



City of Encinitas
FY 2022-23 Draft Consolidated Annual
Performance and Evaluation Report



This Draft Document Is Available for Public Review and Comment
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FY 2022-23 CAPER

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FY 2022-23 DRAFT CONSOLIDATED ANNUAL ACTION PERFORMANCE AND EVALUATION REPORT (CAPER)

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

During the program year, the City has made progress in meeting the Strategic Plan goals of the FY 2020-25 Consolidated Plan and FY 2022-23 Action Plan. The focus of this FY 2022-23 CAPER is on activities carried out during the program year. This CAPER is also reporting on the funding and accomplishments specifically related to the response to the Coronavirus Pandemic. Below is a summary of the actions taken to prepare, prevent, and respond to the Coronavirus.

FY 2022-23 CDBG funded activities assisted a total of 6,608 households of which were 528 Encinitas residents. 91 percent of Encinitas residents assisted were extremely low-income.

The City funded three public service provider organizations in addition to fair housing services. These activities align with the following Strategic Plan Goals: to support the provision of homeless services and prevention; and to support and strengthen delivery of services that assist Encinitas low to moderate income residents with an emphasis on seniors.

Three households were assisted through the City's Residential Rehabilitation Program, utilizing prior year funds. This program supports the Strategic Plan Goal of providing housing assistance to low-income renters and homeowners.

During FY 2022-23, a capital improvement project for ADA Improvements was awarded and is currently underway. This project supports the Strategic Plan Goal of enhancing the livability and quality of life of low- and moderate-income neighborhoods.

The Section 8 Housing Choice Voucher Rental Assistance Program assisted an average of 98 households during FY 2022-23, with total Housing Assistance Payments at \$1,346,150. This program supports the Strategic Plan Goal of providing housing assistance to low-income renters and homeowners.

On June 28, 2023, the City Council awarded \$138,700 in general funds to the Opening Doors program for an eighth year. Opening Doors provides Housing Navigation services and landlord incentives and move-in support to secure permanent housing for homeless households. During FY 2022-23, 28 formerly homeless households were placed into permanent housing. This project supports the Strategic Plan Goal of supporting the provision of homeless services, prevention, and shelter.

On June 23, 2021, the City Council approved Substantial Amendment #2 to the FY 2019-20 Annual Action Plan. The Action Plan was amended to accept and allocate \$453,824 in CDBG-CV funding. Funding was approved in three categories: Public Services, Administration, and Homeless Outreach Response. \$196,497.82 was carried into FY 2022-23; \$182,499.95 for Homeless Outreach Response and \$13,997.87 for Administration. All remaining funds allocated for Homeless Outreach Response in FY 2022-23 were expended. The Case Worker managed approximately 30 new clients per month and assisted over 200 unsheltered individuals with securing temporary and permanent housing. The Case Worker also assisted every contact with Covid testing, and/or vaccination. Of the \$13,997.87 allocated for Administration, \$5,633.90 was expended.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual

outcomes/outputs, and percentage completed for each of the grantee’s program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic 5 Year-Plan	Percent Complete	Expected – Program Year	Actual – FY 2022-23 Program Year	Percent Complete
Renter and Homeowner Assistance	Affordable Housing	CDBG: \$0	Homeowner Housing Rehabilitated Rental units rehabilitated	Household Housing Unit	Rental units rehabilitated: 5 Homeowner Housing Rehabilitated: 10	8	160.00%	1	3	300.00%

Fair Housing	Non-Homeless Special Needs (Legal Aid)	CDBG: \$20,000	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	150	104	69%	20	20	100.00%
Shelter and services for the homeless	Homeless Non-Homeless Special Needs (Bridge to Housing Network, CRC)	CDBG: \$40,647	Homeless Person Overnight Shelter, Homelessness Prevention	Persons Assisted	50 Persons provided with overnight shelter Homelessness Prevention 5,000 persons assisted	66 2,176	132.00% 44%	30 810	28 407	93% 50%
Affordable Housing	Affordable Housing	CDBG: \$0	Rental units constructed	Household Housing Unit	30	0	0.00%	0	0	0%
Public Services-Special Needs/Low-Income Residents	Non-Homeless Special Needs (Meals on Wheels)	CDBG: \$7,826	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	400	232	58%	65	73	112.0%

Public Improvements	Non-Housing Community Development	CDBG: \$0	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Other	1,000		0.00		0	00.0%
Public Infrastructure	Non-Housing Community Development	CDBG: \$210,055	Other	Other	1,000 Persons assisted		00.00%		0	00.00%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

As defined by the City’s Consolidated Plan, the highest priorities are:

- Homeless services, prevention and shelter
- Low-income renter and homeowner assistance
- Senior housing and services
- Fair housing
- Affordable Housing
- Public Improvements
- Public Infrastructure
- Public Services for special needs populations

For the regular CDBG FY 2022-23 programs, the following totals apply:

Activity	Allocated CDBG	Expended CDBG	Remaining CDBG	General Fund Subsidy	General Fund Subsidy Remaining
Public Services	\$48,473.00	\$48,473.00	\$0.00	\$6,527.00	\$0.00
Administration	\$44,631.00	\$44,631.00	\$0.00		
Fair Housing	\$20,000.00	\$17,970.89	\$2,029.11		
Residential Rehabilitation	\$0.00	\$0.00	\$0.00		
Capital Improvement Projects	\$210,055.00	\$0.00	\$210,055.00		
Totals	\$323,159.00	\$111,074.89	\$212,084.11	\$6,527.00	\$0.00

During FY 2022-23, a total of \$64,631 was allocated to Planning and Administration (including \$20,000 for Fair Housing Services), of which, \$62,601.89 was expended. A total of \$40,647 was allocated and expended for homeless services, and \$7,826 was allocated and expended for services to assist low-income and special needs groups in Encinitas.

Because the actual FY 2022-23 CDBG grant did not provide sufficient funding to fulfill each of the public service requests, the City Council, on March 23, 2022, authorized the general fund to cover the difference. The General Fund subsidy of \$6,527.00 was incorporated from the Development Services Department Advanced Planning & Housing division's operating budget, in the Professional Service Contracts account.

Three Residential Rehabilitation projects were completed during FY 2022-23, totaling \$54,263.34 in prior year expenditures. During FY 2022-23, \$210,055 was allocated to public infrastructure projects.

Additionally, a total of \$1,346,150 in Section 8 Housing Assistance payments were made to assist approximately 98 households.

For addressing COVID19 with CDBG-CV funds, the following totals apply:

<i>CDBG-CV Funding</i>	<i>Allocated Funds Remaining in FY 22-23</i>	<i>Expended FY 22-23</i>	<i>Remaining</i>
Program Administration	\$13,997.87	\$5,633.90	\$8,363.97
Homelessness Response	\$182,499.95	\$182,499.95	\$0
<i>Total</i>	<i>\$196,497.82</i>	<i>\$188,133.85</i>	<i>\$8,363.97</i>

CDBG-CV funds were awarded to prepare, prevent, and respond to Coronavirus (CDBG-CV). \$13,997.87 was allocated to Program Administration for FY 2022-23, of which \$5,633.90 was expended. A total of \$182,499.95 was allocated for homeless response, of which, \$182,499.95 was expended.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

All Program Clients	CDBG
White	4862
Black or African American	480
Asian	261
American Indian or American Native	72
Native Hawaiian or Other Pacific Islander	43
Other & Multi-Racial*	890
Total	6,608
Hispanic	1435
Not Hispanic	5173

Table 2 – Table of assistance to racial and ethnic populations

*Other & Multi-Racial Category not available in IDIS CAPER Template

Narrative

A total of 6,608 individuals/households were assisted with the CDBG funded public services and projects during FY 2022-23. Of the total assisted households, approximately 74 percent were White, seven (7) percent were Black, four (4) percent were Asian, and 13 percent were Other/Multi-racial. Approximately 22 percent of the total assisted households were Hispanic.

Encinitas Only	CDBG
White	357
Black or African American	23
Asian	6
American Indian or American Native	6
Native Hawaiian or Other Pacific Islander	1
Other & Multi-Racial	135
Total	528
Hispanic	127
Not Hispanic	401

Of the total assisted households, 528 were Encinitas residents, of which, approximately 68 percent were White, four (4) percent were Black, one (1) percent were Asian, and 26 percent were Other/Multi-racial. Approximately 24 percent of the total assisted households were Hispanic.

Encinitas Program Clients	CDBG-CV
White	183
Black or African American	19
Asian	1
American Indian or American Native	0
Native Hawaiian or Other Pacific Islander	0
Other & Multi-Racial*	10
Total	213
Hispanic	40
Not Hispanic	173

A total of 213 individuals/households were assisted with the CDBG-CV funded public services during FY 2022-23. Of the total assisted households, approximately 86 percent were White, nine (9) percent were Black, and five (5) percent were Other/Multi-racial. Approximately 19 percent of the total assisted households were Hispanic.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	HUD	\$323,159	\$111,074.89
City of Encinitas	General Fund	\$6,527	\$6,527
CDBG-CV	HUD	\$196,497.82	\$188,133.85

Table 3 – Resources Made Available

Narrative

A total of \$323,159 was the annual entitlement for FY 2022-23, of which a total of \$111,074.89 was expended. A total of \$6,527 was incorporated from the Development Services Department Advanced Planning & Housing division’s operating budget, of which a total of \$6,527 was expended.

\$54,263.34 was expended during FY 2022-23 for projects funded in prior years. Prior year funds spent during FY 2022-23 includes the following:

- \$54,263.34 for FY 2018-19, FY 2020-21, FY 2021-22 Residential Rehabilitation Program projects

Additionally, \$188,133.85 in CDBG-CV funding was expended for activities that prepare, prevent, and respond to the Coronavirus. Specific projects are as follows:

- \$5,633.90 in CDBG-CV funds for Program Administration
- \$182,499.95 in CDBG-CV funds for Homeless Response

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Old Encinitas	0%	0%	

Table 4 – Identify the geographic distribution and location of investments

Narrative

No projects were completed in this area during FY 2022-23.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The CDBG program does not have a match requirement. However, funds were leveraged for most of the CDBG funded projects and programs. The leveraged funds are from a combination of public and private sources. For organizations that are allocated CDBG funds, these funds do not cover all the organization's program costs and are leveraged with other sources to operate their programs.

Additionally, any costs related to the administration of the CDBG Program, in excess of the amount provided through the CDBG grant are covered by the approved Development Services Department operational budget.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

The need for affordable housing for Encinitas' low to moderate income residents is great, and far exceeds the resources to meet that need. Household incomes have not kept pace with the rising cost of housing. Encinitas is a high-cost community with median home prices well above county, state and national averages. Due to the City's desirable location and limited land supply, land is expensive, which makes the development of affordable housing costly. While CDBG may be used to leverage affordable housing development, it is not a sufficient tool to solve the complex issue of providing affordable housing. However, the City of Encinitas does have the following resources for the creation and maintenance of affordable housing.

Housing Element. The Housing Element of the City's General Plan establishes new multi-family zoning and contains policies and programs to assist vulnerable populations. The City Council adopted the 2021-29 6th Cycle Housing Element in 2021, which was certified by the California Housing and Community Development Department in July 2021. The implementation zoning ordinance for the Housing Element related to Emergency Shelters was approved by the City Council in 2019. Additional zoning amendments related to Single-Room-Occupancy, Reasonable Accommodations, Transitional, and Supportive Housing were adopted by the City Council and Coastal Commission in 2020.

Density Bonus State Law and Local Inclusionary Housing Ordinance. The City of Encinitas continues to revise its Density Bonus ordinance to comply with State law. The Density Bonus State law provides new affordable rental and/or for-sale housing through the development of new subdivisions, or when the developer seeks an increase in density above what the property's underlying zoning would allow. Over 40 affordable units have been created through the Density Bonus program.

The Inclusionary Ordinance requires that developers of new subdivisions or rental projects provide affordable housing on-site or choose an alternative compliance method. The affordable units can be offered as a rental or homeownership opportunity and are deed-restricted in perpetuity. The City Council took action to amend the Inclusionary Ordinance in 2021 to increase the requirement by 5 percent, to 15% Very Low, or 20% Low income. Additional amendments made in 2021 were to establish in-lieu fees as an alternative compliance option, as well as establish an impact fee for Residential Care Facilities. Over 140 affordable units have been created through the City's Inclusionary Housing program since its inception.

Affordable Unit Policy. The City of Encinitas offers an amnesty program for homeowners of accessory units that were created without building permits. Once the unit has been brought up to current building and fire code, a covenant is placed on the property reserving the unit as a low-income rental. Over 40 affordable units have been created through this program.

HOME Program. The City participates in the County of San Diego HOME Consortium, which includes the County of San Diego, and five other cities (San Marcos, Vista, Carlsbad, Santee and La Mesa). Members of the Consortium meet to plan strategies and coordinate funding. However, with the new HOME rule

changes in 2013, the City of Encinitas no longer directly receives annual funding for its HOME Programs. The City continues to participate in the San Diego HOME Consortium, which enables Encinitas residents to utilize the HOME programs administered by San Diego County.

Housing and Community Development Services (HCDS) operates a few programs with HOME funding, many of which are regional. The largest program operated with HOME funding is affordable housing development. Currently, there are not any developments within Encinitas City limits; however, there are several developments in North County that draw clients from Encinitas, supporting 821 affordable units. Another program HCDS operates with HOME funding is the first-time homebuyer program. However, this program is a challenge across the region due to federal purchase price and income limits. There is a very narrow band of households and housing units that qualify for this program in the San Diego region.

The County of San Diego also offers two types of HOME tenant-based rental assistance programs; a family reunification program and emancipated foster youth program. The City of Encinitas will coordinate with local social service providers to ensure that whenever possible, these regional housing resources are made available to eligible Encinitas households.

	One-Year Goal	Actual
Number of homeless households to be provided affordable housing units	0	0
Number of non-homeless households to be provided affordable housing units	0	0
Number of special-needs households to be provided affordable housing units	0	0
Total	0	0

Table 5- Number of Households

	One-Year Goal	Actual
Number of households supported through rental assistance	0	0
Number of households supported through the production of new units	0	0
Number of households supported through the rehab of existing units	0	0
Number of households supported through the acquisition of existing units	0	0
Total	0	0

Table 6 - Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

Due to the limited CDBG annual resources, lack of direct HOME funding, and very high land costs, the City did not include the production of new affordable housing in its Consolidated Plan or Annual Action Plan. Although, whenever possible, CDBG will be utilized to leverage funding for eligible new affordable housing

construction or acquisition and rehabilitation projects. The City of Encinitas does have local affordable housing funds and such funds may be combined as a leveraging tool for new housing development.

Discuss how these outcomes will impact future annual action plans.

With the implementation of the Housing Element, the City is planning to add over 800 new affordable units in the next eight years. There is still a need to provide additional housing options such as supportive or transitional housing.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Persons Served	CDBG Actual	HOME Actual
Extremely Low-income	5022	0
Very Low-income	969	0
Low-income	501	0
Other	116	0
Total	6608	0

Table 7 – Number of Persons Served

Number of Persons Served	CDBG Actual (Encinitas Only)	HOME Actual
Extremely Low-income	478	0
Very Low-income	36	0
Low-income	11	0
Other	3	0
Total	528	0

Table 8 – Number of Persons Served

Narrative Information

During FY 2022-23, of the 6,608 total households served, 6,492 low-income households were assisted with CDBG funded public service programs and fair housing services. Seventy-six percent were in the extremely low-income category. Of the total assisted low-income households, 528 were Encinitas residents, of which, approximately ninety-one percent were extremely low income.

The Residential Rehabilitation Program assisted three low-income homeowners during the program year.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through: Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Encinitas continues to participate as an active member of the Alliance for Regional Solutions which focuses on creating solutions for the Northern San Diego County homeless population and coordinates the winter shelters within the region which operate December 1 through April 1.

During FY 2022-23, \$138,700 in general funds was granted to a local service agency for Housing Navigation services as well as landlord incentives and move-in support. During FY 2022-23, the project successfully placed 27 former homeless households into permanent housing. On June 28, 2023, the Encinitas City Council voted to continue funding the program at \$138,700 with general funds for an eighth year. This project supports the Strategic Plan Goal of supporting the provision of homeless services, prevention, and shelter.

The City Council approved the Homeless Action Plan on February 24, 2021. A Community Work Group was established in Fall 2021 and meets regularly to develop action items identifying community engagement opportunities, multimedia outreach materials, and Homeless Action Plan updates. Additionally, in November 2022, the City identified the need for a full-time Homeless Solutions Manager position to focus on the implementation of the Homeless Action Plan, manage the established working groups, coordinate with and participate in regional homeless meetings, establish and maintain partnerships, and to respond, develop, and enhance the City's homelessness response activities.

In June 2020, the Homeless Outreach Program for Empowerment, a partnership between the City, San Diego County Sheriff's Department, and San Diego County Health and Human Services Agency piloted a program in Encinitas to outreach to the City's unsheltered population. During the FY 2022-23, 213 individuals enrolled in the HOPE program. Eighty-six individuals experiencing homelessness entered into permanent housing and 31 individuals were successfully placed in temporary shelters.

The City applied for Permanent Local Housing Allocation (PLHA) grant funds to be utilized specifically for the eligible activity of assisting persons who are experiencing homelessness or at-risk of becoming homeless. The application was submitted to HCD on November 30, 2022, and \$665,494 was awarded on April 11, 2023. The City of Encinitas and HCD entered into a contract on June 23, 2023.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Encinitas does not have an emergency or transitional shelter. However, in FY 2022-23 CDBG funds were allocated to several emergency shelters in the region to provide Encinitas homeless shelter and services. Additionally, the City of Encinitas adopted an Emergency Shelter Ordinance in FY 2018-19 and adopted a Supportive and Transitional Housing Ordinance in FY 2019-20.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities,

mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City of Encinitas does not receive HOME funding or Emergency Shelter Grant funding.

During FY 2022-23, a total of \$40,647 in CDBG funds was awarded to homeless programs and services. In addition, City Council authorized a General Fund subsidy of \$4,353 to homeless programs and services. These funds went to support programs to aid in the prevention and elimination of homelessness. The Community Resource Center's Homeless Prevention and Intervention Program includes case management, food assistance, employment preparation, motel vouchers, and emergency shelter support.

Furthermore, \$138,700 was awarded from the General Fund to support *Opening Doors*, a program aimed at ending homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City of Encinitas does not receive HOME funding or Emergency Shelter Grant funding.

During FY 2022-23, a total of \$40,647 in CDBG funds was awarded to homeless programs and services. In addition, City Council authorized a General Fund subsidy of \$4,353 to homeless programs and services. These funds went to support programs to aid in the prevention and elimination of homelessness. The Community Resource Center's Homeless Prevention and Intervention Program includes case management, food assistance, employment preparation, motel vouchers, and emergency shelter support.

Furthermore, \$138,700 was awarded from the General Fund to support *Opening Doors*, a program aimed at ending homelessness.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The City of Encinitas has a Public Housing Authority (PHA). The Encinitas PHA administers the Section 8 Housing Choice Voucher Program and does not have any public housing.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

This does not apply as the City of Encinitas does not have Public Housing.

Actions taken to provide assistance to troubled PHAs

The City of Encinitas Housing Authority is not a troubled PHA.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City of Encinitas is making great strides to reduce land use and zoning regulations and encourage the development of affordable units. On April 7, 2021, the City Council adopted the Sixth Cycle Housing Element (2021-2029).

The City of Encinitas continues to make amendments as needed to comply with various State Housing Laws, such as the Density Bonus law, which enables developers to seek an increase in density and/or request waivers and concessions in exchange for affordable units. The City of Encinitas also has a local Inclusionary Ordinance, which requires new residential development to contribute to the production of affordable housing. The California legislature passed Senate Bill 9 (SB 9) which went into effect on January 1, 2022 that allows duplex (two-unit) development by-right on a single-family residentially zoned property. SB 9 also allows the subdivision of a single-family residentially zoned lot into two separate parcels (min. 60:40 split) if the resulting parcel size is a minimum of 1,600 square feet. The City of Encinitas prepared a local implementation ordinance to adopt the SB 9 provisions which locally will allow for up to four dwelling units (two primary and two accessory dwelling units) on a single-family residentially zoned lot within the City. The City Council adopted the local ordinance in November 2022 which is pending certification by the California Coastal Commission. A local urgency ordinance is in place until the implementing ordinance is certified.

In April 2019, the City of Encinitas finalized the Permit Ready Accessory Dwelling Unit (PRADU) Program which encourages the construction of ADUs by offering property owners a selection of eight pre-approved ADU building plans that can be downloaded from the city's website. The program assists property owners in creating ADUs by providing customizable plans, expediting the process, and reducing preconstruction fees. Encinitas also continues to waive planning fees associated with the development of new ADUs. The City also initiated and completed an update to the PRADU plans in 2022 to coincide with the green building code update which requires all new residential units to be completely electrified, and subsequent update to the plans in 2023 to incorporate the 2022 California Building Code updates.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City participates in a regional Analysis of Impediments to Fair Housing Choice (AI). The impediments identified as part of the AI are obstacles the City must overcome to provide for its residents during the FY 2020-25 program years. The City, along with the San Diego Regional Alliance for Furthering Fair Housing (SDRAFFH), work collaboratively to report on the progress that is being made towards the goals and objectives of the AI and to continuously work year-round to provide fair housing education, outreach, and testing around the region. The City's progress towards the impediments is addressed in the attached Fair Housing Progress Report.

Because the CBDG program limits 15 percent of annual funding to public services, the City Council authorized a General Fund subsidy of \$6,527 to fully fund all project requests during FY 2022-23. The City will work with the service agencies to ensure that the program specific goals will be met and assist the

groups in identifying additional funding opportunities as available and appropriate.

An RFP was conducted in August 2021 to select a consultant to assist the City in completing an equity study. One of the main focus areas of the study is access to housing, including financing. The Equity Study is currently in progress and expected to be completed in 2024.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

HUD requires that all CDBG-funded activities be in compliance with HUD’s regulations regarding lead-based paint. In accordance with program requirements, the City of Encinitas’ Residential Rehabilitation Program requires that each home assisted and built prior to 1978 must undergo lead-based paint testing. If deteriorated lead-based paint surfaces are found, it must be stabilized during the rehabilitation of the property. Abatement must be performed by a certified lead-based paint professional with a certified lead-based paint assessor issuing a Clearance Inspection prior to the issuance of the Notice of Completion.

Lead-based paint education is included in all federally funded housing programs, including the City's Section 8 Program, Residential Rehabilitation Program, and assisted rental projects.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The County administers the CAL WORKS Program, which is designed to move welfare recipients from dependency to self-sufficiency through employment. Job related education and training are provided through the County and the Community College Districts.

The City has outlined a five-point strategy for improving the quality of life for low-income households and neighborhoods. These points include:

Rental assistance and affordable housing. The Encinitas Housing Authority provides rental assistance to approximately 98 households through Section 8 Housing Choice Vouchers.

Adult education. Mira Costa College and Adult School provides low-cost education, including night and online classes for working adults. The college offers academic degrees and certifications in many fields, which can enable graduates to find new careers and better job opportunities.

Job training and employment preparation. The County’s Regional Occupational Program provides job training in specialized and technical vocations. The San Diego Workforce Partnership offers free job training and job placement programs through dozens of organizations countywide. The City of Encinitas supports the Community Resource Center in Encinitas, which includes employment preparation through their Homeless Prevention and Intervention Services programs.

Health and human services. The County of San Diego funds various non-profit organizations and provides health care and social services, including North County Health Services. This agency operates a clinic in Oceanside that provides health care for indigent people, as well as a maternity healthcare clinic. The City of Encinitas will also continue to support organizations that offer health and social services to Encinitas low-income residents, such as drug abuse counseling and food programs.

Childcare. Encinitas has several low-cost childcare centers, as well as many small and large family day care

homes. Quality Children's Services operates a preschool program in Encinitas. Additionally, two Head Start centers for children under five years of age operate in Encinitas.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The CDBG program is managed by the Policy Planning and Housing Division within the Development Services Department. This Division is responsible for coordinating efforts with the San Diego HOME Consortium and monitoring of existing HOME programs and SDRAFFH. The Division also monitors all the deed restricted units within the City and works very closely with property managers and developers to ensure that compliance with affordability restrictions is maintained.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City of Encinitas, in coordination with its Fair Housing service provider, Legal Aid Society, held twelve public workshops on Fair Housing. The workshops were held virtually with topics including Fair Housing Basics, COVID 19 Updates, and Requesting Reasonable Accommodations. Workshops were aimed at applicants for renting, tenants, and housing providers. Two of the workshops were held in Spanish.

The City participates in the County of San Diego HOME Consortium, which includes the County of San Diego, and five other cities (San Marcos, Vista, Carlsbad, Santee and La Mesa). Members of the Consortium meet to plan strategies and coordinate funding. However, with the new HOME rule changes in 2013, the City of Encinitas no longer directly receives annual funding for its HOME Programs. The City continues to participate in the San Diego HOME Consortium, which enables Encinitas residents to utilize the HOME programs administered by San Diego County.

Throughout the duration of the Action Plan, the City will continue to participate in the following regional committees:

- Regional Task Force on the Homeless
- San Diego Regional Alliance for Fair Housing (SDRAFFH)
- Community Development Block Group Administrators Meeting
- Alliance for Regional Solutions

The City will continue to maintain partnerships with other local public and private agencies on regional solutions to long-term housing and community development problems. The City will continue to provide technical assistance to developers and community-based organizations that assist the City in the provision of affordable housing and facilities, as these are invaluable partnerships. The City will also encourage coordination and collaboration between non-profit agencies, housing providers and government agencies. Lastly, the City will maintain contact with trade organizations, such as the Building Industry Association (BIA), San Diego Apartment Association (SDAA) and the San Diego Housing Federation. The City will use these partnerships to help achieve the goals and objectives in the FY 2020-25 Consolidated Plan.

The City's Housing Authority is managed by the Policy Planning and Housing Division; therefore, the City CDBG staff can easily coordinate with the Housing Authority to help fulfill the Division's overall housing goals and objectives.

Finally, the City will continue to network and share information with other Housing Authorities through participation in the National Association of Housing and Redevelopment Officials (NAHRO), the Housing Authority Association of Southern California, Southern California Housing Finance Officers Association and the San Diego Regional Housing Authorities.

Identify actions taken to overcome the effects of any impediments identified in the jurisdiction's analysis of impediments to fair housing choice. 91.520(a)

Entitlement cities report on their efforts to affirmatively further housing choice by completing the Analysis of Impediments to Fair Housing Choice (AI). The AI is a review of impediments or barriers that affect the rights of fair housing choice. The report provides a demographic profile of the County, assesses housing needs of specific income groups, and evaluates housing opportunities available for residents. The AI also analyzes both private market and public sector conditions that may limit or impede access and availability of housing for all segments of the population. While this report assesses the nature and extent of housing discrimination, it also focuses on developing solutions to mitigate or remove such impediments. The City of Encinitas participated in a regional effort to create the previous three AIs. The San Diego Regional AI for FY 2020-2025 was approved by the Encinitas City Council on June 24, 2020, as one of thirteen jurisdictional members of the San Diego Regional Alliance for Furthering Fair Housing (SDRAFFH). SDRAFFH is a coalition of fair housing organizations, community-based groups, concerned citizens, representatives of the housing industry, and government agencies working toward the goal of affirmatively furthering fair housing.

Current Efforts: The City of Encinitas affirmatively furthers fair housing by contracting for the provision of fair housing services and testing to determine the level of fair housing discrimination in Encinitas. The fair housing services include outreach and education to residents, property managers, lenders, and housing developers, legal assistance or referrals, tenant/landlord mediation, and assistance with filing complaints to HUD. The City's reported progress during FY 2022-23 towards the impediments addressed in the FY 2020-25 AI will be included in the Fair Housing Progress Report (Appendix B).

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The overall purpose of the monitoring is to maximize grant performance through identifying efficiencies, developing partnerships with stakeholders, collaboration with various service providers and providing the greatest number of services to the citizens of Encinitas. All federally funded programs are monitored on a regular basis to ensure compliance with all applicable federal regulations. Monitoring is directed toward the program goals, and financial and regulatory performances. Each organization receiving CDBG grant money is visited, at least, once during the fiscal year by staff. In addition, staff collects quarterly reports and invoices to ensure program goals are on target to ensure the timeliness of expenditures. The primary objectives of these visits, as well as the overall monitoring process are to identify deficiencies and promote corrections in order to improve, reinforce or augment grant recipients' performance. The City also ensures that sub-recipients comply with all regulations related to administrative, financial and programmatic operations including Davis-Bacon prevailing wage regulations, and to ensure sub-recipients achieve their performance objectives within the project schedule and budget.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

For the FY 2022-23 CAPER, The City provided residents and stakeholders with an opportunity to provide written comment during a 30-day review period, August 14, 2023 –September 12, 2023. Residents and stakeholders were notified of the public review and comment period through a publication in a local newspaper, on the City's website, and direct email notification. The draft was available on the City's website, City Hall, the Encinitas Branch Library, Cardiff Branch Library, and the Encinitas Community/Senior Center. The City Council is scheduled to review and approve the FY 2022-23 CAPER at a public meeting on September 13, 2023. Proof of notice publication is provided in Appendix A. Any public comments received will be added to the Appendix A.

The City of Encinitas held other public meetings during FY 2022-23 and provided the public with the opportunity to participate through a variety of methods. Appendix A includes a summary of the other citizen participation efforts undertaken during FY 2022-23.

September 21, 2022: City Council Public Meeting for the FY 2021-22 Consolidated Annual Performance and Evaluation Report. There were no public comments or speakers.

January 2023: CDBG Applicant workshop: The purpose of the workshop was to provide an overview of the CDBG program, the City's Consolidated Plan, and application process. Two individuals attended.

March 15, 2023: City Council Public Hearing: to authorize funding recommendations for CDBG projects and activities for incorporation in the draft FY 2023-24 Action Plan. Public comments were received from five (5) individuals at the public meeting (four (4) in support and one opposed) to the recommendations. One (1) written comment was received after the public hearing concluded in support of the funding recommendations. Residents and stakeholders were notified of the public hearing through a publication in a local newspaper, direct email notification, and posting on the City's Website.

April 26, 2023: City Council Public Hearing: The City Council approved the FY 2023-24 Action Plan. The Action Plan was available for a 30-day public review and comment period. No comments were received. Residents and stakeholders were notified of the public hearing through a publication in a local newspaper, direct email notification, and posting on the City's Website.

April 26-27, 2022: Fair Housing Conference: The City of Encinitas participated in the annual conference held by the San Diego Regional Alliance for Furthering Fair Housing in partnership with the San Diego Housing Federation.

September 13, 2023: City Council Public Meeting – to approve of FY 2022-23 CAPER.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction’s program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The City has not made any program changes in FY 2022-23.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No. The City of Encinitas does not have any Brownfield Economic Development Initiatives.

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

The City of Encinitas does not have any Brownfield Economic Development Initiatives.

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

Total Labor Hours	CDBG	HOME	ESG	HOPWA	HTF
Total Number of Activities	0	0	0	0	0
Total Labor Hours					
Total Section 3 Worker Hours					
Total Targeted Section 3 Worker Hours					

Table 9 – Total Labor Hours

Qualitative Efforts - Number of Activities by Program	CDBG	HOME	ESG	HOPWA	HTF
Outreach efforts to generate job applicants who are Public Housing Targeted Workers					
Outreach efforts to generate job applicants who are Other Funding Targeted Workers.					
Direct, on-the job training (including apprenticeships).					
Indirect training such as arranging for, contracting for, or paying tuition for, off-site training.					
Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).					
Outreach efforts to identify and secure bids from Section 3 business concerns.					
Technical assistance to help Section 3 business concerns understand and bid on contracts.					
Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns.					
Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services.					
Held one or more job fairs.					
Provided or connected residents with supportive services that can provide direct services or referrals.					
Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation.					
Assisted residents with finding childcare.					
Assisted residents to apply for, or attend community college or a four year educational institution.					
Assisted residents to apply for, or attend vocational/technical training.					
Assisted residents to obtain financial literacy training and/or coaching.					
Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.					
Provided or connected residents with training on computer use or online technologies.					
Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses.					
Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.					
Other.					

Table 10 – Qualitative Efforts - Number of Activities by Program

Narrative

NOT APPLICABLE FOR ENCINITAS

CR-60 - ESG 91.520(g) (ESG Recipients only)

ESG Supplement to the CAPER in *e-snaps*

For Paperwork Reduction Act

1. Recipient Information—All Recipients Complete

Basic Grant Information

Recipient Name	ENCINITAS
Organizational DUNS Number	789638095
UEI	
EIN/TIN Number	330197843
Identify the Field Office	LOS ANGELES
Identify CoC(s) in which the recipient or subrecipient(s) will provide ESG assistance	

ESG Contact Name

Prefix
First Name
Middle Name
Last Name
Suffix
Title

ESG Contact Address

Street Address 1
Street Address 2
City
State
ZIP Code
Phone Number
Extension
Fax Number
Email Address

ESG Secondary Contact

Prefix
First Name
Last Name
Suffix
Title
Phone Number
Extension

City of Encinitas

Email Address

2. Reporting Period—All Recipients Complete

Program Year Start Date	07/01/2022
Program Year End Date	06/30/2023

3a. Subrecipient Form – Complete one form for each subrecipient

Subrecipient or Contractor Name
City
State
Zip Code
DUNS Number
UEI
Is subrecipient a victim services provider
Subrecipient Organization Type
ESG Subgrant or Contract Award Amount

CR-65 - Persons Assisted

4. Persons Served

4a. Complete for Homelessness Prevention Activities

Number of Persons in Households	Total
Adults	
Children	
Don't Know/Refused/Other	
Missing Information	
Total	

Table 9 – Household Information for Homeless Prevention Activities

4b. Complete for Rapid Re-Housing Activities

Number of Persons in Households	Total
Adults	
Children	
Don't Know/Refused/Other	
Missing Information	
Total	

Table 10 – Household Information for Rapid Re-Housing Activities

4c. Complete for Shelter

Number of Persons in Households	Total
Adults	
Children	
Don't Know/Refused/Other	
Missing Information	
Total	

Table 11 – Shelter Information

4d. Street Outreach

Number of Persons in Households	Total
Adults	
Children	
Don't Know/Refused/Other	
Missing Information	
Total	

Table 12 – Household Information for Street Outreach

4e. Totals for all Persons Served with ESG

Number of Persons in Households	Total
Adults	
Children	
Don't Know/Refused/Other	
Missing Information	
Total	

Table 13 – Household Information for Persons Served with ESG

5. Gender—Complete for All Activities

	Total
Male	
Female	
Transgender	
Don't Know/Refused/Other	
Missing Information	
Total	

Table 14 – Gender Information

6. Age—Complete for All Activities

	Total
Under 18	
18-24	
25 and over	
Don't Know/Refused/Other	
Missing Information	
Total	

Table 15 – Age Information

7. Special Populations Served—Complete for All Activities

Number of Persons in Households

Subpopulation	Total	Total Persons Served – Prevention	Total Persons Served – RRH	Total Persons Served in Emergency Shelters
Veterans				
Victims of Domestic Violence				
Elderly				
HIV/AIDS				
Chronically Homeless				
Persons with Disabilities:				
Severely Mentally Ill				
Chronic Substance Abuse				
Other Disability				
Total (unduplicated if possible)				

Table 16 – Special Population Served

CR-70 – ESG 91.520(g) - Assistance Provided and Outcomes

8. Shelter Utilization

Number of New Units – Rehabbed	
Number of New Units – Conversion	
Total Number of bed - nighths available	
Total Number of bed - nights provided	
Capacity Utilization	

Table 17 – Shelter Capacity

9. Project Outcomes Data measured under the performance standards developed in consultation with the CoC(s)

CR-75 – Expenditures

11. Expenditures

11a. ESG Expenditures for Homelessness Prevention

	Dollar Amount of Expenditures in Program Year		
	2020	2021	2022
Expenditures for Rental Assistance			
Expenditures for Housing Relocation and Stabilization Services - Financial Assistance			
Expenditures for Housing Relocation & Stabilization Services - Services			
Expenditures for Homeless Prevention under Emergency Shelter Grants Program			
Subtotal Homelessness Prevention			

Table 18 – ESG Expenditures for Homelessness Prevention

11b. ESG Expenditures for Rapid Re-Housing

	Dollar Amount of Expenditures in Program Year		
	2020	2021	2022
Expenditures for Rental Assistance			
Expenditures for Housing Relocation and Stabilization Services - Financial Assistance			
Expenditures for Housing Relocation & Stabilization Services - Services			
Expenditures for Homeless Assistance under Emergency Shelter Grants Program			
Subtotal Rapid Re-Housing			

Table 19 – ESG Expenditures for Rapid Re-Housing

11c. ESG Expenditures for Emergency Shelter

	Dollar Amount of Expenditures in Program Year		
	2020	2021	2022
Essential Services			
Operations			
Renovation			
Major Rehab			
Conversion			
Subtotal			

Table 20 – ESG Expenditures for Emergency Shelter

11d. Other Grant Expenditures

	Dollar Amount of Expenditures in Program Year		
	2020	2021	2022
Street Outreach			
HMIS			
Administration			

Table 21 - Other Grant Expenditures

11e. Total ESG Grant Funds

Total ESG Funds Expended	2020	2021	2022

Table 22 - Total ESG Funds Expended

11f. Match Source

	2020	2021	2022
Other Non-ESG HUD Funds			
Other Federal Funds			
State Government			
Local Government			
Private Funds			
Other			
Fees			
Program Income			
Total Match Amount			

Table 23 - Other Funds Expended on Eligible ESG Activities

11g. Total

Total Amount of Funds Expended on ESG Activities	2020	2021	2022

Table 24 - Total Amount of Funds Expended on ESG Activities

Appendix A
Citizen Participation Materials

**Appendix B
Fair Housing Report**

Analysis of Impediments – Fair Housing Progress Report

1. Lending and Credit Counseling

Impediment #1: Hispanics and Blacks continue to be under-represented in the homebuyer market and experienced large disparities in loan approval rates.

Primary Actions:

- Coordinate with the Reinvestment Task Force to receive annual reporting from the Task Force on progress in outreach and education.

ACCOMPLISHMENTS (YTD)
The City of Encinitas is coordinating with the SDRAFFH on this effort.

2. Overconcentration of Housing Choice Vouchers

Impediment #2: Due to the geographic disparity in terms of rents, concentrations of Housing Choice Voucher use has occurred.

Primary Actions:

- Expand the affordable housing inventory, as funding allows.
- Promote the Housing Choice Voucher program to rental property owners, in collaboration with the various housing authorities in the region.
- Increase outreach and education, through the fair housing service providers, regarding the State’s new Source of Income Protection (SB 329 and SB 222), defining Housing Choice Vouchers as legitimate source of income for housing. These new housing laws went into effect January 1, 2020.

ACCOMPLISHMENTS (YTD)
Legal Aid Society, the City’s Fair Housing Provider, held twelve monthly webinars for housing providers and tenants. The purpose was to educate tenants and landlords about fair housing rights and responsibilities. All the landlords currently participating in the Section 8 Program were invited to attend.
To provide Section 8 Participants with as much choice as possible, the Encinitas Housing Authority includes a listing of landlords that accept the Section 8 program. Although program participants are not limited to the list, they are encouraged to use the list as a starting point and seek out other available units that may suit their family’s needs. Additionally, a portion of the program participant briefing is dedicated to searching for available units.

3. Housing Options

Impediment #3: Housing choices for special needs groups, especially persons with disabilities, are limited.

Primary Actions:

- Increase housing options for special needs populations, including persons with disabilities, senior households, families with children, farmworkers, the homeless, etc. Specifically, amend the Zoning Code to address the following pursuant to State laws.
 - Low Barrier Navigation Center (AB 101)
 - Supportive Housing (AB 139)
 - Emergency Shelter for the Homeless (AB 139)
 - Accessory Dwelling Units (ABs 68, 671, 881, and 587 and SB 13)
- Encourage universal design principles in new housing developments.
- Educate city/county building, planning, and housing staff on accessibility requirements.
- Encourage inter-departmental collaboration

ACCOMPLISHMENTS (YTD)
The Housing Element of the City’s General Plan establishes new multi-family zoning and contains policies and programs to assist vulnerable populations. The City Council adopted the 2021-29 6 th Cycle Housing Element in 2021, which was certified by the California Housing and Community Development Department in July 2021. The implementation zoning ordinance for the Housing Element related to Emergency Shelters was approved by the City Council in 2019. Additional zoning amendments related to Single-Room-Occupancy, Reasonable Accommodations, Transitional, and Supportive Housing were adopted by the City Council and Coastal Commission in 2020.

4. Enforcement

Impediment #4: Enforcement activities are limited.

Primary Actions:

- Provide press releases to local medias on outcomes of fair housing complaints and litigation.
- Support stronger and more persistent enforcement activity by fair housing service providers.
- Conduct random testing on a regular basis to identify issues, trends, and problem properties. Expand testing to investigate emerging trends of suspected discriminatory practices.

ACCOMPLISHMENTS (YTD)
Paired testing is included in the City’s annual contract for fair housing services. The variable for FY 2022-23 testing was source of income discrimination. Out of 52 tests focusing on source of income as the protected class in the North County region, 11 were treated differently (21%). Tests revealed rejections, different terms, and improper application of the income standard. In Encinitas, LASSD conducted 5 fair housing tests. Source of income discrimination was detected in 2 out of the 5 tests.

5. Education and Outreach

Impediment #5: Today, people obtain information through many media forms, not limited to traditional newspaper noticing or other print forms.

Primary Actions:

- Education and outreach activities to be conducted as a multi-media campaign, including social media such as Facebook, Twitter, and Instagram, as well as other meeting/discussion forums such as chat rooms and webinars.
- Involve neighborhood groups and other community organizations when conducting outreach and education activities.
- Include fair housing outreach as part of community events.

ACCOMPLISHMENTS (YTD)
<p>The City of Encinitas continually updates the website as new information becomes available. The City maintains various links and resources on the website, including the Fair Housing provider and regional San Diego Alliance for Furthering Fair Housing links. Also, the City provides Fair Housing information to the public through the City’s social media presence and the weekly City Manager update. Additionally, brochures for Fair Housing Services are provided in both English and Spanish at the City’s public counters. Fair Housing Posters are also posted at City Hall in both English and Spanish.</p> <p>The City of Encinitas continues participation in the San Diego Regional Alliance for Furthering Fair Housing (SDRAFFH). During Fair Housing Month, a number of activities were held throughout the County, including a virtual Fair Housing Conference.</p>

6. Racial Segregation and Linguistic Isolation

Impediment #6: Patterns of racial and ethnic concentration are present within particular areas of the San Diego region

Primary Actions:

- Diversify and expand the housing stock to accommodate the varied housing needs of different groups
- Promote equal access to information for all residents. Update LEP plan to reflect demographic changes in community per Executive Order 13166 of August 11, 2000
- Work collaboratively with local housing authorities and affordable housing providers to ensure affirmative fair marketing plans and de-concentration policies are implemented.

ACCOMPLISHMENTS (YTD)
<p>Affordable housing Information on the City’s website can be automatically translated in dozens of languages. Additionally, the City has translated housing documents (Spanish) in accordance with its Limited English Proficiency Plan (LEP) as resources are available. The LEP plan will be updated periodically to capture any demographic or language changes in the City. During routine annual monitoring visits, the City of Encinitas staff also monitors for compliance with federal and state Fair Housing Laws and affirmative fair marketing plans.</p>

7. Public Policies

Impediment #7: Various land use policies, zoning provisions, and development regulations may affect the range of housing choice available.

Primary Actions:

City of Encinitas

- **Recent Changes to Density Bonus Law:** The most recent changes to California density bonus law went into effect in January 2020. Because of this, while most San Diego County jurisdictions do include regulations allowing for density bonuses, jurisdictions must review their regulations to ensure continued compliance with state law.
- **Definition of Family:** The zoning ordinance of Solana Beach contains a definition of family that may be considered discriminatory.
- **Accessory Dwelling Units:** Most jurisdictions have not yet amended the ADU provisions to comply with the recent changes to State law (e.g., SB 13, AB 68, AB 881, AB 587, and AB 671).
- **Emergency Shelters:** The City of Poway does not have adequate provisions for emergency shelters in their zoning ordinance. The currently adopted Housing Element for Poway acknowledges the need to update the zoning ordinance, but no amendment has been completed at this time.
- Furthermore, recent changes to State law (AB 101 and AB 139) require additional revisions to local zoning regulations regarding the provision of Low Barrier Navigation Centers (LBNC) and emergency shelters. Specifically, AB 139 requires the assessment of shelter needs be based on the most recent Point-in-Time Count and the parking standards for shelters be based on staffing levels.
- **Transitional and Supportive Housing:** The County of San Diego, La Mesa, and Vista do not fully comply with all of the requirements of SB 2. Furthermore, recent changes to State law AB 139 requires supportive housing to be permitted by right where multi-family and mixed uses are permitted. Jurisdictions should revise the zoning ordinance to specifically state supportive housing as a by-right use.
- **Farmworker Housing/Employee Housing:** Some jurisdictions allow employee housing for six or fewer employees but have not updated their zoning ordinance to permit the use in accordance with the California Housing Act.

ACCOMPLISHMENTS (YTD)

The City’s 2021-29 Housing Element identified a few implementation ordinances to address state requirements. Additionally, for each Program required by state law, the Housing Element identifies a timeframe of compliance, should changes in state law be made during the planning period (2021-2029). The City is already compliant with ADU, Emergency Shelters, Transitional and Supportive Housing, and Farmworker/Employee Housing.

The City of Encinitas continues to revise its Density Bonus ordinance to comply with State law. The Density Bonus State law provides new affordable rental and/or for-sale housing through the development of new subdivisions, or when the developer seeks an increase in density above what the property’s underlying zoning would allow.

The City of Encinitas offers an amnesty program for homeowners of accessory units that were created without building permits. Once the unit has been brought up to current building and fire code, a covenant is placed on the property reserving the unit as a low-income rental.

The Inclusionary Ordinance requires that developers of new subdivisions or rental projects provide affordable housing on-site or choose an alternative compliance method. The affordable units can be offered as a rental or homeownership opportunity and are deed-restricted in perpetuity. The City Council took action to amend the Inclusionary Ordinance in 2021 to increase the requirement by 5 percent, to 15% Very Low, or 20% Low income. Additional

amendments made in 2021 were to establish in-lieu fees as an alternative compliance option, as well as establish an impact fee for Residential Care Facilities.