE II				
Regional Commercial Center ⁽³⁾	Green Valley	17.8	--	175,000 sf
Mixed-Use	Green Valley	--	--	3,000 sf
Open Space	Green Valley	7.9	--	--
<i>Phase II Subtotal</i>		25.7	-0-	178,000 sf
PHASE III				
Mixed-Use	Green Valley	6.5	161 du	--
Mixed-Use	West Saxony	4.9	--	25,000 sf
Single Family Residential	North Mesa	8	40 du	--
Single Family Residential	Sidonia East	12.4	53 du	--
<u>Multi-Family Residential</u>	<u>Sidonia East</u>	<u>14.2</u>	<u>296 du</u>	
Community Use	Quail Gardens East	12.8	--	75,000 sf
Single Family Residential	South Mesa	117.8	353 du	--
School	South Mesa	10	--	--
Agriculture	South Mesa, North Mesa, Sidonia East	130	25 du	--
Open Space	Miscellaneous	154.1	--	--
<i>Phase III Subtotal</i>		456.5 472.5	632 928 du	100,000 sf
Total Phases I Through III		780.7 794.9	1,040 1,336 du	753,000 sf
Magdalena Ecke Preserve ⁽⁵⁾		29.8	--	--
Major Roads			42.3	--

<i>Project Total</i>	<u>852.8 867.00</u>	1040 <u>1,336</u> du	753,000 sf
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EXHIBIT 2018-07-6

Amendments to the Downtown Encinitas Specific Plan

The Downtown Encinitas Specific Plan Zoning Map on page 3-9 is amended to add the D-VCM-R-30 OL) Zone and Section 3.2.2C of the Downtown Encinitas Specific Plan is amended to add provisions regarding the D-VCM-R-30-OL Zone as follows:



C. **Zone: Visitor Commercial Mixed (D-VCM)**

This zone is intended to primarily provide for commercial activities such as hotel/motel uses, campgrounds, eating and drinking establishments, food and beverage retail sales (convenience), participant sports and recreation, entertainment uses and other principal visitor-serving uses which are specifically intended to serve the needs of persons visiting the City. All other permitted or conditionally permitted uses specified in the Specific Plan for areas zoned Visitor Commercial Mixed (D-VCM), such as business and professional office and residential uses shall be considered ancillary uses to the principal allowable uses. Ancillary or non-principal uses and required off- street parking shall not occupy or utilize more than 30 percent of the ground floor area.

Development offering mixed visitor-serving commercial or office (business or professional) uses with restricted residential use may be allowed, with the intent of providing housing opportunities and of mitigating the impacts between new mixed visitor-serving commercial/office and residential uses. *Amended 5/11/95 (Ord. 95-04)*

There are several separate parcels under this zone. However, development is intended to be visually and functionally integrated throughout the zone district, with integrated parking, pedestrian access and other elements.

Visitor-Serving Commercial is intended to provide for commercial activities which are specifically intended to serve the needs of persons visiting the City for business or recreational purposes.

Office Professional is intended to provide primarily for the development of professional and business offices.

Residential is intended to provide for multiple-family residential including apartments, condominiums, and senior housing, with a maximum density of 18 units per net acre.

D-VCM R-30 Overlay (OL) is intended to provide additional residential development opportunities to comply with the City's Regional Needs Housing Assessment (RHNA) allocation for sites to accommodate lower income housing with a minimum density of 25 units per net acre and a maximum of 30 units per net acre.

The following principal uses shall be permitted in the D-VCM Zone and are identified as either a permitted, minor use permit or major use permit. In addition, agricultural uses are permitted in accordance with Chapter 30.33 (Urban Agriculture) of Title 30 of the Encinitas Municipal Code. All other principal uses are prohibited.

4. D-VCM R-30 OL Permitted Uses

Permitted Uses in the D-VCM Overlay shall be the same as those described in Section 3.2.C.1 to 3.2.C.3, above, in addition to those uses permitted under the R-30 OL zone in Title 30, Chapter 30.09 of the Encinitas Municipal Code.

- a. Mixed use requirements in D-VCM R-30 OL. For mixed uses in the D-VCM overlay, a minimum of 50% of the site shall accommodate residential development at a minimum density of 25 dwelling units per net acre and a maximum of 30 dwelling units per net acre.**

4.5. Development Standards: Except as specified below, the development standards under the D-VCM Zone shall be those specified under Section 30.20.010 of the Encinitas Municipal Code for the VSC Zone. In case of conflict between standards, those specified below shall prevail.

6. Development Standards: Except as specified below, the development standards under the D-VCM R-30 OL Zone shall be those specified under Section 30.16.010 of the Encinitas Municipal Code for the R 30 Overlay Zone. In case of conflict between standards, those specified below shall prevail.

a. Density (Maximum dwelling units per net acre) ¹	30.0
b. Midrange Density (See Section 30.16.010B1 & B2)	N/A
c. Net Lot Area (sq. ft.)	30,000
d. Lot Width (ft.)	100
e. Lot Depth (ft.)	150
f. Front Yard Setback (ft.) ²	10
g. Side Yard Setback (ft.) for each interior side	0
h. C Street Setback (ft.)	0
i. Street Side Yard Setback (ft.) ²	10
j. Rear Yard Setback (ft.)	0
k. Rear Yard Setback Where Alley Exists	10
l. Lot Coverage (maximum percentage)	65
m. Building Height	See 30.16.010B6
n. Distance between buildings on the same lot less than 16 ft. in height	0
o. Distance between buildings on the same lot greater than 16 ft. in height	0
p. Landscaping ²	15%

1. A minimum net density of 25 dwelling units per net acre is required.

2. Front yard and street side yard setbacks may be reduced through design review based on existing on- and off-site conditions, prevailing commercial district character, project design, traffic/circulation, building and site design, and the like.

3. Pedestrian plaza which include site amenities such as sculptures, fountains planters, enhanced paving, etc. may be counted as landscaping. This does not relieve development sites of the requirement to provide minimum amount of trees and planting.

In addition, the following sections of the D-VCM Zone shall apply: 3.2.3C.5.f, 3.2.3C.5.g.2, 3.2.3C.5.i, 3.2.3C.5.j, and 3.2.3C.5.k.

5.7. Signage Regulations: The mandatory signage standards, and review and approval procedures under Chapter 30.60 of the Encinitas Municipal Code shall apply to signs under the D-VCM Zone.

6.8. Design Recommendations: In the D-VCM Zone, the Specific Plan Design Recommendations shall be considered in addition to the development standards in this section. The development standards shall take precedence if a conflict exists between a development standard and a design recommendation.

EXHIBIT 2018-07-7

The list of Zones included in Section 3.1 of the North 101 Corridor Specific Plan and the North 101 Corridor Specific Plan Zoning Map (Figure 3; page 3-3) are amended to add the N-R3 (R-30OL), N-CRM-1 (R-30 OL), and N-L-VSC (R-30 OL) zones to read as follows:

Zones

Distinct zones were created through the specific plan process, each with its own special development standards. The following provides a listing of each zone.

N-R3	Residential 3
<u>N-R3 (R-30OL)</u>	<u>N-R3 (R-30 Overlay)</u>
N-R8	Residential 8
N-R11	Residential 11
N-R15	Residential 15
N-R20	Residential 20
N-R25	Residential 25
N-MHP	Mobile Home Park
N-CM-1	Commercial Mixed - 1
N-CM-2	Commercial Mixed - 2
N-CM-3	Commercial Mixed - 3
N-CRM-1	Commercial, Residential Mixed – 1
N-CRM-2	Commercial, Residential Mixed - 2
N-VSC	Visitor-Serving Commercial
N-L-VSC	Limited Visitor-Serving Commercial
<u>N-L-VSC (R-30 OL)</u>	<u>N-L-VSC (R-30 Overlay)</u>
N-P/SP	Public/Semi-Public
N-HP	Historic Park
N-TC	Transportation Corridor

North 101 Corridor Specific Plan

Legend

-  Specific Plan Boundary
-  Residential 3 (N-R3)
-  Residential Overlay (N-R3 (R-30 OL))
-  Residential 8 (N-R8)
-  Residential 11 (N-R11)
-  Residential 15 (N-R15)
-  Residential 20 (N-R20)
-  Residential 25 (N-R25)
-  Mobile Home Park (N-MHP)
-  Commercial Mixed 1 (N-CM-1)
-  Commercial Mixed 2 (N-CM-2)
-  Commercial Mixed 3 (N-CM-3)
-  Comm. Res. Mixed 1 (N-CRM-1)
-  Comm. Res. Mixed 2 (N-CRM-2)
-  Visitor-Serving Commercial (N-VSC)
-  Ltd. Visitor-Serving Commercial (N-LVSC)
-  Residential Overlay (N-L-VSC (R-30 OL))
-  Public/Semi-Public (N-P/SP)
-  Historic Park (N-HP)
-  Transportation Corridor (N-TC)

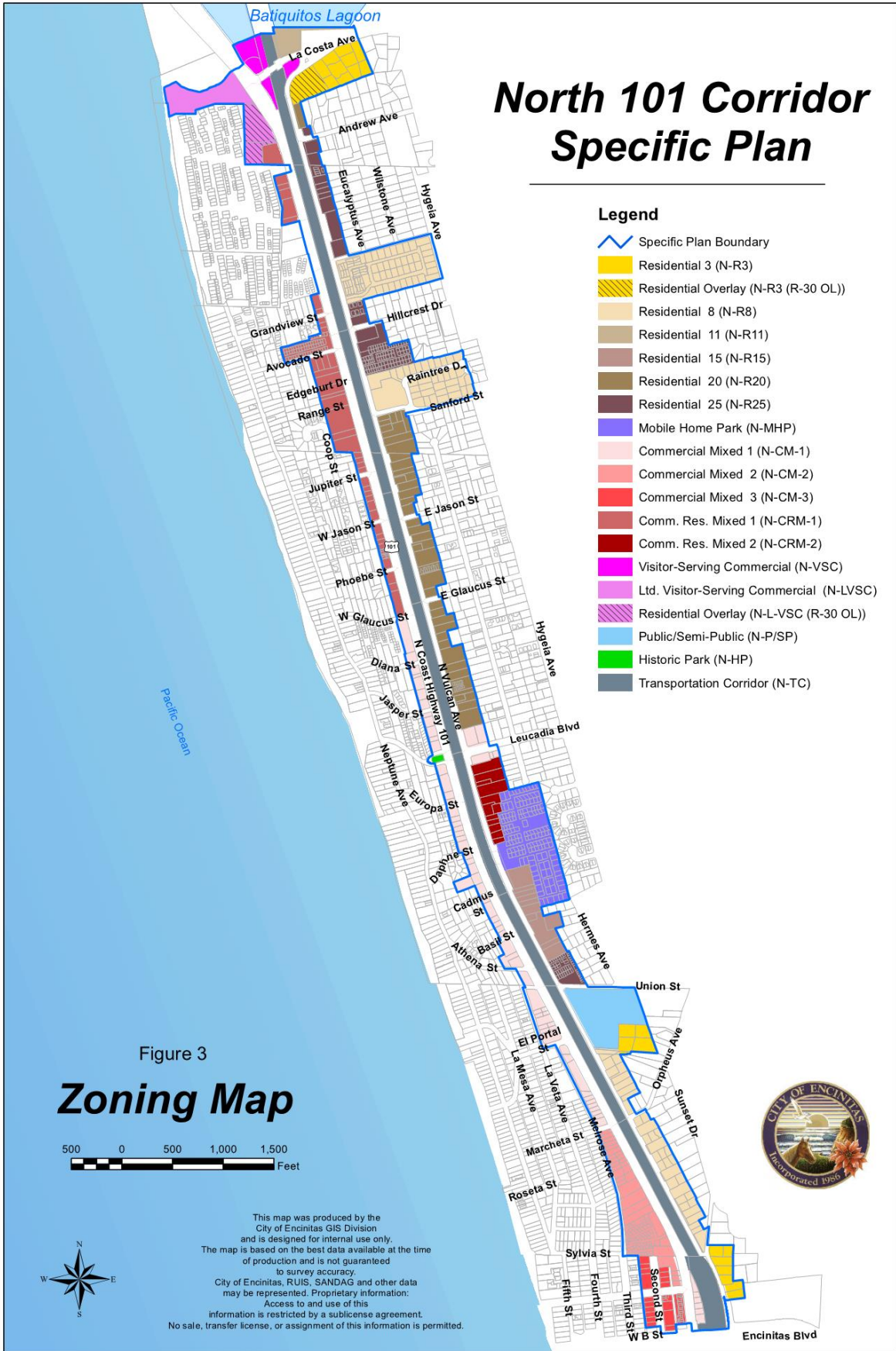


Figure 3

Zoning Map

500 0 500 1,000 1,500
Feet



This map was produced by the City of Encinitas GIS Division and is designed for internal use only. The map is based on the best data available at the time of production and is not guaranteed to survey accuracy. City of Encinitas, RUIS, SANDAG and other data may be represented. Proprietary information: Access to and use of this information is restricted by a sublicense agreement. No sale, transfer license, or assignment of this information is permitted.



Figure 3: Zoning Map

EXHIBIT 2018-07-8

Section 3.1.1.A of the North 101 Corridor Specific Plan is amended to add N-R3 (R-30 Overlay) Zone and Section 3.1.1.B is added:

3.1.1 RESIDENTIAL ZONES

A. Zones:

Residential 3 (N-R3)
N-R3 (R-30 Overlay)
Residential 8 (N-R8)
Residential 11 (N-R11)
Residential 15 (N-R15)
Residential 20 (N-R20)
Residential 25 (N-R25)

B. N-R3 (R-30 OL)

This Zone is intended to provide additional residential development opportunities to comply with the City's Regional Needs Housing Assessment (RHNA) allocation for sites to accommodate lower income housing with a minimum density of 25 units per net acre and a maximum density of 30 units per net acre.

1. N-R3 (R-30 OL) Permitted Uses

Permitted Uses in the N-R3 (R-30 OL) shall be the same as those permitted under R30-OL Zone in Title 30, Chapter 30.09 of the Encinitas Municipal Code

2. N-R3 Residential Overlay Development Standards

The development standards applicable to the N-R3 (R-30 OL) shall be those specified in Title 30, Chapter 30.16. for the R-30 Overlay Zone of the Encinitas Municipal Code.

- a. When certain development standards in the N-R3 Zone and N-R3 (R-30 OL) conflict, the more generous standard shall prevail.

BC. Zone: Mobile Home Park (N-MHP):

EXHIBIT 2018-07-9

Section 3.1.2.H of the North 101 Corridor Specific Plan is hereby added to include provisions for the N-L-VSC (R-30 OL) zone to read as follows:

H. Zone: Limited Visitor-Serving Commercial (N-L-VSC) (R-30 OL)

This Zone is intended to provide additional residential development opportunities to comply with the City's Regional Needs Housing Assessment (RHNA) allocation for sites to accommodate lower income housing with a minimum density of 25 units per net acre and a maximum of 30 units per net acre.

1. N-L-VSC (R-30 OL) Permitted Uses

Permitted Uses in the N-L-VSC (R-30 OL) shall be the same as those permitted in the L-VSC Zone in Title 30, Chapter 30.09. 010 and those permitted in the R-30 OL Zone in Chapter 30.16, of the Encinitas Municipal Code.

2. N-L-VSC (R-30 OL) Development Standards

Except as specified below, the development standards under the N-VSC R-30 OL Zone shall be those specified under Section 30.16.010 of the Encinitas Municipal Code for the R 30 Overlay Zone. In case of conflict between standards, those specified below shall prevail.

<u>a. Density (Maximum dwelling units per net acre)¹</u>	<u>30.0</u>
<u>b. Midrange Density (See Section 30.16.010B1 & B2)</u>	<u>N/A</u>
<u>c. Net Lot Area (sq. ft.)</u>	<u>30,000</u>
<u>d. Lot Width (ft.)</u>	<u>100</u>
<u>e. Lot Depth (ft.)</u>	<u>150</u>
<u>f. Front Yard Setback (ft.)²</u>	<u>10</u>
<u>g. Side Yard Setback (ft.) for each interior side²</u>	<u>10</u>
<u>i. Street Side Yard Setback (ft.)²</u>	<u>10</u>
<u>j. Rear Yard Setback (ft.)</u>	<u>0</u>
<u>k. Rear Yard Setback Where Alley Exists</u>	<u>0</u>
<u>l. Lot Coverage (maximum percentage)</u>	<u>65</u>
<u>m. Building Height</u>	<u>See 30.16.010B6</u>
<u>n. Distance between buildings on the same lot less than 16 ft. in height</u>	<u>0</u>
<u>o. Distance between buildings on the same lot greater than 16 ft. in height</u>	<u>0</u>
<u>p. Landscaping</u>	<u>15%</u>

1. A minimum net density of 25 dwelling units per net acre is required.

2. Front yard and street/interior side yard setbacks may be reduced through design review based on existing on- and off-site conditions, prevailing commercial district character, project design, traffic/circulation, building and site design, and the like.