

# AGENDA REPORT

## City Council

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**MEETING DATE:** July 27, 2016

**PREPARED BY:** Mike Strong, Senior Planner

**ACTING DEPT. DIRECTOR:** Manjeet Ranu

**DEPARTMENT:** Planning & Building

**CITY MANAGER:** Karen P. Brust

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**SUBJECT:**

Housing Element Update, also known as *At Home in Encinitas* – Ballot title and calling and giving notice of General Municipal Election on November 8, 2016.

**RECOMMENDED ACTION:**

Staff recommends that the Council:

Adopt City Council Resolution No. 2016-77 titled, “A Resolution of the City Council of the City of Encinitas, California, ordering the submission to the qualified electors of the City of Encinitas a certain City Proposition, which Proposition relates to the City’s update of its Housing Program, including without limitation an update of the City’s General Plan Housing Element, and related amendments to other portions of the City’s General Plan, Specific Plans, Zoning Code, Zoning Map, Municipal Code, and Local Coastal Program, at the general election to be held on Tuesday, November 8, 2016 and directing preparation of an impartial analysis for the City Proposition; and authorizing its members to file written arguments in favor of the City Proposition and providing for the filing of rebuttal arguments by its members.”

**STRATEGIC PLAN:**

The actions before the Council fit within the Community Planning focus area and will help achieve the goal to qualify for a certified Housing Element. Additionally, completing the Housing Element Update is a part of the Council’s recently approved Work Plan.

**FISCAL CONSIDERATIONS:**

The Project consists of the adoption of City policies and regulations related to updating and implementing the Housing Element. The overall budget for the Housing Element Update is \$1,159,436. Of this, \$25,000 has been allocated in the work program to place the project on the November 2016 ballot. In addition, the City Clerk’s total budget for the General Election is \$100,000.

While the City has set aside funds for the logistics of placing the project on the November 2016 ballot, the County Registrar of Voters pass-through fees and Proposition A (Encinitas Municipal Code Chapter 30.00) voter notification requirement costs are not known at this time.

**BACKGROUND AND ANALYSIS**

On June 15, 2016, City Council considered and approved a series of actions to update and implement the City’s Housing Element, with the second reading and adoption of the Ordinance occurring at this same June 22, 2016 meeting. Now that the project has been adopted by the City Council, it needs to be submitted to the voters on the November 8, 2016 General Municipal Election ballot, as required by EMC Chapter 30.00 (otherwise known as the “Encinitas Right to Vote Amendment” or Proposition A). At their June 15<sup>th</sup> meeting, City Council also directed staff to prepare materials associated with placing the Housing Element Update on the November 8, 2016 ballot. On June 22, 2016, the City Council adopted Resolution No. 2016-53 directing all steps to place the Housing Element Update on the ballot.

Subsequently, a clerical mistake was found in a map included in the ballot proposition package, which has been ordered corrected by errata Resolution No. 2016-75 and errata Ordinance No. 2016-06. This Agenda Report includes a request to repeal Resolution No. 2016-53 and adopt a new Resolution with the same ballot title and question, adding the proposition package to the November ballot containing the corrected map, re-creating the same Ad Hoc City Council Subcommittee to formulate the argument in favor for the City Council to consider and sign, allowing for rebuttal arguments, along with other procedural actions, which are the same as those previously approved. The following summarizes the steps and schedule leading to the November 8, 2016 election:

Step	Date
Add ballot proposition package (title, question, Housing Element program updates) to November ballot	Initial Council decision: June 22, 2016 Procedural reenactment: July 27, 2016 ROV filing date: August 12, 2016
Formation of Ad Hoc City Council Subcommittee to draft ballot argument in favor and rebuttal	June 22, 2016 Procedural re-formation on July 27, 2016
City Council affirmation of ballot argument in favor	August 17, 2016
City Attorney’s impartial analysis due	August 18, 2016
Arguments in favor or against due	August 22, 2016
City Council affirmation of rebuttal argument	August 24, 2016
Rebuttal arguments due	August 30, 2016
Election Day	November 8, 2016

**ENVIRONMENTAL:**

A Final Environmental Assessment/Program Environmental Impact Report (EIR) (SCH No. 2015041044) relative to the Housing Element Update has been prepared and the City Council has certified it per City Council Resolution No. 2016-51. The action before the City Council to procedurally place the item on the ballot for voter consideration is directly related to the project considered in the EIR.

**ATTACHMENT:**

CC-1 City Council Resolution No. 2016-77

**Attachment CC-1**  
**City Council Resolution No. 2016-77**

**RESOLUTION NO. 2016-77**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF ENCINITAS A CERTAIN CITY PROPOSITION, WHICH PROPOSITION RELATES TO THE CITY'S UPDATE OF ITS HOUSING PROGRAM, INCLUDING WITHOUT LIMITATION AN UPDATE OF THE CITY'S GENERAL PLAN HOUSING ELEMENT, AND RELATED AMENDMENTS TO OTHER PORTIONS OF THE CITY'S GENERAL PLAN, SPECIFIC PLANS, ZONING CODE, ZONING MAP, MUNICIPAL CODE, AND LOCAL COASTAL PROGRAM, AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016 AND DIRECTING PREPARATION OF AN IMPARTIAL ANALYSIS FOR THE CITY PROPOSITION; AND AUTHORIZING ITS MEMBERS TO FILE WRITTEN ARGUMENTS IN FAVOR OF THE CITY PROPOSITION AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS BY ITS MEMBERS.**

WHEREAS, the voters of the City of Encinitas passed Proposition A in 2013, requiring certain major land use decisions of the City (as defined in Proposition A, now a part of the City of Encinitas Municipal Code Chapter 30.00) to be approved by a simple majority vote of the voting electorate (voters) of the City of Encinitas at a regular or special election;

WHEREAS, California Elections Code section 9222 provides that "[t]he legislative body of the city may submit to the voters, without a petition therefor, a Proposition for the repeal, amendment, or enactment of any ordinance, to be voted upon at any succeeding regular or special city election, and if the Proposition submitted receives a majority of the votes cast on it at the election, the ordinance shall be repealed, amended, or enacted accordingly;"

WHEREAS, at a duly noticed public hearing and consistent with controlling law, the City Planning Commission reviewed, considered and recommended to the City Council the adoption of a Proposition that provides an update of the City's housing program, including without limitation an update of the City's General Plan Housing Element, and related amendments to other portions of the City's General Plan, Specific Plans, Zoning Code, Zoning Map, Municipal Code, Local Coastal Program and a related Environmental Assessment/Environmental Impact Report (State Clearinghouse Number 2015041044);

WHEREAS, the City Council is required by controlling law to amend the City's General Plan Housing Element, and related other portions of the City's General Plan and Local Coastal Program polices by Resolution (Resolution No. 2016-52), and the City Council is required by controlling law to amend the Specific Plans, Zoning Code, Zoning Map, Municipal Code and Local Coastal Program implementation program by Ordinance (Ordinance No. 2016-04);

WHEREAS, the Resolution and Ordinance are necessarily intertwined and interdependent on each other to effect the City's Housing Program update proposed by the ballot Proposition this Resolution is addressing (popularly known as "At Home in Encinitas"), Resolution No. 2016-52 and Ordinance No. 2016-04 therefore comprise the integrated entirety

of the single City Proposition (titled “At Home in Encinitas”) that this Resolution is submitting to the Registrar of Voters for inclusion on the November 8, 2016 ballot for electorate vote.

WHEREAS, following duly-noticed public hearings and consistent with controlling law, the City Council adopted City Council Resolution No. 2016-52 and City Council Ordinance No. 2016-04 comprising the entirety of the “At Home in Encinitas” Proposition (set forth in full in *Attachment A* to this Resolution), subject to voter approval;

WHEREAS, the City prepared this Housing Program to comply with State law and to address the need to incentivize the production of housing that is more affordable as required by State law and has endeavored to do this in a manner that respects existing community character through a new set of rules and encourages sustainable mixed use places in the City’s five communities, all of which resulted from an extensive public engagement process, and furthermore resolves existing lawsuits and maintains local control of Encinitas zoning; and

WHEREAS, consistent with Encinitas Municipal Code Chapter 30.00 and the California Elections Code, the City Council of the City of Encinitas, California, having adopted the above referenced “At Home in Encinitas” Proposition, subject to voter approval, desired to submit the City Proposition to the qualified electors of the City at the general election to be held on Tuesday, November 8, 2016 and therefore did so by adopting Resolution No. 2016-53 on June 22, 2016 and transmitting Resolution No. 2016-53 to the Registrar of Voters for San Diego County; and

WHEREAS, following the City Council adoption of Resolution No. 2016-52 and Ordinance No. 2016-04 comprising the entirety of the “At Home in Encinitas” Proposition, a clerical mistake was found in a map contained within Resolution No. 2016-52 and a similar map in Ordinance No. 2016-04; and

WHEREAS, consistent with controlling law, the City Council ordered the correction of the map mistake in each through the adoption of errata Resolution No. 2016-75 and errata Ordinance No. 2016-06. Such corrected maps, within already adopted City Resolution No. 2016-52 and City Ordinance No. 2016-04, now comprise the integrated entirety of the single City Proposition comprising the entirety of the “At Home in Encinitas” Proposition (set forth in full in *Attachment A* to this Resolution), subject to voter approval.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, DOES HEREBY FIND, DECLARE, DETERMINE, ORDER AND RESOLVE AS FOLLOWS:

SECTION 1. City Council Resolution No. 2016-53 is hereby repealed in its entirety. The City Clerk is hereby authorized and instructed to contact the San Diego County Registrar of Voters and retrieve from said Registrar said City Council Resolution No. 2016-53.

SECTION 2. That City Council Resolution No. 2016-52 and City Council Ordinance No. 2016-04, containing the corrected map in each ordered corrected by errata Resolution No. 2016-75 and errata Ordinance No. 2016-06, comprise the “At Home in Encinitas” Proposition to be submitted to the qualified voters of the City of Encinitas and are attached to this Resolution as

*Attachment A*, which *Attachment A* is hereby incorporated into this Resolution by this reference as if set forth in full in this place. The City Clerk shall maintain a copy of *Attachment A* (comprised of City Council Resolution No. 2016-52 and City Council Ordinance No. 2016-04, containing the corrected map in each ordered by errata Resolution No. 2016-75 and errata Ordinance No. 2016-06), which comprise the integrated entirety of the “At Home in Encinitas” Proposition to be submitted to the voters and shall make the same available for public inspection upon request.

SECTION 3. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Encinitas, California on Tuesday November 8, 2016, a General Municipal Election for the purposes of voting yes or no on the “At Home in Encinitas” Proposition (comprised of City Council Resolution No. 2016-52 and City Council Ordinance No. 2016-04 containing the corrected map in each ordered by errata Resolution No. 2016-75 and errata Ordinance No. 2016-06, set forth in *Attachment A*).

SECTION 4. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

Shall City Council Resolution No. 2016-52 and Ordinance No. 2016-04, which collectively update the City’s General Plan Housing Element, amend related General Plan provisions, and amend Specific Plans, Zoning Code, Zoning Map, Municipal Code, and Local Coastal Program, in an effort to comply with State law, incentivize greater housing affordability, implement rules to protect the character of existing neighborhoods, maintain local control of Encinitas zoning, and resolve existing lawsuits, be adopted?	Y
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SECTION 5. That pursuant to Section 10403 of the Elections Code, the City Council hereby requests the Registrar of Voters of the County of San Diego to consolidate the ballot Proposition with the general election to be conducted on November 8, 2016.

SECTION 6. That the City Council authorizes election expenses to be paid to the County upon presentation of a properly approved bill.

SECTION 7. That the City Clerk is hereby directed to file this Resolution and its *Attachment A* with the Registrar of Voters, the election official of the County of San Diego, on or before August 12, 2016.

SECTION 8. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 9. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10. That in accordance with Elections Code sections 9282 and 9283, arguments for or against the Proposition, not exceeding 300 words in length and signed by no more than five (5) persons, may be submitted to the City Clerk prior to August 22, 2016 at 5:00 p.m. That the City Council authorizes an Ad Hoc City Council Subcommittee, consisting of Deputy Mayor Lisa Shaffer and Council Member Catherine Blakespear to draft a written argument in favor of the Proposition and bring back to the City Council for its affirmation by simple majority vote no later than the regular City Council meeting of August 17, 2016, and once affirmed by the City Council, shall submit a written argument in favor of the Proposition and submit it to the City Clerk no later than August 22, 2016, after which no arguments for or against the Proposition may be submitted to the City Clerk.

SECTION 11. Pursuant to City Council Resolution No. 2013-11 and in accordance with Elections Code section 9285, rebuttal arguments, not exceeding 250 words, may be submitted to the City Clerk prior to August 30, 2016. The Ad Hoc City Council Subcommittee referenced above in Section 9 of this Resolution shall draft the rebuttal argument and bring the rebuttal argument back to the City Council for its affirmation by simple majority vote no later than the regular City Council meeting of August 24, 2016 and once affirmed by the City Council by simple majority vote shall submit the rebuttal argument to the City Clerk prior to August 30, 2016.

SECTION 12. The City Clerk is directed to transmit the "At Home in Encinitas" Proposition to the City Attorney. In accordance with Elections Code section 9280, the City Attorney is directed to file with the City Clerk an impartial analysis of the Proposition, not to exceed 500 words, showing the effect of the Proposition on the existing law and the operation of the Proposition, prior to August 18, 2016 at 5:00 p.m.

SECTION 13. Pursuant to Elections Code section 12111, the City Attorney is hereby directed to prepare a synopsis of the "At Home in Encinitas" Proposition at least one time not later than one week before the election in a newspaper of general circulation in the City. The City Attorney shall adhere to all of the requirements of section 12111 of the Elections Code.

SECTION 14. That the City Clerk shall make available for public inspection the arguments filed for or against the Proposition (including rebuttal argument), as well as the City Attorney's impartial analysis during required inspection periods.

SECTION 15. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 16. That this Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of July, 2016 by the following vote, to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Kristin Gaspar, Mayor  
City of Encinitas

ATTEST:

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Kathy Hollywood, City Clerk

**Attachment A**

Resolution No. 2016-52 and  
Ordinance No. 2016-04

**RESOLUTION NO. 2016-52**

**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, THE VOTER'S RIGHTS INITIATIVE PORTION OF THE LAND USE ELEMENT AND NOISE ELEMENT OF THE GENERAL PLAN.**

**(CASE NO. 14-200 POD; 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 Planning and Building 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 14-200 POD, is popularly known as "At Home in Encinitas";

WHEREAS, California Government Code Section 65583 requires that the Housing Element Update contain: (i) an assessment of the City's housing needs and an inventory of the resources and constraints relevant to the meeting of these needs; (ii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iii) 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 October 22, 2015, which found that the City's September 2015 draft Housing Element met statutory requirements;

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. The Settlement Agreement provides, 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 Agreement was incorporated into a Judgment Pursuant to Stipulation entered into by the San Diego County Superior Court on July 22, 2015;

WHEREAS, the Planning Commission did hold a duly noticed public hearing as prescribed by law to consider CASE NO. 14-200 POD on May 24, 2016, which was continued to May 26, 2016, to consider said request;

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. 2016-27 recommending that City Council certify the EIR, adopt the findings of fact, adopt the statement of overriding considerations and adopt the Mitigation Monitoring and Reporting Program, and adopted Planning Commission Resolution No. 2016-26 recommending approval of said Project, with recommended revisions, on file with the Office of the City Clerk and incorporated by this reference;

WHEREAS, to address said Planning Commission recommendation and following review by technical experts assigned to the Project, City staff recommended revisions to the 2013-2021 Housing Element as described in summary form in the City Council Agenda Item for this Project, dated June 15, 2016, on file with the Office of the City Clerk and incorporated by this reference, along with making other necessary refinements;

WHEREAS, the 2013-2021 Housing Element Update attached as **Exhibit 2016-52-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, pursuant to the California Environmental Quality Act, a Final Environmental Assessment/Program Environmental Impact Report (EIR) (SCH No. 2015041044) relative to the Project has been prepared and the City Council has certified it per City Council Resolution No. 2016-51;

WHEREAS, pursuant to law, the City provided a Notice of City Council Public Hearing to all organizations and individuals who had previously requested such notice, and published the Notice of Public Hearing on June 3, 2016, in the Coast News;

WHEREAS, the City Council did on June 15, 2016, 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, materials created for public engagement and study session agenda reports.
- b. Oral testimony from City staff, interested parties, and the public.
- c. The staff report, dated June 15, 2016, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including related study sessions, which occurred during the life of the Project, as well as Planning Commission's recommendation on the Project.
- d. 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 community objectives including economic development, educational attainment, achieving greenhouse gas emission reduction objectives, increasing multimodal transportation including alternative transportation strategies, health including reductions in obesity and healthy housing, and more complete neighborhoods and community building; and

WHEREAS, the City Council will consider adopting Ordinance No. 2016-04 to amend four 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 policies of the various elements of the General Plan and between the General Plan and Zoning. The proposed amendments shown in **Exhibits 2016-52-B (Amendments to the Land Use Element) and 2016-52-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. 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 2016-52-C amend the Land Use Element to address Project consistency. City Council will consider adopting Ordinance No. 2016-04 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 April 29, 2016 and concluded on June 10, 2016.

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 proposed amendment to the Noise Element (**Exhibit 2016-26-D**) is required to resolve internal inconsistencies and to address mixed use development standards.

SECTION 7. The uncertified Housing Element (known as the 1992 Housing Element) is hereby repealed in its entirety and the 2013-2021 Housing Element (**Exhibit 2016-52-A**), along with conforming amendments to the Land Use Element (**Exhibit 2016-52-B**), amendments to the Voter's Rights Initiative Portion of the Land Use Element (**Exhibit 2016-52-C**), and amendments to the Noise Element (**Exhibit 2016-26-D**) are adopted, subject to approval by the voters.

SECTION 8. 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 four 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 2016-04, shall be adopted to ensure consistency with the General Plan, as revised by this Resolution No. CC 2016-52.

SECTION 9. 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 At Home in Encinitas 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 10. This Resolution shall not become effective unless and until it is approved by the voters of Encinitas.

SECTION 11. If this Resolution takes effect pursuant to Section 10 above, the Director of Planning and Building 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.

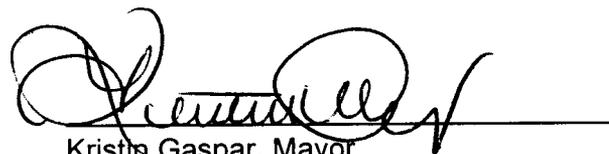
**PASSED AND ADOPTED** this 15<sup>th</sup> day of June, 2016 by the following vote, to wit:

AYES: Blakespear, Gaspar, Kranz, Muir, Shaffer

NAYS: None

ABSTAIN: None

ABSENT: None



Kristin Gaspar, Mayor  
City of Encinitas

ATTEST:



Kathy Hollywood, City Clerk

## Exhibit Index

Exhibit A	2013-2021 Housing Element, dated June, 2015 as all new text
Exhibit B	Conforming amendments to the Land Use Element
Exhibit C	Amendments to the Voter's Rights Initiative Portion of the Land Use Element
Exhibit D	Amendments to the Noise Element

**Exhibit 2016-52-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 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 by the voter 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. Therefore, the voter is admonished to understand that the entirety of the 2013-2021 Housing Element is new text.*



# @HOME

## IN ENCINITAS

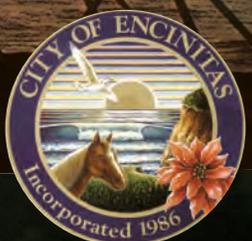


City of Encinitas  
2013-2021 Housing Element  
June 2016

2016-07-27

Item 10B

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**THE HOUSING ELEMENT** is one of the seven mandated elements of the local general plan. It outlines how a local jurisdiction will adequately plan to meet the existing and projected housing needs of everyone in our community.

# INTRODUCTION

## Purpose of this element

The Land Use Element is concerned with housing in a spatial context while the Housing Element identifies housing programs aimed at new housing construction, and 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, and maintaining an adequate supply of rental housing. The Housing Technical Report provides background information and serves as a technical appendix for the Element.

The City is facing some significant challenges when it comes to meeting our housing needs --- housing costs in Encinitas continue to climb, while the availability and variety of our housing is lacking. The median housing cost in Encinitas is nearly 20 percent higher than other North county coastal areas. At the same time, we have a growing population and our existing residents have changing needs.

- Baby Boomers are aging and our senior citizen population is projected to nearly double by 2035. Many seniors will seek to downsize and move into smaller homes in urban 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 things in 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 steady population growth through 2050.

It is important to also note that new residential development in Encinitas has placed an additional burden on public services and infrastructure. New schools, roads, fire stations, sewers, and a host of other facilities and services will require expansion if current levels of service are to be maintained. Finally, there are concerns that future residential development will further 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.

The Housing Element recognizes the need to provide housing for all economic segments of the community, while considering and mitigating adverse impacts to services and infrastructure. The Housing Element also satisfies the legal requirements that housing policy be a part of the General Plan. This Encinitas Housing Element is prepared for the 2013-2021 update cycle for jurisdictions in the San Diego Association of Governments (SANDAG) region.

## Scope and content of the housing element

The Housing Element consists of housing goals and policies for the five communities that comprise the City. Specific housing programs that will implement these goals and policies are identified in the section entitled Housing Plan which follows the Goals and Policies. Finally, the Housing Element Technical Report contains much of the necessary background data required for formulating these goals and policies as well as supporting technical data required by the State Housing and Community Development Department.

The State Legislature recognizes the important role of local general plans, and housing elements in particular, in implementing statewide housing goals which call for the provision of decent and sound housing for all persons. In addition, the importance of continuing efforts toward providing housing that is affordable to all income groups is stressed.

This Housing Element covers the planning period of April 30, 2013 through April 30, 2021, and identifies strategies and programs that focus on:

- Conserving and improving existing affordable housing;
- Providing adequate sites and range of housing types;
- Assisting in the development of affordable housing;
- Removing governmental and other constraints to housing development; and,
- Promoting equal housing opportunities.

An important goal of this element is to ensure that the City of Encinitas 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 everyone's quality of life through environment, fiscal health, community health and equity. This Housing Element provides policies and programs to address these issues. The 2013-2021 Encinitas Housing Element consists of the following major components:

- Introduction: An overview of the purpose and contents of the Housing Element.
- Goals and Policies: A set of goals and policies to guide the City actions and decisions relating to the provision of housing.
- Implementation Plan: A strategy to address the identified housing needs given the City's constraints and resources.
- Housing Needs Assessment: An analysis of the demographic and housing characteristics and trends.
- Housing Constraints: A review of potential market, governmental, and environmental constraints to meeting the identified housing needs.

- Housing Resources: An evaluation of resources available to address housing goals.
- Review of Past Accomplishments: An evaluation of previous Housing Element-related accomplishments.

When updating a Housing Element, public outreach is often limited to some workshops or study sessions; and, noticing for those meetings is often limited to mailing key stakeholder groups, placing announcements on the website and/or newspaper postings. In essence, a traditional and common-practice form of notification is typically utilized.

## Citizen Participation

Contrary to this standard approach, the City of Encinitas took an especially robust process to its public outreach by using several different methods in an effort to reach as many people as possible.

Appendix A includes a summary report of all the meetings staff attended, the presentations that were delivered, the ads that ran, the articles and op-eds that were published, and the other promotions received from several other agencies and local community groups, including mention in their respective newsletters and social media networks. Some of the more notable outreach efforts discussed in the report are listed below.

- More than 21,000 mailers
- 14 news articles/op-ed pieces
- 5,400 families from Encinitas Union School District (flyer distributed)
- 750 families in Cardiff School District (flyer distributed)
- e-Newsletter and a series of e-blasts (about 8,000 subscribers)
- 2-rounds of print ads in Coast News & Encinitas Advocate (25,000 people)
- Frequent use of social media: twitter, Facebook and Instagram
- Portable electronic messaging signs in all five Encinitas communities
- More than 13,000 door hangers
- On-line ad on Seaside Courier's website (18,000 people)
- 45 briefings and/or presentations with businesses, seniors & millennial groups
- 3 "pop-up outreach" events hosted at popular shopping centers
- Attended Encinitas Fall Festival and Moonlight Beach Festival

City staff also conducted five Community Dialogue Sessions, one in each community, from the hours of 10 a.m. to 8 p.m. During these all-day events, the public was invited to view information and directly speak with staff about housing. For citizens who could not make one of the Community Dialogue Sessions, make-up sessions were offered to the public at City Hall between the hours of 10 a.m. to 8 p.m. during the entire week of December 1st.



The Community Dialogue Sessions featured six workstations for members of the public to learn about key issues related to the process of updating the City’s housing plan (also referred to as the Housing Element Update). Each station included a series of easy-to-read material boards covering varying topics. The material boards were also made available on the City’s website, on a webpage that was created specifically for this project. A user-friendly URL was also created, [www.athomeinencinitasca.info](http://www.athomeinencinitasca.info), and the materials are still available for reference there.

Upon entering the session, participants were asked to sign in (optional) and provided a “Station Roadmap” that explained the purpose of the Community Dialogue Session, outlined what they should expect at each station, and highlighted important facts about the process.

With this information in hand, community members could peruse the stations at their own leisure. City staff was also available to answer any questions, and in many cases, facilitated groups through each station and explained the information on the material boards. A summary of the public participation at the respective Community Dialogue Sessions is provided below.

DATE	SESSION	ATTENDEES
November 13, 2014	Cardiff	61
November 15, 2014	Old Encinitas	115
November 17, 2014	Leucadia	85
November 18, 2014	Olivenhain	25
November 22, 2014	New Encinitas	158
December 1-5, 2014	Make-up Sessions	35
	TOTAL	479

The final step in the process was to provide feedback on e-Town Hall. Participants were encouraged to do this after completing all the workstations in the Community Dialogue Sessions; or, after independently reviewing the materials on the City's website.

Once participants logged on to e-Town Hall, they were asked to share their views and preferences about where housing should be located in their community and the housing types that should be built. The forum provided a series of interactive maps that helped citizens learn about where this new housing could potentially be built – and gave folks a chance to look at different types of housing that could go there, and then select the option they like best for that specific community.

The results of the e-Town Hall input were then presented and discussed at a public joint-meeting with the City Council and Planning Commission on February 3 and February 5, 2015.

This Housing Element was initially prepared for the 2005-2010 planning period (extended through 2012 by legislation from June 30, 2010). During this planning period, the City initiated a comprehensive update to the City's General Plan, including an evaluation of the City's land use and housing policies and residential capacity in the community.

Due to the timing and public concerns related to the initial draft General Plan Update, as well as the status of the 2005-2010 Housing Element, this Housing Element has been revised to address the 2013-2021 planning period. While this Housing Element covers an eight-year planning period, Government Code Section 65588(e) requires the City to conduct an update by April 30, 2017 (four years) and again at the end of the eight-year planning period.

Housing  
Element  
Planning  
Period

# GOALS, POLICIES & 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.

## 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.

**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: Require that housing constructed expressly for low and moderate income households should not be concentrated in any single community or single area of the City and 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 by discouraging apartment conversions to condominiums.

POLICY 1.6: Encourage retention of all existing, viable mobile home parks through use of a permanent mobilehome park zone and the application of incentives.

POLICY 1.7: Coordinate with local social service providers to address the needs of the City's homeless population.

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

Quality of  
housing

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

POLICY 2.1: Make every reasonable effort to ensure that the provisions of the Federal and State laws that prohibit housing discrimination are enforced.

POLICY 2.2: 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.

POLICY 2.3: Encourage developers to provide a balance of housing opportunities.

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.

Maintenance /  
preservation of  
housing

GOAL 3: THE CITY WILL ENCOURAGE THE MAINTENANCE AND PRESERVATION OF THE EXISTING HOUSING STOCK AS WELL AS QUALITY WORKMANSHIP 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 and support existing housing programs administered by the County which provide housing assistance. These include assistance to property owners that can demonstrate financial need in the upgrading of their substandard units. Aggressively pursue the application of existing County programs for housing rehabilitation, and investigate and apply available additional funding.

POLICY 3.4: Continue to assess development fees on new residential units adequate to pay for all related local and regional impacts on public facilities.

POLICY 3.5: Allow for some cluster-type housing and other innovative housing design that provides adequate open areas around and within these developments.

POLICY 3.6: Coordinate the provision of open areas in adjoining residential developments to maximize the benefit of the open space.

POLICY 3.7: Adapt residential development to the terrain.

POLICY 3.8: Encourage street planting, landscaping, and undergrounding of utilities.

POLICY 3.9: Encourage high standards of design, materials, and workmanship in all construction and developments.

POLICY 3.10: Discourage residential development of steep slopes, canyons, and flood planes.

POLICY 3.11: Develop and implement design review criteria which will also include the issue of view blockage.

POLICY 3.12: Cost effective energy-efficient housing, including the use of passive systems, will be encouraged within the City to decrease energy use.

## 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 or encourage 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 guaranteed-affordable units are subject to being converted to market-rate rental units by the expiration of pre-payment of the government subsidy arrangement. Responding to this, in 1991 State law required that local housing elements address the status of these "units at risk." The City is committed to doing what it can so that guaranteed-affordable units remain affordable to target-income households.

GOAL 4: THE CITY WILL ENCOURAGE THE CONTINUED AFFORDABILITY OF GUARANTEED-AFFORDABLE UNITS.

POLICY 4.1: The City will undertake a program to pursue the renewed affordability of affordable "units at risk" of conversion to market rate units due to expiration of use restrictions, affordable covenants and funding subsidies.

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 viewsheds. 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 3-1: Housing Policy Matrix depicts General Plan elements that support the goals of the Housing Element.

TABLE 3-1 HOUSING POLICY MATRIX

ISSUE AREA	LAND USE	CIRCULATION	RESROURCE 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, after making concurrent amendment to the Land Use Element, is entirely consistent with the policies and proposals set forth by the General Plan. When an element in the General Plan is amended, the Housing Element will be reviewed and modified if necessary to ensure continued consistency among the various elements.

## 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.

### 1. ADEQUATE SITES - PROGRAMS

#### 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, along with carryover RHNA allocations from prior planning periods. The breakdown of the RHNA is as follows:

TABLE 3-2: CITY OF ENCINITAS RHNA ALLOCATION

INCOME CATEGORY	RHNA	RHNA CARRYOVER
Low/Very Low	1,033	253
Moderate	413	0
Above Moderate	907	0
TOTAL	2,353	253

Pursuant to the City's current General Plan, the City has capacity to accommodate the RHNA allocations for the moderate and above moderate income levels without the need for rezoning. With units constructed, under construction and approved at the time of writing this Housing Element, the City has met a portion of its RHNA allocation for the low/very low income units as reflected below.

TABLE 3-3: CITY OF ENCINITAS RHNA ADJUSTMENTS AND REMAINING RHNA OBLIGATION

RHNA ADJUSTMENTS	RHNA (V/VL)
Low/Very Low	1,286
Accessory Unit Production <sup>1</sup>	146
New Construction	47
REMAINING RHNA	1,093

The City is committed to providing adequate sites with appropriate zoning to accommodate the remaining RHNA and accommodate the need for groups of all income levels pursuant to Section 65584 of the Government Code. To accomplish this mandate of the State and to facilitate the development of multifamily housing affordable to lower-income households, the City shall rezone those sites identified on the final housing strategy map provided in as an attachment to Appendix B<sup>2</sup>.

<sup>1</sup> Assumes that the City will issue an estimated 271 permits total for second dwelling units (of which half will be counted as units that accommodate lower income households) and 25 permits for conversion of unpermitted accessory dwelling units over the planning period .

<sup>2</sup> This is a preliminary list pending EIR Review and City Council selection of final sites: not all sites will be included in the City's final housing strategy map (sites inventory)

This rezoning program will result in the rezoning of 101.53 net acres of land, creating an opportunity for at least 1,987 units that are allowed by-right during the planning period pursuant to Section 65583.2. This exceeds the remaining RHNA obligation of 1,093 units by about 80 percent, providing an adequate buffer in consideration of the no net loss requirement and minimizes the future constraint Proposition A places on accommodating adequate sites by giving voters the opportunity to make this a long-term land use decision. This program also includes a provision to make any necessary changes in other General Plan elements to ensure consistency, along with a time line for accomplishing the rezoning.

The voters will be presented with the Housing Element, rezonings and Zoning Code amendments, currently scheduled for November 2016. This approach will be taken because voter approval is required when major amendments are made to certain land use planning policy documents causing major increases in zoning density or intensity of land use, pursuant to Encinitas General Plan Land Use Policies and Municipal Code Chapter 30. Since accommodating the RHNA necessitates changes to the General Plan Land Use Element, Zoning Map, Encinitas Zoning Code and certain specific plans, a vote of the people is required. Presenting both the Housing Element, along with rezonings and Zoning Code amendments concurrently provides maximum transparency and comprehensive consideration by the voters.

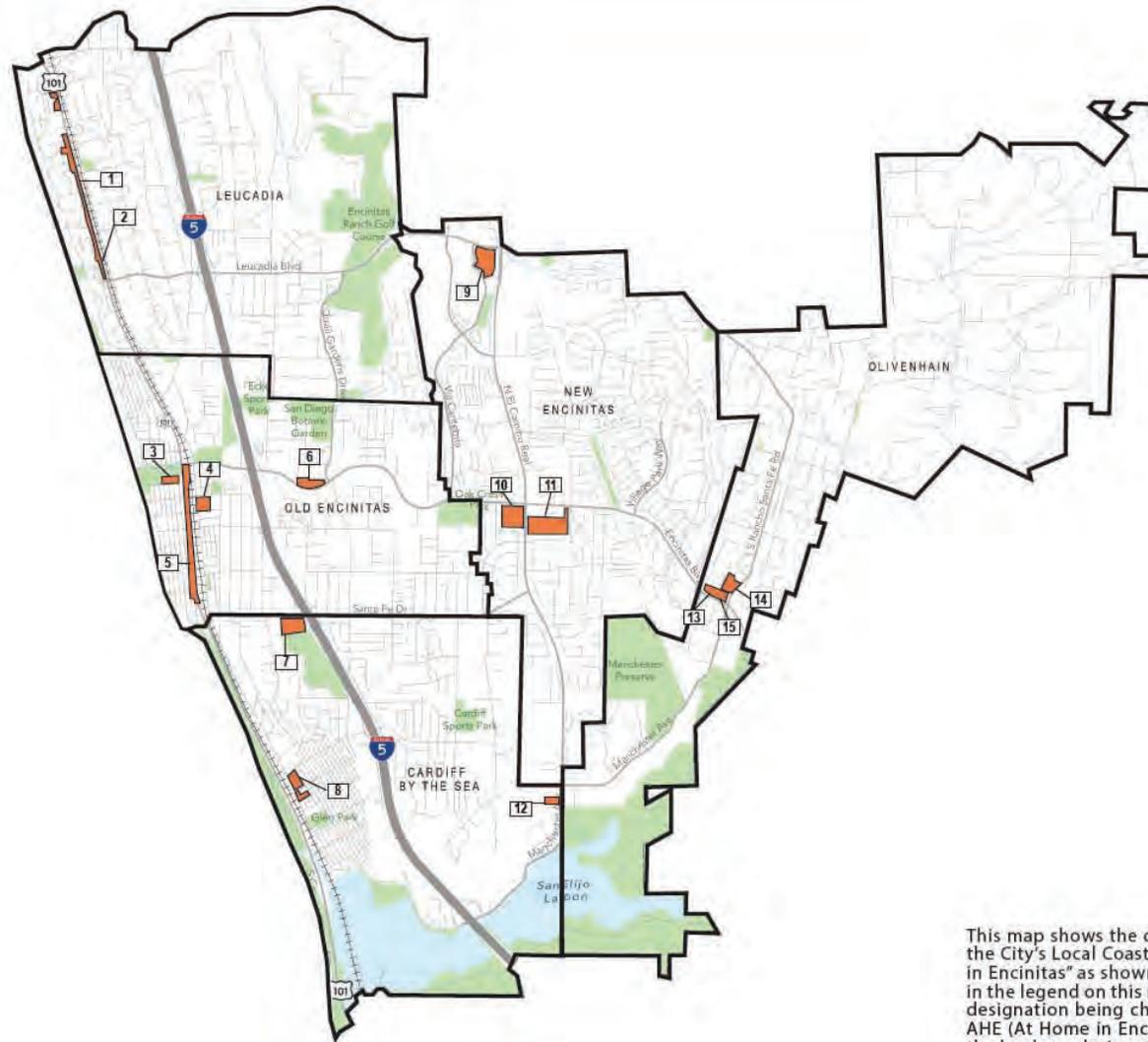
A fundamental principle in accommodating the City's very low/low RHNA income category of housing units is that no property owner whose site is a part of the inventory (Housing Strategy Map) would lose their existing zoning rights. Therefore, a property which is on the Housing Strategy Map to accommodate very low/low RHNA income category of housing units will retain its existing zoning rights and receive additional rights to build either standalone residential or housing as part of a mixed use project, as reflected on the Map. The City will carefully review the designated sites to ensure that they comply with the State law requirement to receive RHNA credit. The rezoning program shall permit owner-occupied and rental multi-family residential use by right and permit at least 16 units per site. Density will range from a minimum of 20 dwelling units per acre to a maximum of 30 dwelling units per acre as a permitted use. Sites that are zoned to permit mixed use development require that residential use occupy 50 percent of the total floor area of a mixed use project. 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.

Changes to development standards will be necessary to accommodate the very low/low income RHNA category of housing units. These changes include increasing the allowable building height to three stories up to 38 feet in height and allowing for building pad certification. If a property owner does not develop a project to accommodate the very low/low income RHNA category of housing units, instead choosing to continue with their existing zoning rights, the maximum two-story/30-foot building height and existing height determination method will remain as per Encinitas Municipal Code Chapter 30.00, or as otherwise may be further restrictive as set forth in Encinitas Municipal Code Title 30. Development standards will also be revised to address parking-related and other zoning issues to ensure that new standards will accommodate the minimum density required in the zone. Resulting projects will be required to provide a mix of housing sizes for owner-occupied and/or rental multi-family housing, commensurate with the size of the project. All projects will also achieve the minimum density requirements per Section 65583.2.

Environmental review will also still apply to future development projects on the Housing Strategy Map regarding design review and most subdivision map actions. Subsequent projects may tier from the Housing Element's Program EIR or a finding made that sufficient environmental clearance occurred with the Program EIR for the Housing Element (CEQA Guidelines Sections 15152, 15162 and 15168). The purposes in using a Program EIR are to comprehensively consider a series of related projects and to streamline subsequent review of development projects involving the very low/low income RHNA category of housing units.

Funding:	<ul style="list-style-type: none"> <li>• Planning and Building Department budget</li> <li>• City Clerk Department budget</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• Planning Commission</li> <li>• City Council</li> <li>• Voters of Encinitas</li> <li>• California Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Pursue the above described amendments</li> <li>• Establish appropriate development standards to permit residential developments to occur at the allowable maximum densities for the respective zones</li> <li>• Provide appropriate land use and zoning designations to fulfill the City's share of regional housing needs; designations shall conform to the neighborhood prototypes in Appendix C</li> <li>• Ensure internal consistency with all General Plan elements</li> <li>• Maintain an inventory of vacant and underutilized sites and monitor development trends to ensure the continued adequacy of the sites inventory in meeting the RHNA</li> <li>• Make available the sites inventory to interested developers</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• November 2016 General Election</li> <li>• January 2018 Coastal Commission certification of Local Coastal Program Amendments</li> </ul>

AT HOME IN ENCINITAS - LAND USE DESIGNATIONS



 AHE LAND USE DESIGNATOR

ID	LAND USE
1	AHE-GC-X30 (north of Diana Street)
2	AHE-GC-S30 (south of Diana Street)
3	AHE-VSC-X30
4	AHE-P/SP-X30
5	AHE-GC-S30
6	AHE-OP-R30
7	AHE-GC-S30
8	AHE-GC-S30
9	AHE-GC-S30
10	AHE-GC-S30
11	AHE-GC-S30
12	AHE-RR1-R30
13	AHE-OP-X30
14	AHE-RR2-R30
15	AHE-LC-X30

This map shows the changes to the City's General Plan Land Use Map, which is also a part of the City's Local Coastal Program. All sites shown on this map will be re-designated "At Home in Encinitas" as shown. The General Plan land use designation that will be changed is found in the legend on this map. The new land use designation is abbreviated as "AHE". The land use designation being changed is in the second abbreviated term. For example, in AHE-GC-S30, AHE (At Home in Encinitas) is the new land use designation and GC (General Commercial) is the land use designation being changed. The abbreviations used are further described in the existing General Plan Land Use Element and Specific Plans.

**PROGRAM 1B: Create new design standards and guidelines as part of adoption of new zoning districts**

Design review will still apply to projects on the Housing Strategy Map involving the very low/low income RHNA category of housing units. To ensure quality projects that reflect the community’s design character contexts, new design standards and guidelines will be prepared. The guidelines will focus on neighborhood-specific compatibility issues, as well as provide direction on how to ensure projects are successful, both in design and in implementation. All projects shall have a mix of two- and three-story buildings or two- and three-story elements. Five neighborhood prototypes were conceptually identified, connecting land use with a community design character context. These prototypes, which are also related to the land use changes described in Program 1A, form the foundation for design standards and guidelines. New zoning standards and design guidelines will work together to increase height allowances, reduce parking standards, and otherwise remove constraining factors to facilitate new development to achieve maximum densities allowed in the zone.

Funding:	<ul style="list-style-type: none"> <li>• Planning and Building Department budget</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• Planning Commission</li> <li>• City Council</li> <li>• California Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Establish design standards and guidelines for the five neighborhood prototypes</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• November 2016 General Election</li> <li>• January 2018 Coastal Commission certification of Local Coastal Program Amendments</li> </ul>

**PROGRAM 1C: Promote the development of accessory housing units**

Accessory units help meet the City’s affordable housing needs by providing a housing resource for seniors and small, 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 single-family residential zones, in accordance with State law. Implementation of the current program resulted in the construction of at least 19 new units per year during the last Housing Element review period. Assuming permit trends continue to increase, there should be an increase in all housing starts, including accessory unit production.

Based on development trends, there is great potential for new affordable housing with accessory units. Therefore, the City will continue to accommodate and promote the construction of affordable accessory units by increasing the public awareness of the Accessory Unit Program. Relaxing development standards and/or providing incentives will also likely encourage property owners to pursue authorizations for and construct accessory units, particularly with respect to reduced setback and parking requirements. For this 2013-2021 Housing Element cycle, the City will consider different programmatic options that could incentivize additional production, which may include some or all of the following:

- First point-of-contact. The City can also consider assigning a staff person to serve as a first point-of-contact for permitting information. The City could also establish and maintain a “second unit specialist” in the Development Services Section to assist in processing and approving accessory units.
- Permit fee reductions. Reducing permitting costs could help decrease up-front costs, which have been shown through different studies to be a barrier to affordable housing provisions. Fee reductions

could be applied to permit applications for units that are rented to lower-income households or for family members (in-law apartments) at low or no-cost.

- FAR increase. In a community where land costs are high and FARs are strictly regulated, the provision of this additional building floor area could bring new interest to the program. Permitting additional residential floor area above the maximum allowable Floor Area Ratio (FAR) for the property could greatly incentivize construction.
- Reduced rear-yard setbacks. An allowance for single-storied encroachment into otherwise required rear-yard setbacks could create more flexibility to the property owner. In this case, reductions could be considered provided that 1) a minimum setback of ten (10) feet is provided adjacent property and 2) all other structures on the property fully comply with other specified setback and height requirements, including the primary residence from the front, side, and rear lot lines. Building height for accessory units would be reduced the deeper into the reduced setback the building is located.
- Parking waivers for the main residence. Parking requirements typically serve as the greatest barrier to housing development due to land availability, existing site constraints and cost. Parking waivers could be applied to the accessory unit. On-street parking would suffice for an accessory unit, if the parking is available within a short walking distance of the unit, except within one-quarter mile of public beach access points.
- Junior second units. The City may also evaluate “junior” second units as a means to achieve more housing for lower income households. Junior second units could be limited in size and have different requirements than other unit types.

The above list of regulatory and non-regulatory incentives illustrates a wide range of different approaches that the City could take to increase interest in the Accessory Unit Program. Other items may also be considered as a means to increase the use of the Accessory-Unit Program. The approaches outline potential courses of action that City Council could take as a course of action. Since there is a need to incentivize accessory unit production early in the Housing Element cycle, the City will initiate an ordinance update in the first part of 2016 and work with the community to determine the most effective and efficient approach or mix of strategies.

In order to minimize adverse impacts on established neighborhoods, the City will monitor the effects that construction of these new accessory units may have on the character of surrounding neighborhoods. If detrimental impacts are found, the City may revise its Accessory Unit Program and re-evaluate any correlated Housing Element Program actions to accommodate the City’s remaining regional housing needs.

Funding:	<ul style="list-style-type: none"> <li>• Planning and Building Department budget</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• Planning Commission</li> <li>• City Council</li> <li>• California Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Relax development standards to encourage accessory housing unit production</li> <li>• Continue to administer the accessory unit regulations</li> <li>• Develop informational packets to market accessory unit production</li> <li>• Achieve an average of 30 accessory units annually; 242 total over the eight year period.</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• November 2017 for Zoning Code amendments</li> <li>• December 2017 availability of promotional materials for accessory housing units</li> <li>• February 2019 Coastal Commission certification of Local Coastal Program Amendments</li> </ul>

**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. To ensure sufficient residential capacity is maintained to accommodate the RHNA, the City will develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863 and will make findings if a site is proposed for development with fewer units 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 households, the City will identify and if necessary rezone sufficient sites to accommodate the shortfall and ensure “no net loss” in capacity to accommodate the RHNA.

Funding:	<ul style="list-style-type: none"> <li>• Planning and Building Department budget</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• City Council</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Develop and implement a formal evaluation procedure pursuant to Government Code Section 65863</li> <li>• Monitor and report through the HCD annual report process</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• April 2017 for a formal evaluation procedure</li> <li>• Every April report to HCD and SANDAG</li> </ul>

**PROGRAM 1E: Promote and streamline lot consolidation**

For some sites in the inventory to be viable for development, particularly for sites located on or near Coast Highway 101, the City will evaluate ways to encourage the consolidation of smaller parcels to facilitate well-designed, modern projects that provide housing options for households of all income levels. For sites that are a part of the inventory, as many types of subdivision actions will occur as administrative decisions as allowed under the Subdivision Map Act, subject to appeal as provided for by law. The City will periodically review development standards and incentives that would encourage mixed-use or infill developments on small parcels. The City will also meet with developers to discuss potential project sites and identify areas and properties with potential for redevelopment and provide information to interested developers.

Funding:	<ul style="list-style-type: none"> <li>• Departmental budgets</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• Public Works Department</li> <li>• Fire Department</li> <li>• Planning Commission</li> <li>• City Council</li> <li>• California Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Subdivision maps and lot consolidations involving the very low/low income RHNA category of housing units will be made an administrative decision to the extent allowable under the Map Act</li> <li>• Prepare an inventory of potential lot consolidations</li> <li>• Meet with developers on an annual basis to review permit activity associated with different development regulations and evaluate improvements to the permitting process, including potential incentives to encourage lot consolidations</li> <li>• Achieve on average one lot consolidation project per year over the planning period</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• June 2016 Zoning Code amendments</li> <li>• January 2018 Coastal Commission certification of Local Coastal Program Amendments</li> <li>• Meeting with developers in the summer of every year</li> <li>• December 2017 availability of potential lot consolidation inventory</li> </ul>

### PROGRAM 1F: Energy conservation and energy efficiency opportunities

Continue to promote regional water conservation incentive programs and encourage broader participation in the City's Green Building Incentive Program. To further advance community energy and water conservation goals, the City will implement the strategies listed in its Climate Action Plan to achieve residential-focused greenhouse gas emission reductions.

Funding:	<ul style="list-style-type: none"> <li>• Planning and Building Department budget</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Implement existing City's sustainability programs</li> <li>• Adopt and implement the residential strategy measures listed in the City of Encinitas Climate Action Plan</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• Ongoing</li> <li>• April 2017 adoption of residential strategy measures</li> </ul>

## 2. AFFORDABLE HOUSING - PROGRAMS

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

### PROGRAM 2A: Continue and broaden 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 shall be phased-in with market rate units to ensure completion. Because of the 2009 court decision in Palmer v. City of Los Angeles, the City can no longer require rental affordable units.

The City intends to update its current Inclusionary Housing Ordinance to more effectively meet the City's affordable housing goals and grant developers greater flexibility in how they fulfill their inclusionary housing requirement. The City will conduct a nexus study to determine the maximum supportable inclusionary housing requirement and affordable housing impact fee for rental and for-sale housing.

Alternatives to on-site development of affordable housing will also be considered and include payment of an in-lieu fee, donation of land, converting existing market rate housing to affordable housing for a period of at least 30 years, extending the term of affordability for existing affordable units for at least 40 years, or provision for alternative housing types.

Funding:	<ul style="list-style-type: none"> <li>• Planning and Building Department budget</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• City Council</li> <li>• California Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Continue the inclusionary housing program</li> <li>• Conduct a nexus study to determine the maximum supportable inclusionary requirement and fees</li> <li>• Update the City's Inclusionary Housing Ordinance to be more effective and provide greater flexibility in meeting the inclusionary housing requirements</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• November 2017 updated inclusionary housing program</li> <li>• February 2019 Coastal Commission certification of Local Coastal Program Amendments</li> </ul>

### PROGRAM 2B: Facilitate affordable housing

The City will proactively support housing for low income, extremely low income, and persons with disabilities (including developmental disabilities) as required by State law. New funding sources will be sought from available non-profit, state and federal programs. The City will also utilize its existing CDBG and other appropriate funding sources. Planning and entitlements should consider how to position a project for future grant applications. The City will attempt to subsidize off-site public improvement costs by coordinating its CIP with affordable housing sites and will consider the waiver or reduction of development fees on a case-by-case basis. For City-owned housing sites, land cost write-downs may be used to promote 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). The City will also ensure a portion of the affordable housing units created will be available to extremely low income households.

Also, additional strategies will be explored to facilitate affordable housing development and/or otherwise address the lower income housing needs of this community. One opportunity, for example, is to work through the City of Encinitas Senior Commission to create attainable senior housing options and better what different options are available to best enable older adults to age in place or in their community (e.g. small lot/cottage housing and co-housing).

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; and established an interdepartmental team (Project Issue Resolution) that quickly resolves problems and issues as they arise. The City will continue to find opportunities to streamline the permitting process to remove unnecessary barriers, without compromising public health, safety and community character. 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 Program EIR 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"> <li>• Planning and Building Department budget, Affordable Housing Fund, LIHTC, Multifamily Housing Revenue Bonds, Cap and Trade Affordable Housing Program, National Housing Trust Fund and other resources, as available</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• Planning Commission</li> <li>• City Council</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Streamline the permitting and environmental review processes</li> <li>• Annually allocate designated Affordable Housing Funds to increase the supply of affordable housing for lower income households, including seniors, disabled, homeless and those at risk of homelessness</li> <li>• Annually pursue funding opportunities for affordable housing</li> <li>• Expand the City’s affordable housing inventory</li> <li>• Evaluate strategies to meet the City’s dynamic housing needs, such as older adults and seniors</li> <li>• Consider City-owned sites with land cost write-down for affordable housing</li> <li>• Consider reducing development fees and coordinating the CIP with affordable housing development sites</li> <li>• Facilitate the development of one affordable housing project in the 2013-2021 planning period.</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>

### 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's 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.

Although the City will continue to administer its 136 housing vouchers, it currently has funding to subsidize only 111 households. 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:	• HUD Section 8 Housing Choice Voucher Allocations
Responsible Agencies:	• Encinitas Housing Authority
Objectives:	• 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:	• Ongoing

## PROGRAM 2D: Maximize housing affordability through market-based approaches

The City will evaluate and pursue the following series of zoning and design standards that regulate building form to promote the construction of housing that is more attainable. The Zoning Code will be amended to set a maximum average unit size to ensure small units are created along with larger units. A minimum density will be required on inventory sites to ensure sufficient housing units are built. For projects near transit, the City will amend its regulations to allow for unbundling of parking options to sell or rent parking spaces separately or to give residents options about having an assigned space or an unassigned space. The City will also evaluate other innovative development standards as necessary to facilitate more efficient uses of land, thereby lowering the per unit cost.

Funding:	• Planning and Building Department Budget
Responsible Agencies:	• Planning and Building Department • Planning Commission • City Council • Voters of Encinitas • California Coastal Commission
Objectives:	• Pursue the above described amendments • Promote affordability through design
Timeframe:	• November 2016 General Election • January 2018 Coastal Commission certification of Local Coastal Program Amendments

## PROGRAM 2E: Establish infrastructure and public amenities financing tools

As is typical in urban California, most of the sites on the Housing Strategy Map for the lower income category of housing units are located in infill areas or require redevelopment and are on relatively small sites. Infrastructure and public amenity improvements associated with these future housing and mixed use projects can be very high as a part of the overall project delivery cost. Additionally, infrastructure and public amenities are needed sooner than would otherwise occur waiting for individual projects to develop incrementally. Various financing tools exist to accelerate infrastructure and public amenity improvements, while also promoting the feasibility of new housing development. Example financing tools include:

- Enhanced infrastructure financing district (EIFD)
- Community facilities district (CFD)
- Parking district
- Property-based improvement district (PBID)
- Maintenance assessment district (MAD)
- Value capture/commercial development impact fee/linkage fee that captures a portion of the property valuation increase associated with proximity to new transportation infrastructure and upzoning; may be used for pay-as-you-go or bond financing

The City will explore establishing appropriate financing tools in different areas based on need and potential for beneficial impact.

Funding:	• Departmental budgets
Responsible Agencies:	• Planning and Building Department • Public Works Department • Finance Department • City Council • Property owners
Objectives:	• Consider establishing financing districts in areas of the City generally aligned with the Housing Strategy Map
Timeframe:	• Initiate feasibility study as soon as possible after November 2016 General Election.

### 3. MITIGATION OF CONSTRAINTS - PROGRAMS

The City reviews and updates development standards and processing procedures that constrain housing development, particularly for lower and moderate-income households and for persons with special needs. Below identifies how the City will address improving the City’s housing stock - and where appropriate and legally possible, remove governmental constraints that limit the ability to maintain, improve, and develop housing for all income levels.

### PROGRAM 3A: Update the density bonus ordinance

Government Code Section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. The state 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 a process for waivers of development standards such as reductions in parking requirements, height limits and setback requirements, but developer must demonstrate that incentives reduce costs and are needed to provide affordable units; and that waivers are required because the usual standards physically preclude the project from achieving the allowed density

The City's implementing ordinance is inconsistent with the current Government Code. As such, the City will amend its local ordinance to comply with State law and evaluate how the density bonus ordinance may be applied in conjunction with the City's Inclusionary Housing Program to maximize housing opportunities. The City will explore opportunities to address project-related design issues and seek out ways to minimize adverse impacts of future projects on established neighborhoods. Through subsequent implementation of the adopted ordinance, the City will use density bonuses to help achieve State and City housing goals while attempting to mitigate potential impacts to the extent consistent with State law.

Future consideration could be given to allowing the transfer of density bonus units that would exceed the maximum density to another site (or fee in-lieu). However, this portion of the program is premised in the fact that affordable housing units need to be integrated into and distributed throughout the City. A developer would have the option to use this approach instead, which would be an alternative to invoking State Density Bonus Law. Consistent with State law, the developer could still choose Density Bonus Law, but would have the option to use the alternative City regulations.

Funding:	<ul style="list-style-type: none"><li>• Planning and Building Department Budget</li></ul>
Responsible Agencies:	<ul style="list-style-type: none"><li>• Planning and Building Department</li><li>• Planning Commission</li><li>• City Council</li><li>• Coastal Commission</li></ul>
Objectives:	<ul style="list-style-type: none"><li>• Update the City's density bonus regulations</li></ul>
Timeframe:	<ul style="list-style-type: none"><li>• November 2016 updated density bonus ordinance</li><li>• May 2018 Coastal Commission certification of Local Coastal Program Amendments</li></ul>

### PROGRAM 3B: 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. In designated zones of the Specific Plan areas, the City requires no more than two off-street parking spaces for a residential unit in a mixed-use 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.

However, the City's parking standards have not been comprehensively updated since incorporation (1986). How people travel has changed since then, and 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 policies and 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:	<ul style="list-style-type: none"> <li>• Departmental budgets</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• Public Works Department</li> <li>• Planning Commission</li> <li>• City Council</li> <li>• Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Update the City's parking regulations</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• January 2018 update of parking regulations</li> <li>• May 2019 Coastal Commission certification of Local Coastal Program Amendments</li> </ul>

### PROGRAM 3C: 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 non-residential zones where residential densities are permitted or allowed. However, the zoning requires ground floor uses 1) 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 blanket ground floor commercial requirements because there is a finite economic market available to support providing additional commercial services. 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 rather than as a blanket requirement to ensure future projects are feasible and the desired community character is preserved. Key locations will be determined by 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)." In response to concerns that such a finding could pose a constraint to housing, the City will evaluate this design review finding for its potential to be subjectively applied to deny a

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. Its effectiveness in assuring high quality development is minimal as compared to meeting the other three findings, namely, that a project: 1) is consistent with the General Plan, a Specific Plan or the Municipal Code; 2) is substantially consistent with the Design Review Guidelines; and 3) would not adversely affect the health, safety, or general welfare of the community. As such, the City will amend the language for residential projects as part of the Zoning Code amendments.

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 may pose a disincentive to the provision of duplex and multi-family housing by imposing additional cost, processing and development requirements. 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"> <li>• Departmental budgets</li> </ul>
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• Public Works Department</li> <li>• Planning Commission</li> <li>• City Council</li> <li>• Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Remove constraints to housing production from the Subdivision Code, Zoning Code and Specific Plans</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• January 2018 update regulations</li> <li>• May 2019 Coastal Commission certification of Local Coastal Program Amendments</li> </ul>

### PROGRAM 3D: 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.

#### 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. Furthermore, any employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation, according to the Employee Housing Act. Employee housing for six or fewer persons is permitted where a single-family residence is permitted. No conditional or special use permit or variance may be required. The City will amend its Zoning Code to be consistent with State law regarding agricultural worker housing and employee housing.

**Emergency Shelter:**

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 standards such as:

- Maximum number of beds;
- Proximity to other shelters;
- Length of stay;
- Security and lighting;
- Counseling services; and
- Provision of on-site management.

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. 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. The City will also continue to provide financial assistance to the extent feasible to nonprofit service agencies such as the Community Resource Center, YMCA-Oz North Coast, Fraternity House, and North County Solutions for Change to provide supportive services for the homeless and continue to provide winter homeless assistance, either through motel voucher funding or a temporary winter shelter (for example, Interfaith Shelter network and the Scout Center).

**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 (f, g, h) definitions as a residential use of a property in a dwelling to be permitted, conditionally permitted or prohibited as similar uses 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. The City will amend the General Commercial Zoning District to conditionally permit SRO housing.

Funding:	• Planning and Building Department budget
Responsible Agencies:	• Planning and Building Department • Planning Commission • City Council • Coastal Commission
Objectives:	• Amend the Zoning Code to accommodate special needs housing consistent with State law
Timeframe:	• June 2017 zone establishment for SB 2 implementation within one (1) year of adoption • January 2018 update other regulations • May 2019 Coastal Commission certification of Local Coastal Program Amendments

### PROGRAM 3E: Right to Vote Amendment monitoring

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. In the short term, Proposition A does not present a constraint to housing development in the City because a ballot measure to vote upon this Housing Element Update will be put before the voters, consistent with Proposition A. However, it will be important to monitor the overall impact that Proposition A. Therefore, this 2013-2021 Housing Element proposes a program to monitor the effects of Proposition A and address constraints to development.

Funding:	• Planning and Building Department budget
Responsible Agencies:	• Planning and Building Department
Objectives:	<ul style="list-style-type: none"> <li>• Administer a program that analyzes the impacts of Proposition A on the cost, supply, and certainty of housing development</li> <li>• Monitor developer interest and permit activity to determine if the height standards from Proposition A constrains housing development</li> </ul>
Timeframe:	• Monitor the impacts of the initiative through annual Housing Element Progress Reports.

### PROGRAM 3F: 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 guiding 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 is no longer enforced, 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:	• Planning and Building Department budget
Responsible Agencies:	• Planning and Building Department
Objectives:	<ul style="list-style-type: none"> <li>• Rescind the Growth Management Plan Ordinance to eliminate the annual housing permit allocation process and grant approvals to projects.</li> <li>• Amend the growth management policies of the Land Use Element</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• June 2016 Land Use Element amendment</li> <li>• January 2018 Coastal Commission certification of Local Coastal Program</li> </ul>

## 4. CONSERVATION OF EXISTING HOUSING STOCK - PROGRAMS

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. However, participation in the program has only averaged two units per year. The City Council in November 2014 revised the compliance program with less restrictive, more preferential terms, which are valid through 2015. 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 units shall still be brought into compliance with current building and fire codes and shall conform to zoning development standards (i.e., parking requirements) to the extent practicable. The City will continue 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 compliant with State and local laws. The City will also periodically market the program to homeowners via City newsletter, website, and/or flyers at public counters.

For unpermitted housing units not eligible or not opting into the AUP, fully bring those units up to land use and uniform codes.

Funding:	• Planning and Building Department budget
Responsible Agencies:	• Planning and Building Department • City Council
Objectives:	• Healthy and safe housing • Pursue the legalization of 25 units using the Affordable Unit Program during the 2013-2021 planning period and amend the Zoning Code to clearly state that existing units legalized under the AUP automatically are deemed legally nonconforming as to zoning standards and pursue legislative flexibility in applying the Uniform Codes to these types of housing units
Timeframe:	• Implement the less restrictive Affordable Unit Policy • Implement the underlying 1993 Affordable Unit Policy – January 2016 and beyond

### 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 and upgrades of major component systems (for example, electrical, plumbing, roofing, heating), and general

improvements (for example, exterior finishes). 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:	• Planning and Building Department • City Council
Objectives:	• Healthy and safe housing
Timeframe:	• Ongoing

## 5. EQUAL HOUSING OPPORTUNITIES - PROGRAMS

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: Provide flexibility in reasonably accommodating housing for the physically and developmentally 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. Housing elements shall include programs that remove constraints or provide reasonable accommodation of housing for persons with disabilities. 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:	• Planning and Building Department budget
Responsible Agencies:	• Planning and Building Department
Objectives:	• Adopt reasonable accommodations ordinance for persons with disabilities
Timeframe:	• November 2019 adopt new reasonable accommodations regulations

### 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 engage in fair housing planning and work to mitigate impediments to fair housing choice. The goal of the City's Fair Housing Plan is to affirmatively further fair housing through specific education outreach and monitoring activities. The City currently

contracts with the North County Lifeline (NCL) to provide fair housing and landlord/tenant services to residents and landlords in Encinitas. NCL will help mediate and/or assist with filing fair housing complaints. As needed, NCL can arrange testing when unfair practices are suspected.

In 2010, the City 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. These improvements have been incorporated into this Implementation Plan, as follows:

- Continue to contract with a fair housing agency to provide outreach, education and assistance to residents of Encinitas;
- Continue to disseminate information on fair housing in the City's housing brochure (distributed at libraries, grocery stores, community centers, and other public places) and on the City website; and,
- Update the Analysis of Impediments to Fair Housing Choice in 2014 for the 2015-2020 period.

Funding:	• Community Development Block Grants
Responsible Agencies:	• Planning and Building Department • City Council
Objectives:	• Reduce impediments to fair housing choice
Timeframe:	• Ongoing

## 6. AT RISK HOUSING - PROGRAMS

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. A large percentage of these units typically convert to market rate as subsidy contracts or regulatory agreements expire. The City encourages the development of resources to help "at-risk" seniors and lower income households. The programs reflected herein identify how the City shall preserve assisted housing developments that are at risk of converting.

### 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 2013 through November 2023.

Consistent with State law, this Housing Element has identified one publicly assisted housing project in Encinitas that is close to being considered "at-risk". Regal Road Apartments (10 units) will convert in the year 2024. The City should analyze their potential to convert to market rate housing uses and analyze the cost to preserve or replace those units.

Funding:	• Planning and Building Department budget
Responsible Agencies:	• Planning and Building Department
Objectives:	<ul style="list-style-type: none"> <li>• Monitor the status of any Notices of Intent and Plans of Action filed by property owners to convert to market rate units</li> <li>• Identify non-profit organizations as potential purchasers/managers of at-risk housing units</li> <li>• 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</li> <li>• 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</li> </ul>
Timeframe:	• Contact project owner in January 2021 to determine their intent for the project and/or other improvement needs. If necessary, analyze the cost to preserve the Regal Road Apartments.

### PROGRAM 6B: Extend term of affordability with in-lieu programs

The City will evaluate ways to allow more inclusionary alternatives for below-market-rate unit construction (as described in Program 2A). When the City updates its affordable housing policies (e.g., Inclusionary Housing), additional options should be added to include converting existing market rate housing to affordable housing for a period of at least 30 years, or extending the term of affordability for existing affordable units for at least 55 years and allowing developers to convert existing market rate housing to affordable housing.

Funding:	• Planning and Building Department budget
Responsible Agencies:	<ul style="list-style-type: none"> <li>• Planning and Building Department</li> <li>• City Council</li> <li>• California Coastal Commission</li> </ul>
Objectives:	<ul style="list-style-type: none"> <li>• Allow developers to meet inclusionary requirements by preserving at-risk housing units. This will require modification to the Inclusionary Housing Ordinance.</li> <li>• Extend the term of ten (10) units that will convert to market rate during the 2013-2021 planning period or shortly thereafter.</li> </ul>
Timeframe:	<ul style="list-style-type: none"> <li>• December 2017 updated inclusionary housing program</li> <li>• May 2019 Coastal Commission certification of Local Coastal Program Amendments</li> </ul>

TABLE 3-4: QUANTIFIED OBJECTIVES (2013-2021)

	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	TOTALS
New Construction	275	312	446	413	907	2,353
Rehabilitation	---	---	40	---	---	40
Conservation and 'At-Risk'	25	---	---	---	---	25 <sup>3</sup>
Section 8	55	56	---	---	---	111

<sup>3</sup> 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.

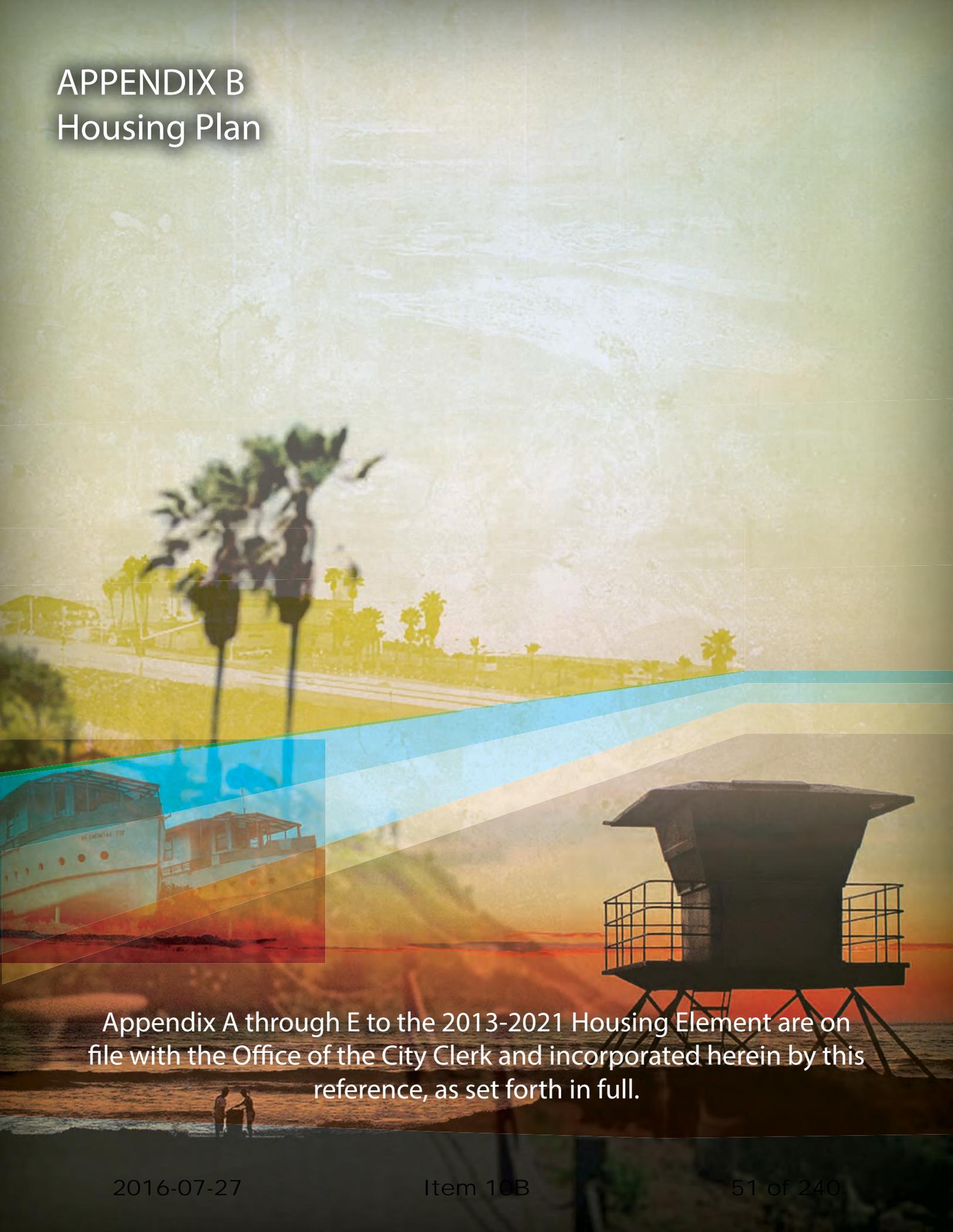
# APPENDIX A

## Public Participation, Outreach and Activities



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

# APPENDIX B Housing Plan



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

# APPENDIX C

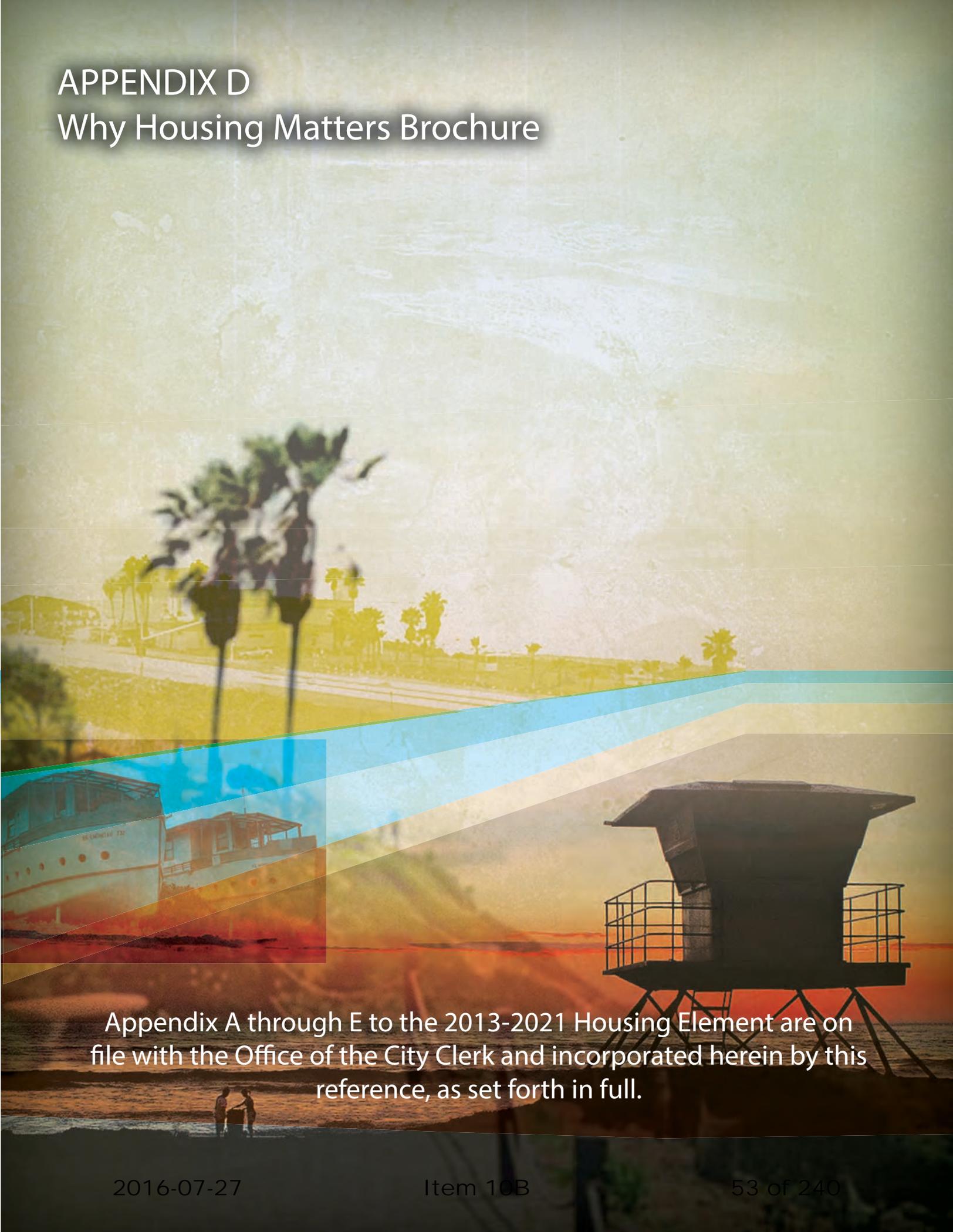
## Neighborhood Prototypes



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

# APPENDIX D

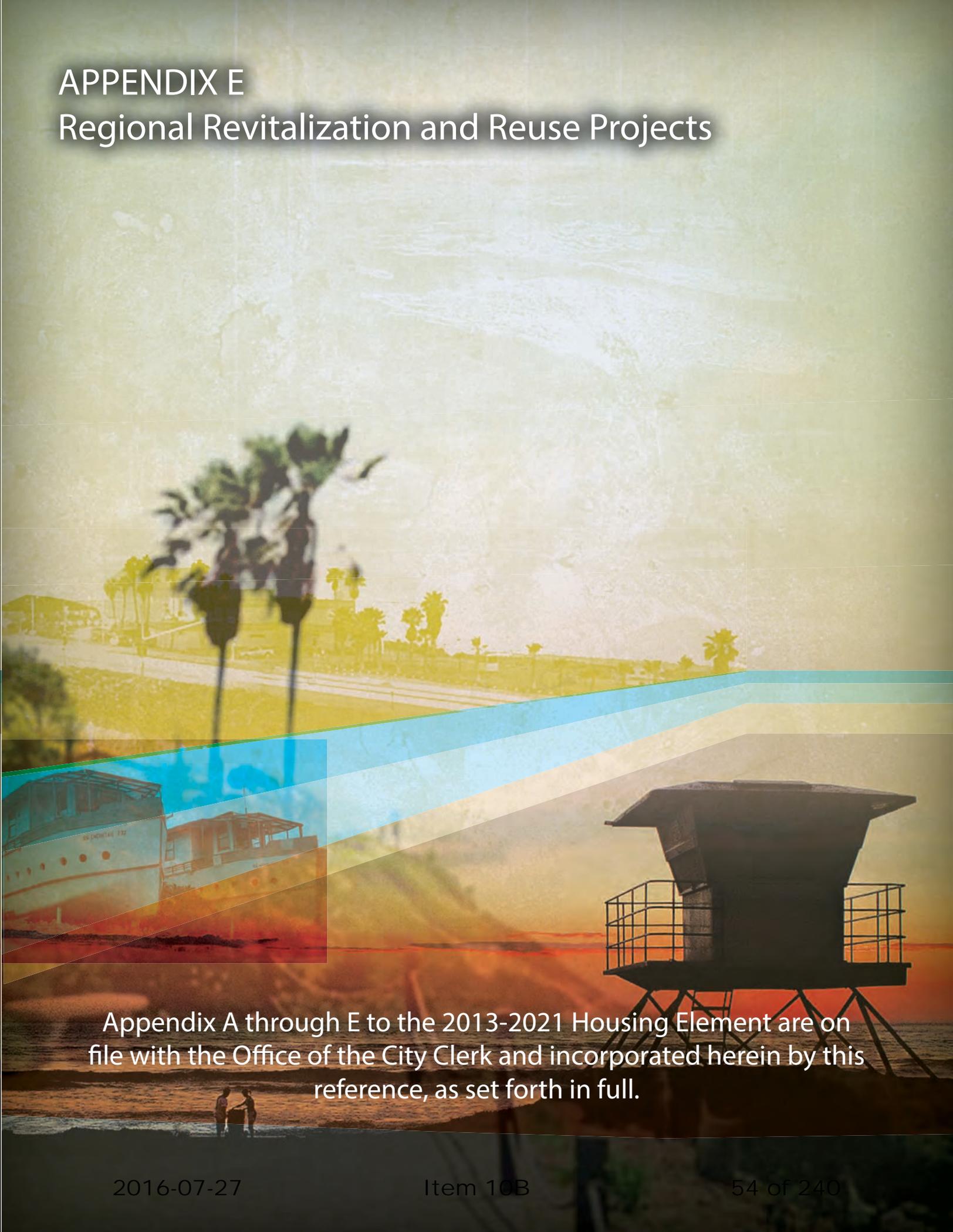
## Why Housing Matters Brochure



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

# APPENDIX E

## Regional Revitalization and Reuse Projects



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

**Exhibit 2016-52-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.~~ 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. 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 in the At Home in Encinitas (AHE) Zone is regulated by Chapter 30.36 of the Zoning Code, which allows a maximum density "by-right."

Page LU-36

**At Home in Encinitas (AHE) General Plan Land Use Designation**

This category of residential and mixed use land use is characterized by a unique land use designation that is composed of two parts: the land use under the General Plan that was in effect immediately prior to being re-designated AHE (first generation) and new incentive land use pursuant to the Housing Element Update (second generation). The AHE Zone is intended to implement the At Home in Encinitas (AHE) General Plan land use designation and give property owners more flexibility for future development of their property and consists of a set of development rights that allows for higher density housing or mixed use.

The AHE land use designation establishes a minimum density to ensure that each project meets affordability requirements, as well as a maximum density to ensure that Encinitas remains a community of modestly-scaled development. In the AHE land use designation, development will provide a density range from a minimum of 20 dwelling units per acre to a maximum of 30 dwelling units per acre as a permitted use. Until a transition from a first generation to a second generation is activated for a site; the land use designation and implementing zoning in effect immediately prior to be designated and zoned AHE govern the use and development of the site. Only those sites shown with an AHE Land Use Designation on the Land Use Map are eligible to use the AHE Zone.

Page LU-38A

**At Home in Encinitas (AHE) 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 affordable housing, developing more complete neighborhoods, and enhancing and preserving the community's character, the At Home in Encinitas (AHE) Zone was created to implement the AHE General Plan land use designation. The AHE Zone is a unique zone in that is composed of two parts: that which was in effect immediately prior to being re-zoned AHE (first generation) and the new land use and development standards pursuant to the Housing Element Update (second generation). The AHE Zone allows property owners to develop under the first generation use and development standards, and maintain all the prior zoning rights and privileges thereto; or should they choose, utilize the new incentive land use and development standards (second generation) to create more housing for the community. Once an application for development consistent with the second generation AHE Zone is approved, the previous (first generation) use and development standards can no longer be implemented without a legislative action, as this is a one-way transition. The General Plan land use and zoning maps will be ministerially updated by clipping out the first generation designation to disclose the transition. Chapter 30.36 of the City's Zone Code establishes the applicability and process for transition.

The AHE Zone is intended to:

1. Implement the At Home in Encinitas General Plan land use designation, which recognizes that relatively few vacant sites suitable for these land uses remain in the City, so the land use designation is purposefully flexible to accommodate a one-way transition from existing first generation uses and development standards to the second generation uses and standards in a manner that allows existing uses and development to thrive until that transition is initiated;
2. Allow for a moderate increase in residential density and to accommodate a mixture of residential building types and unit sizes;
3. Enable market-based solutions to the provision of attainable housing;
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. Respond to neighborhood character, be compatible with community specific settings and promote basic best practices in urban design;
7. Promote infill development and revitalization that is compact and supports pedestrian-friendly development patterns with safe, effective and multi-modal transportation options; and
8. Contribute to the economic and fiscal sustainability of the City.

This AHE Zone is established, along with the Character Contexts and Design Contexts, which closely relate the Zone to the site’s surroundings. Second generation designations may include residential or mixed-use, with a minimum of 20 dwelling units per acre and a maximum of 30 dwelling units per acre (buildings in the Cardiff Town Center site are limited to two stories). AHE zoning districts that may be applied to implement the *At Home in Encinitas* General Plan land use designation are listed below and are determined based on the intended land use in consideration of the community character context. Second generation context combinations allowed:

Neighborhood Center

- Shopfront Neighborhood (AHE-S30-N)
- Mixed Use Neighborhood (AHE-X30-N)
- Residential Neighborhood (AHE-R30-N)

Village Center

- Shopfront Village (AHE-S30-V)
- Mixed Use Village (AHE-X30-V)
- Residential Village (AHE-R30-V)

Main Street Corridor

- Shopfront Main Street (AHE-S30-M)
- Mixed Use Main Street (AHE-X30-M)
- Residential Main Street (AHE-R30-M)

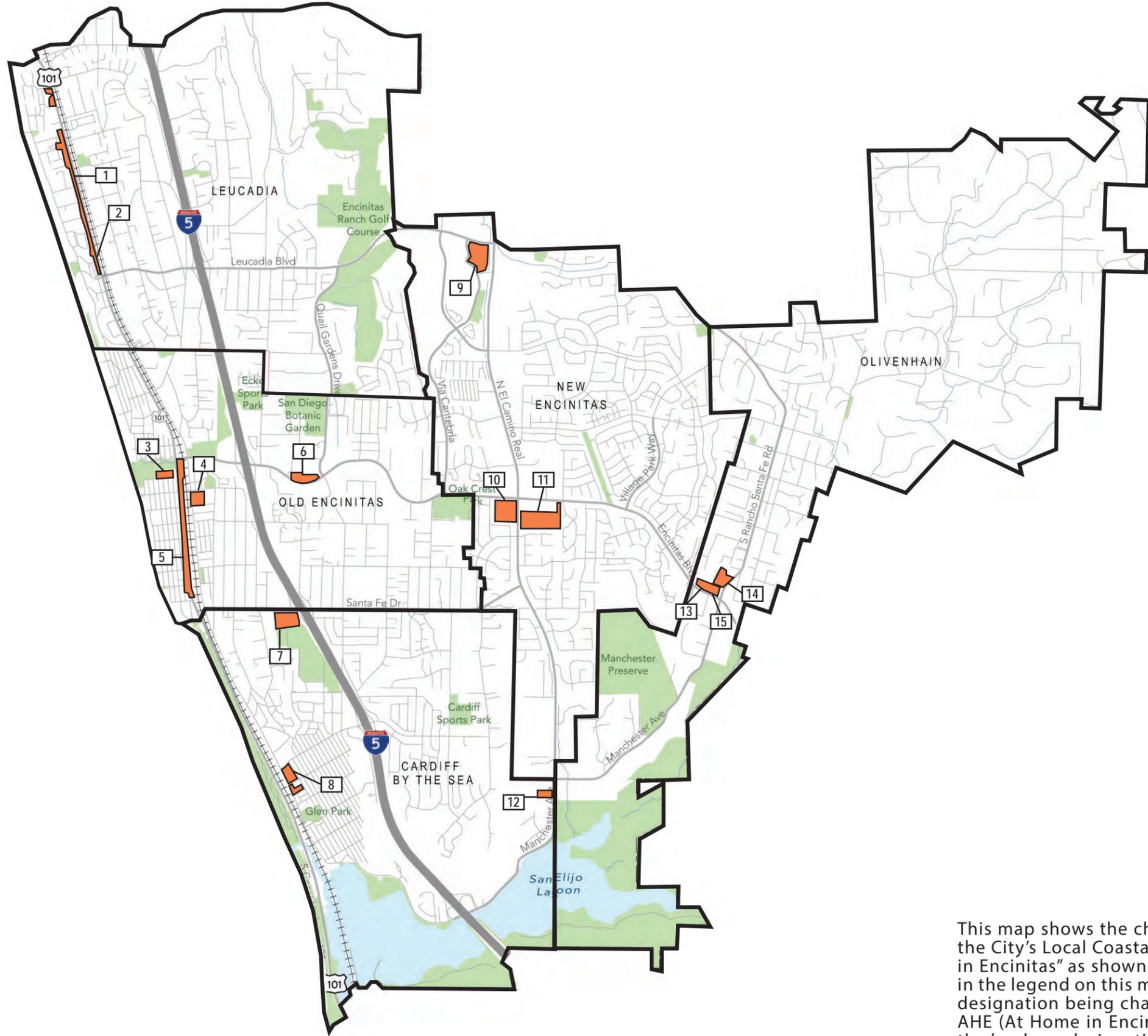
The AHE Zone must be used on those sites labeled with an AHE land use designation on the City's Land Use Map in the Land Use Element of the General Plan.

## Land Use Designations Map

*The General Plan Land Use Map is amended as shown (incorporates the Sustainable Mixed Use Places housing strategy described in the Project's City Council agenda report dated June 15, 2016 and the Final Environmental Assessment/Environmental Impact Report), as attached hereto and made a part hereof. All sites will carry the At Home in Encinitas General Plan land use designation (AHE), followed by the first generation land use and then the second generation land use (only the character context is used in the second generation part of the General Plan designation string; the design context is not a part of the AHE general plan land use designation but it is a part of the zoning). 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



 AHE LAND USE DESIGNATOR

ID	LAND USE
1	AHE-GC-X30 (north of Diana Street)
2	AHE-GC-S30 (south of Diana Street)
3	AHE-VSC-X30
4	AHE-P/SP-X30
5	AHE-GC-S30
6	AHE-OP-R30
7	AHE-GC-S30
8	AHE-GC-S30
9	AHE-GC-S30
10	AHE-GC-S30
11	AHE-GC-S30
12	AHE-RR1-R30
13	AHE-OP-X30
14	AHE-RR2-R30
15	AHE-LC-X30

This map shows the changes to the City's General Plan Land Use Map, which is also a part of the City's Local Coastal Program. All sites shown on this map will be re-designated "At Home in Encinitas" as shown. The General Plan land use designation that will be changed is found in the legend on this map. The new land use designation is abbreviated as "AHE". The land use designation being changed is in the second abbreviated term. For example, in AHE-GC-S30, AHE (At Home in Encinitas) is the new land use designation and GC (General Commercial) is the land use designation being changed. The abbreviations used are further described in the existing General Plan Land Use Element and Specific Plans.

**Appendix to Land Use Designations Map**

This appendix to the General Plan Land Use Element land use designations map shows precisely the boundaries of the areas re-designated to At Home in Encinitas.

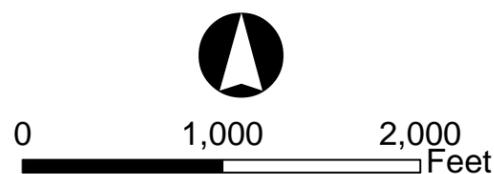
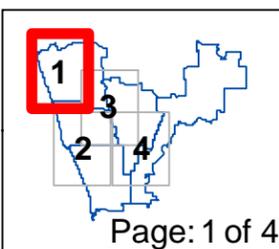


# Appendix to General Plan Land Use Designations Map

Site Being Designated AHE  
 Tax Parcel



ID	Land Use
1	AHE-GC-X30 (N of Diana St.)
2	AHE-GC-S30 (S of Diana St.)
3	AHE-VSC-X30
4	AHE-P/SP-X30
5	AHE-GC-S30
6	AHE-OP-R30
7	AHE-GC-S30
8	AHE-GC-S30
9	AHE-GC-S30
10	AHE-GC-S30
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12	AHE-RR1-R30
13	AHE-OP-X30
14	AHE-RR2-R30
15	AHE-LC-X30



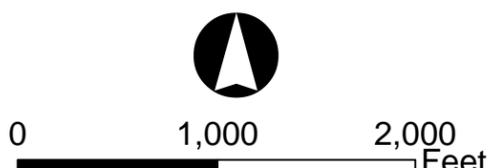
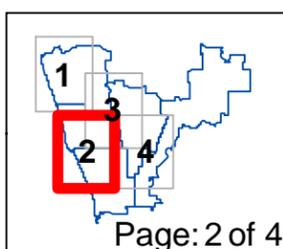


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6	AHE-OP-R30
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8	AHE-GC-S30
9	AHE-GC-S30
10	AHE-GC-S30
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12	AHE-RR1-R30
13	AHE-OP-X30
14	AHE-RR2-R30
15	AHE-LC-X30



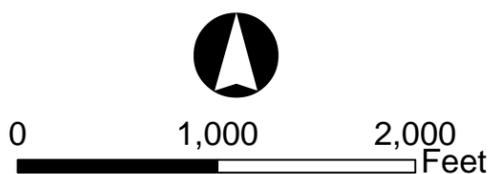
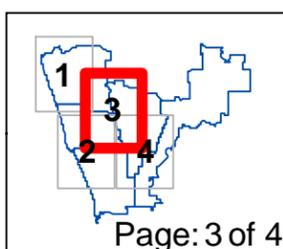


# Appendix to General Plan Land Use Designations Map

Site Being Designated AHE  
 Tax Parcel



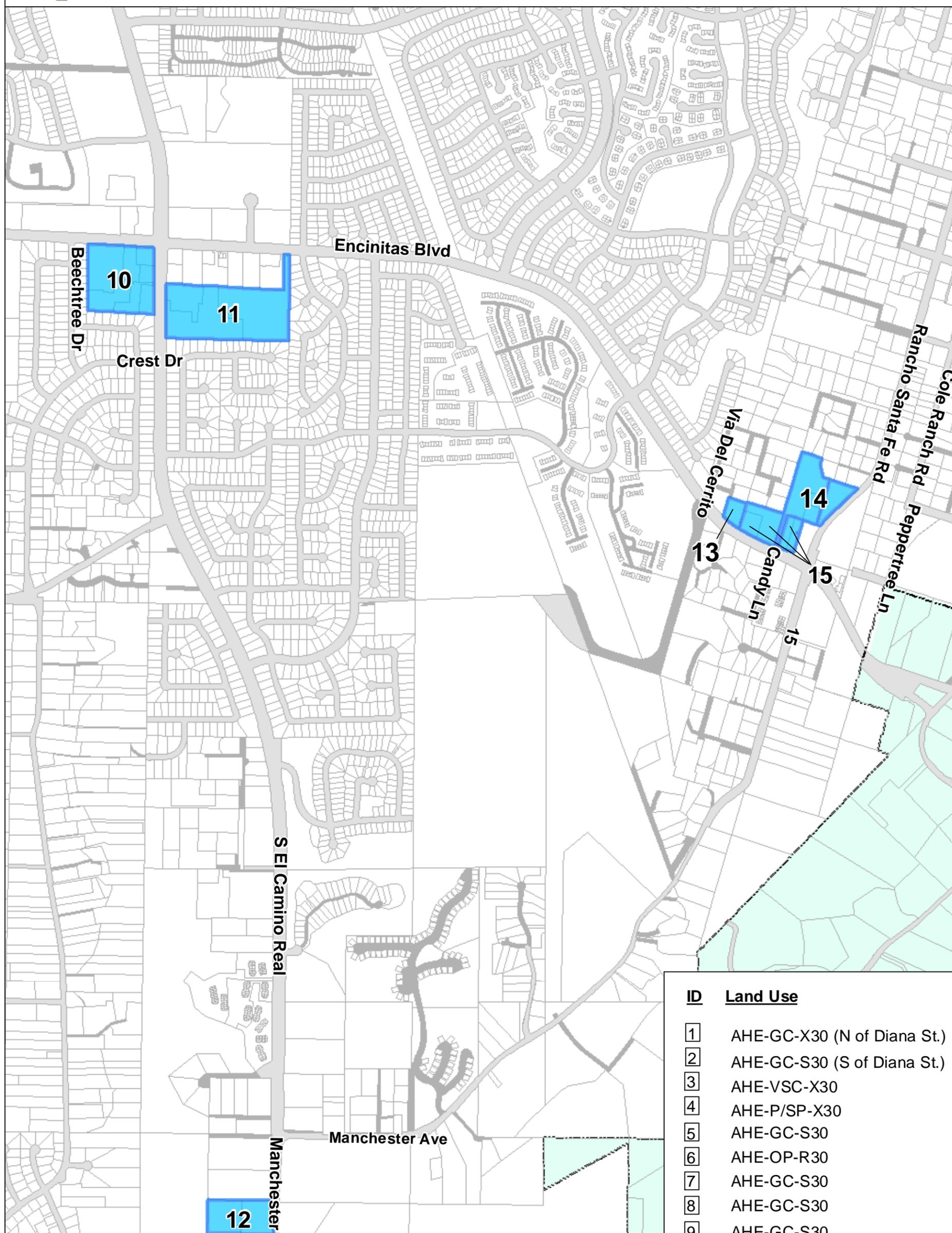
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8	AHE-GC-S30
9	AHE-GC-S30
10	AHE-GC-S30
11	AHE-GC-S30
12	AHE-RR1-R30
13	AHE-OP-X30
14	AHE-RR2-R30
15	AHE-LC-X30



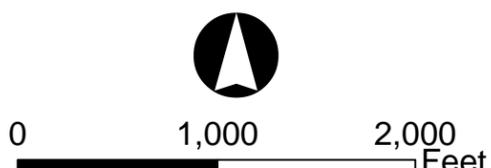
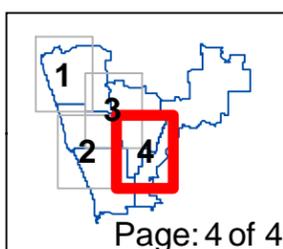


# Appendix to General Plan Land Use Designations Map

Site Being Designated AHE  
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10	AHE-GC-S30
11	AHE-GC-S30
12	AHE-RR1-R30
13	AHE-OP-X30
14	AHE-RR2-R30
15	AHE-LC-X30



**Exhibit 2016-52-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 as otherwise provided by Chapter 30.36.

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. The land uses subject to Chapter 30.36, excluding First Generation land uses.

**Exhibit 2016-52-D**

**Amendments to the Noise Element** (strikeout is used to denote existing text being deleted; underline is used to denote new text being added):

**GOAL 1: Provide an acceptable noise environment for existing and future residents of the City of Encinitas.**

**POLICY 1.1:** Develop and regularly update codes and ordinances as necessary to regulate impacts from continuous and intermittent noise sources.

**POLICY 1.2:** Use Figure 2, the Noise and Land Use Compatibility Guidelines as a guide in determining the acceptability of exterior noise. In most circumstances, sound attenuation needs to be provided, but not necessarily mitigating sound to meet these levels.

- For planning/development review purposes, “exterior noise” for single-family residential land uses is defined as noise measured at an outdoor living area that adjoins and is on the same lot as the dwelling and is provided for private open space purposes, such as improved yard space. For multi-family residential and non-residential land uses, “exterior noise” levels shall be measured from group usable open space areas. Group usable open space areas are intended for common use by occupants of a development, but do not include off-street parking and loading areas.
- For code enforcement and nuisance related impacts, existing land uses, operations, and activities shall be subject to those performance standards and methods identified by the Municipal Code.

**POLICY 1.3:** Figure 2, the Noise and Land Use Compatibility Guidelines indicates a range of land use types - and is intended to be flexible enough to apply to a range of projects and environments. In a mixed-use setting where different land use activities are located on the same parcel and/or residential uses are located above a non-residential use, noise standards for the more intensive land use category shall be used when evaluating appropriate exterior noise levels in a proposed development project. Residential exterior noise standards shall be applied to group or common outdoor use areas and shall not be applied to private spaces.

**POLICY 1.4:** Interior noise levels for all residential units shall be attenuated to 45 Ldn. Interior noise levels for non-residential uses shall be:

- Transient lodging - 45 Ldn
- Private schools, libraries, churches, hospitals, and nursing homes – 45 dBA Leq
- Civic/institutional, office buildings, retail, business, professional, and/or other similar commercial type – 55 dBA Leq
- Auxiliary office supporting industrial, warehouse and manufacturing – 55 dBA Leq
- No interior noise level limit for industrial, warehouse, and manufacturing.

**Policy 1.5:** Review actions or projects that may have noise generation potential to determine what impact they may have on existing land uses. If a project would cause an increase in traffic noise levels, the policy of the City of Encinitas is to accept an increase within the “acceptable” exterior noise exposure range, as

~~shown in Figure 2, the Noise and Land Use Compatibility Guidelines. A land use located in an area with an “acceptable” exterior noise level indicates that standard construction methods would attenuate exterior noise to an acceptable indoor noise level and that people can carry out outdoor activities with minimal noise interference. For areas where existing or future noise levels exceed “acceptable” levels of noise for the subject land use, and increase of 3 Ldn from new development would be considered an impact. up to an Ldn of 55 dB in outdoor residential use areas without mitigation. If a project would increase the traffic noise level by more than 5 dB and the resulting Ldn would be over 55 dB, then mitigation measures must be evaluated. If the project, or action, would increase traffic noise levels by 3 dB or more and the resulting Ldn would exceed 60 dB in outdoor use areas in residential development, noise mitigation must be similarly evaluated. The impact of non-transportation projects must generally be evaluated on a case-by-case basis. The following guidelines will aid in evaluating the impacts of commercial and industrial projects.~~

- ~~a) Performance Standards Adjacent to Residential Areas. New commercial construction adjacent to residential areas should not increase noise levels in a residential area by more than 3 dB (Ldn) or create noise impacts which would increase noise levels to more than an Ldn of 60 dB at the boundary of the nearest residential area, whichever is more restrictive.~~
- ~~b) Performance Standards Adjacent to Commercial and Industrial Areas. New commercial projects should not increase noise levels in a commercial area by more than 5 dB (Ldn) or increase noise levels to an Ldn in excess of 70 dB (office buildings, business and professional) or an Ldn of 75 dB (industrial) at the property line of an adjacent commercial/industrial use, whichever is more restrictive.~~

These criteria may be waived if, as determined by a noise analysis, there are mitigating circumstances (such as higher existing noise levels) and/or no uses would be adversely affected. Where conditions are unusual or where backgrounds are unusually low and the characteristics of a new noise source are not adequately described by using the Ldn noise descriptor, additional acoustical analysis is encouraged and the conclusions of such analysis will be considered by the City.

If acoustical study shows that exterior noise levels can't be mitigated to the established standards as noted within this chapter, the development shall not be approved without first making findings necessary to exceed the stated noise standards. Through sound attenuation and project design features, exterior noise exposure in the “normally unacceptable” range should be reduced to “conditionally acceptable,” to the extent feasible. New construction or development should not be undertaken if the noise exposure falls within the “clearly unacceptable” range as provided in Figure 2, the Noise and Land Use Compatibility Guidelines.

**POLICY 1.62:** ~~An Ldn of 60 dB is the maximum acceptable outdoor noise level in residential outdoor use areas.~~ The City recognizes that there are residential areas in which existing noise levels exceed an acceptable level. The City will adopt a Noise Wall/Barrier Installation Policy for determining which areas should receive soundwalls along the major street system and to evaluate possible cost participation programs for constructing these soundwalls.

**POLICY 1.73:** To further improve the noise environment in the City of Encinitas, the law enforcement agency~~police department~~ will enforce the provisions in Sections 27-150 and 27-151 of the California State Motor Vehicle Code. These sections require that all vehicles be equipped with a properly maintained muffler and that exhaust systems not be modified.

**POLICY 1.84:** The City will limit truck traffic in residential and commercial areas to designated truck routes. Limit construction, delivery, and through truck traffic to designated routes. Distribute maps of approved truck routes to City traffic officers.

**POLICY 1.95:** The City will establish and maintain coordination among City, County, and State agencies involved in noise abatement and other agencies to reduce noise generated from sources outside the City's jurisdiction.

**POLICY 1.106:** Include noise mitigation measures in the design of new roadway projects recognizing that driveways, street openings, and other existing site conditions make noise mitigation impossible.

**POLICY 1.117:** Apply Title 24 of the California Administrative Code, associated with noise insulation standards, to single-family dwellings.

**POLICY 1.128:** Establish noise standards for all types of noise not already identified in the General Plan or governed by existing ordinances.

**GOAL 2: Require that new development be designed to provide acceptable indoor and outdoor noise environments.**

**POLICY 2.1:** Figure 2, the Noise and Land Use Compatibility Guidelines, and the accompanying discussion set forth the criteria for siting new development in the City of Encinitas. Any project which would be located in a normally unacceptable noise exposure area, based on the Land Use Compatibility Guidelines, shall require an acoustical analysis. Noise attenuation~~mitigation~~ in the future shall be incorporated in the project as needed. As a condition of approval of a project, the City may require post-construction noise monitoring and sign off by an acoustician to ensure that City requirements have been met.

**GOAL 4: Provide for measures to reduce noise impacts from stationary noise sources.**

**POLICY 4.1:** Ensure inclusion of noise attenuation~~mitigation~~ measures in the design and operation of new and existing development

## Noise Mitigation Plan, Noise and Land Use Compatibility Guidelines

### Page N-14 and 15

The objective of Figure 2 is to provide an acceptable community noise environment and to minimize noise-related complaints from residents. The compatibility guidelines should be used in conjunction with the future noise exposure levels in Figure 1 to identify projects or activities which may require special treatment to minimize noise exposure. Homes should not be allowed near a freeway, for example, unless mitigation measures can effectively reduce noise exposure to "conditionally acceptable" levels.

A land use or project in the "normally acceptable" category will be acceptable within the noise levels indicated, in most cases, without special noise abatement measures. For example, a home of standard construction would be an acceptable use in any area of 60 Ldn or less without special insulation, setback, or building design. The same home in an area projected for noise levels of 60 to 70 Ldn should be allowed only following an acoustical study which recommends site-specific noise attenuation measures such as double pane windows, setbacks, and/or construction of soundwalls.

The following considerations should be taken into account when using the Noise and Land Use Compatibility Guidelines:

The goal for maximum outdoor noise levels in residential areas is a Ldn of 60 dB. This level is a requirement to guide the design and location of future development and a goal for the reduction of noise in existing development. However, 60 Ldn is a goal which cannot necessarily be reached in all residential areas within the realm of economic or aesthetic feasibility. Figure 2, the Noise and Land Use Compatibility Guidelines, provides "conditionally acceptable" and "normally unacceptable" noise exposure ranges. A land use project in these categories must provide a detailed analysis of the noise reduction requirements and needed noise insulation features included in the design. This goal should be applied where outdoor use is a major consideration (eg., backyards in single-family housing projects). The outdoor standards should not normally be applied to the small decks associated with apartments and condominiums because of the lack of use of these decks even in quiet areas. A multi-family development can often be designed in such a way that the buildings shield common outdoor areas and achieve an acceptable outdoor noise level without the use of soundwalls. For this reason, multi-family housing can often be developed more successfully in noise environments in which the Ldn exceeds 60 dB.

### Page N-17 , Figure 2

*Notice to Voter: Figure 2 on Page N-17 is hereby deleted in its entirety and is removed from the Noise Element of the General Plan. Because of legibility problems when using ~~strikeout/underline~~ to denote changes on this figure that contains text and graphic symbols, it is not presented using ~~strikeout/underline~~ format. It is simply being deleted in its entirety. In its place is a new Figure 2 that contains new text and revisions of the previous Figure 2, which is adopted in its entirety to the Noise Element. Because a new figure is being inserted with replacement text and graphics, it is not underscored, but it should be viewed by*

*the voter as revised and new text. This is done to present a legible chart since underscoring all of it would be confusing and difficult to read. Therefore, the voter is admonished to understand that this Figure 2 has been revised. The existing Figure 2 is on file in the Office of the City Clerk.*

LAND USE TYPE CATEGORY	COMMUNITY NOISE EXPOSURE Ldn OR CNEL, dB						
	55	60	65	70	75	80	85
Residential - Low Density Single Family, Duplex, and Mobile Homes	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Residential - Multi-Family	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Transient Lodging - Motels, Hotels	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Schools; Libraries; Churches; Hospitals; Nursing Homes and Care Facilities; and Indoor Auditoriums, Halls, and the Like	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Open Air Auditoriums, Concert Halls, and Amphitheaters	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Open Air Sports Arena and Outdoor Spectator Sports	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Playgrounds and Parks, Golf Courses, Riding Stables, and Cemeteries	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Civic/Institutional, Office Buildings, Retail, Business, Professional, and Other Commercial and Service Types	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable
Industrial, Manufacturing, Warehouse, Utilities, and Agriculture Operations	Normally Acceptable	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable	Clearly Unacceptable	Clearly Unacceptable



**Normally Acceptable**  
 Specified land use is satisfactory based on the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.



**Conditionally Acceptable**  
 New development should be undertaken only after a detailed analysis of noise reduction requirement is made. Conventional construction, but with closed windows and air conditioning will normally suffice.



**Normally Unacceptable**  
 New development should be generally discouraged. If new development does proceed, a detailed analysis of noise reduction requirement is made and noise attenuation included in the design.



**Clearly Unacceptable**  
 New development should generally not be undertaken.

Figure 2  
 Noise and Land Use  
 Compatibility Guidelines



**ORDINANCE NO. 2016-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, ADOPTING ENCINITAS MUNICIPAL CODE (EMC) CHAPTER 30.36 TO PROVIDE USE AND DEVELOPMENT STANDARDS TO IMPLEMENT THE NEW GENERAL PLAN LAND USE DESIGNATION AND NEW DESIGN GUIDELINES TO PROVIDE FOR DEVELOPMENT QUALITY, 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 TO ACCOMMODATE THREE-STORY BUILDINGS ON THE SITES DESIGNATED IN THE GENERAL PLAN AND ZONING MAP, AND AMENDING THE CARDIFF, DOWNTOWN ENCINITAS, NORTH 101 CORRIDOR, AND ENCINITAS RANCH SPECIFIC PLANS TO AMEND THE ZONE MAPS IN THOSE SPECIFIC PLANS AND MAKE REFERENCE TO NEW EMC CHAPTER 30.36 AND PROVIDE FOR HOUSING ELEMENT IMPLEMENTATION.**

**CASE NUMBER: 14-200 POD**

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 Planning and Building Department to proceed with this update to the City's Housing Element for the 2013-2021 planning period, which affects properties citywide;

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. The Settlement Agreement provides, 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 Agreement was incorporated into a Judgment Pursuant to Stipulation entered into by the San Diego County Superior Court on July 22, 2015;

WHEREAS, the 2013–2021 Housing Element represents the City's effort in fulfilling the requirements under the State Housing Element law;

WHEREAS, the 2013-2021 Housing Element Update project, Case Number 14-200 POD, is popularly known as "At Home in Encinitas";

WHEREAS, the Planning Commission did hold a duly noticed public hearing as prescribed by law to consider CASE NO. 14-200 POD on May 24, 2016, which was continued to May 26, 2016, to consider said request;

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. 2016-27 recommending that City Council certify the EIR, adopt the findings of fact, adopt the statement of overriding considerations and adopt the Mitigation Monitoring and Reporting

Program, and adopted Planning Commission Resolution No. 2016-26 recommending approval of said Project, with recommended revisions, on file with the Office of the City Clerk and incorporated by this reference;

WHEREAS, to address Planning Commission recommendations and following consultation with technical experts assigned to the Project, City staff recommended revisions to the Chapter 30.36 Zoning Standards and Design Guidelines as described in summary form in the City Council Agenda Item for this Project, dated June 15, 2016, on file with the Office of the City Clerk and incorporated by this reference, along with making other necessary refinements;

WHEREAS, pursuant to the California Environmental Quality Act, a Final Environmental Assessment/Program Environmental Impact Report (SCH No. 2015041044) relative to the Project was prepared and the City Council has certified it, along with adopting the findings of fact, the statement of overriding considerations and the Mitigation Monitoring and Reporting Program per City Council Resolution No. 2016-51;

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, Land Use Element, and Noise 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 15, 2016 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, Land Use Element, and Noise Element, per City Council Resolution No. 2016-52;

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

WHEREAS, pursuant to law, the City provided a Notice of City Council Public Hearing to all organizations and individuals who had previously requested such notice, and published the Notice of Public Hearing on June 3, 2016, in the Coast News;

WHEREAS, the City Council did on June 15, 2016, 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, materials created for public engagement and study session agenda reports.
- b. Oral testimony from City staff, interested parties, and the public.
- c. The staff report, dated June 15, 2016, which along with its attachments, is incorporated herein by this reference as though fully set forth herein, including

related study sessions, which occurred during the life of the Project, as well as Planning Commission's recommendation on the request.

d. Additional information submitted during the public hearing; and

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 April 29, 2016 and concluded on June 10, 2016;

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 community objectives including economic development, educational attainment, achieving greenhouse gas emission reduction objectives, increasing multimodal transportation including alternative transportation strategies, health including reductions in obesity and healthy housing, and more complete neighborhoods and community building.

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

**SECTION ONE: ENCINITAS MUNICIPAL CODE**

Chapter 30.36 is added to Title 30 of the Encinitas Municipal Code, also referred to as the Zoning Code, to read as shown on "Exhibit 2016-04-1", attached hereto and made a part hereof.

**See Exhibit 2016-04-1**

**SECTION TWO: ENCINITAS RIGHT TO VOTE AMENDMENT**

That Section 30.00.050 of the Encinitas Municipal Code, also referred to the Zoning Code, is 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.

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 as otherwise provided by Chapter 30.36.

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. The land uses subject to Chapter 30.36, excluding First Generation land uses.

### **SECTION THREE: ENCINITAS MUNICIPAL CODE**

That Chapter 23.08.040 of the Encinitas Municipal Code is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

- A. The Director has authority to render a final determination on applications for a design review permit for the following categories of projects:
  1. Fences, walls and landscaping projects not exempted by this chapter.
  2. Outdoor storage facilities of less than 1,000 square feet in area.
  3. Agricultural buildings which are the primary use of the parcel 2,000 square feet or less.
  4. Exterior additions to existing buildings and structures where the proposed project will involve less than 500 square feet in area and which are otherwise not exempted by this chapter.
  5. Signs and awnings which are placed under the design review jurisdiction of the Director by other provisions of this Code (Chapter 30.60) and not otherwise exempted by this chapter. Said review shall be without notice.
  6. Satellite Antennas. However satellite antennas which are visually screened, per Section 23.08.090, shall be exempt from design review.
  7. Grading unless otherwise exempted by Section 23.08.030B14.
  8. Development as provided by Chapter 30.36.

### **SECTION FOUR: ENCINITAS MUNICIPAL CODE**

That Section 30.08.010 of the Encinitas Municipal Code, also sometimes referred to as the Zoning Code, is amended to include a new Subsection H with the following new definition (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

#### H. Multiple Use Incentive Zone

AT HOME IN ENCINITAS (AHE) ZONE shall be defined as set forth in Chapter 30.36. AHE is composed of two parts: the use and development standards of the zone existing immediately prior to being re-zoned AHE (first generation) and the new use and development standards in Chapter 30.36 that represent the incentives to implementing the Housing Element for density from 20 to 30 dwelling units per acre (second generation). It

allows a one-way transition from the first generation land uses to the second generation. The AHE Zone allows property owners to develop under the first generation land use, or should they choose, utilize the second generation use and development standards to create more housing for the community. However, once an application for development consistent with the second generation AHE use and development standards is approved, the previous (first generation) land use can no longer be implemented without legislative approval.

#### **SECTION FIVE: ENCINITAS MUNICIPAL CODE**

That Chapter 30.24.030 of the Encinitas Municipal Code, also sometimes referred to as the Zoning Code, is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

A. Applicability. The Hillside/Inland Bluff Overlay Zone regulations shall apply to all areas within the Special Study Overlay Zone where site-specific analysis indicates that 10% or more of the area of a parcel of land exceeds 25% slope. The Planning Commission shall be the authorized agency for reviewing and granting discretionary approvals for proposed development within the Hillside/Inland Bluff Overlay Zone, unless as otherwise provided by Chapter 30.36.

#### **SECTION SIX: ENCINITAS MUNICIPAL CODE**

That Chapter 30.72.020 of the Encinitas Municipal Code, also sometimes referred to as the Zoning Code, is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

A. A change in the boundaries of any zone or a change of zoning on property from one zone to another may be initiated by the owner(s) or the authorized agent of the owner(s) of the property by filing an application for zoning amendment as described in this chapter. An application accepted by the City shall constitute an application for zoning amendment, and if applying all or in part to property or properties within the Coastal Zone, shall constitute an application for amendment to the implementing regulations of the Encinitas Local Coastal Plan (LCP).

B. A change in boundaries of any zone, a change of zoning on property from one zone to another, or a change in the zoning regulations may be initiated by resolution approved by the majority of the City Council. This resolution shall constitute an application for zoning amendment and an amendment to the implementing regulations of the City's LCP.

C. The City Council is authorized to render a final determination on a zoning amendment application; provided, however, that a change in the regulations of this title, or a change in zoning boundaries or designation of a property or properties all or in part within the Coastal Zone, shall be subject to the provisions of subsection D of this section. The City Council's determination shall be made upon receipt of advisory recommendations from the Planning Commission. The Council's authority to render a determination on a zoning amendment application includes the authority to approve, approve in a modified form, or deny such application.

D. Once approved by the City Council, a zoning amendment for a change in the regulations of this title, or a change in zoning boundaries or designation of property or properties all or in part within the Coastal Zone, constitutes a proposed amendment to the implementing regulations of the City's LCP. A proposed LCP amendment shall comply in

form and content with, and shall follow the procedures specified by, Chapter 30.82 of the Municipal Code. Such an amendment shall not become effective until certified by the Coastal Commission pursuant to Public Resources Code Section 30514.

E. There shall be no more than three LCP amendment submittals in any calendar year, subject to exceptions pursuant to paragraph (c) of Section 30514 of the California Public Resources Code. Each submittal may consist of one or more zoning changes. (Ord. 94-06; Ord. 96-07)

F. Notwithstanding the above or as otherwise stated in this Chapter, the AHE Zone shall be initiated and administered as provided by Chapter 30.36.

### **SECTION SEVEN: 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) are amended as shown on the map marked "Exhibit 2016-04-2", attached hereto and made a part hereof (the existing, complete Map being amended is on file with the Office of the City Clerk).

**See Exhibit 2016-04-2**

### **SECTION EIGHT: CARDIFF SPECIFIC PLAN**

That Section 3.2.3 of the Cardiff Specific Plan is amended, after the tables, to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

At Home in Encinitas (AHE) Zone as set forth in Encinitas Municipal Code Chapter 30.36.

### **SECTION NINE: CARDIFF SPECIFIC PLAN ZONING MAP**

That the Cardiff Specific Plan Zoning Map on page 3-5 is amended as shown in **Exhibit 2016-04-2** to apply the At Home in Encinitas Zone (the existing, complete map being amended is on file with the Office of the City Clerk).

### **SECTION TEN: ENCINITAS RANCH SPECIFIC PLAN**

That Section 3.2 of the Encinitas Ranch Specific Plan is amended, following the discussion, to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

At Home in Encinitas (AHE) Zone as set forth in Encinitas Municipal Code Chapter 30.36.

### **SECTION ELEVEN: ENCINITAS RANCH SPECIFIC PLAN ZONING MAP**

That the Encinitas Ranch Specific Plan Zoning Map on page 3-8 is amended as shown in **Exhibit 2016-04-2** to apply the At Home in Encinitas Zone (the existing, complete map being amended is on file with the Office of the City Clerk).

## **SECTION TWELVE: DOWNTOWN ENCINITAS SPECIFIC PLAN**

That Section 3.2 of the Downtown Encinitas Specific Plan is amended, following the discussion, to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

E. At Home in Encinitas (AHE) Zone as set forth in Encinitas Municipal Code Chapter 30.36.

## **SECTION THIRTEEN: DOWNTOWN ENCINITAS SPECIFIC PLAN ZONING MAP**

That the Downtown Encinitas Specific Plan Zoning Map on page 3-9 is amended as shown in **Exhibit 2016-04-2** to apply the At Home in Encinitas Zone (the existing, complete map being amended is on file with the Office of the City Clerk).

## **SECTION FOURTEEN: NORTH 101 CORRIDOR SPECIFIC PLAN**

That Section 3.1 of the North 101 Corridor Specific Plan is amended, following the zoning map, to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

At Home in Encinitas (AHE) Zone as set forth in Encinitas Municipal Code Chapter 30.36.

## **SECTION FIFTEEN: NORTH 101 CORRIDOR SPECIFIC PLAN ZONING MAP**

That the North 101 Corridor Specific Plan Zoning Map on page 3-3 is amended as shown in **Exhibit 2016-04-2** to apply the At Home in Encinitas Zone (the existing, complete map being amended is on file with the Office of the City Clerk).

## **SECTION SIXTEEN: NORTH 101 CORRIDOR SPECIFIC PLAN**

That Section 3.1.2.A.4.b of the North 101 Corridor Specific Plan is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

2. Within this zone, residential uses may occupy any ground floor area and buildings may be either all residential or mixed use, except in areas where zoning regulations require ground floor commercial uses in key locations. For the NCM-1 Zone, key locations are from Marcheta Street to North Court; and from Daphne Street to Leucadia Boulevard. In these areas, rResidential uses shall be located either above or behind the primary commercial use and shall not occupy the ground floor building frontage area along Highway 101.

3. All detached or attached single-family 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. There are no airspace requirements for multi-family housing development.

4. In a mixed use development, rResidential uses shall not exceed 50 percent of the gross building floor area for the development site, unless authorized through the approval of a Major Use Permit.

## **SECTION SEVENTEEN: NORTH 101 CORRIDOR SPECIFIC PLAN**

That Section 3.1.2.B.4.b of the North 101 Corridor Specific Plan is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

~~2. Residential uses shall be located either above or behind the primary commercial use and shall not occupy the ground floor building frontage area along Highway 101.~~

23. All detached or attached single-family 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. There are no airspace requirements for multi-family housing development.

34. In a mixed use development, rResidential uses shall not exceed 50 percent of the gross building floor area for the development site, unless authorized through the approval of a Major Use Permit.

45. Residential densities shall be calculated pursuant to Section 30.16.010.B.1 and 2 of Title 30 of the Encinitas Municipal Code.

## **SECTION EIGHTEEN: NORTH 101 CORRIDOR SPECIFIC PLAN**

That Section 3.1.2.C.4.b of the North 101 Corridor Specific Plan is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

2. Within this zone, residential uses may occupy any ground floor area and buildings may be either all residential or mixed use, except in areas where zoning regulations require ground floor commercial uses in key locations. For the NCM-3 Zone, key locations are from A Street to B Street on Highway 101. In this area, rResidential uses shall be located either above or behind the primary commercial use and shall not occupy the ground floor building frontage area along Highway 101.

3. All detached or attached single-family 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. There are no airspace requirements for multi-family housing development.

4. In a mixed use development, rResidential uses shall not exceed 50 percent of the gross building floor area for the development site, unless authorized through the approval of a Major Use Permit.

## **SECTION NINETEEN: NORTH 101 CORRIDOR SPECIFIC PLAN**

That Section 3.1.2.D.4.b of the North 101 Corridor Specific Plan is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

~~2. Residential uses shall be located either above or behind the primary commercial use and shall not occupy the ground floor building frontage area along Highway 101.~~

23. All detached or attached single-family 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. There are no airspace requirements for multi-family housing development.

34. In a mixed use development, Residential uses shall not exceed 50 percent of the gross building floor area for the development site, unless authorized through the approval of a Major Use Permit.

45. Residential densities shall be calculated pursuant to Section 30.16.010.B.1 and 2 of Title 30 of the Encinitas Municipal Code.

## **SECTION TWENTY: NORTH 101 CORRIDOR SPECIFIC PLAN**

That footnote 1 of the North 101 Corridor Specific Plan on pages 3-7, 3-8, 3-19 and 3-20 is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

~~<sup>1</sup>Allowed in mixed use developments only. All detached or attached dwelling units in mixed-use 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.~~

## **SECTION TWENTY-ONE: NORTH 101 CORRIDOR SPECIFIC PLAN**

That footnote 1 of the North 101 Corridor Specific Plan on pages 3-43 and 3-54 is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

~~<sup>1</sup>All detached or attached dwelling units in residential-only or mixed-use 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.~~

## **SECTION TWENTY-TWO: NORTH 101 CORRIDOR SPECIFIC PLAN**

That footnote 2 of the North 101 Corridor Specific Plan on page 3-32 is amended to read as follows (~~strikeout~~ is used to denote existing text being deleted; underline is used to denote new text being added):

~~<sup>2</sup>Allowed in mixed use developments only. All detached or attached dwelling units in mixed-use development 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.~~

**SECTION TWENTY-THREE: PUBLIC NOTICE.**

The City Clerk is directed to prepare and have published in full this ordinance within fifteen (15) days of adoption.

**SECTION TWENTY-FOUR: 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 four 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 TWENTY-FIVE: CALIFORNIA COASTAL COMMISSION CERTIFICATION REQUIRED.**

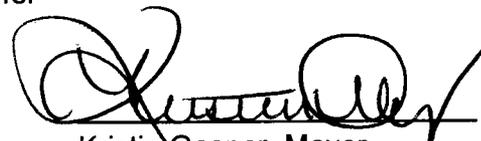
If approval of this Ordinance occurs pursuant to Section Twenty-Three, the Director of Planning and Building or designee is hereby directed to file all necessary material to the State of California Coastal Commission to amend the Encinitas Local Coastal Program. This Ordinance will become effective following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

**SECTION TWENTY-SIX: INTRODUCTION.**

This Ordinance was introduced on June 15, 2016 and published in full on Friday, July 1, 2016 in The Coast News.

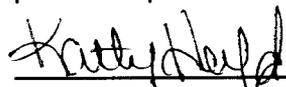
PASSED AND ADOPTED this Wednesday, the 22<sup>nd</sup> day of June, 2016 by the following vote to wit:

AYES: Blakespear, Gaspar, Kranz, Muir, Shaffer  
NAYS: None  
ABSTAIN: None  
ABSENT: None

  
Kristin Gaspar, Mayor  
City of Encinitas

**ATTESTATION AND CERTIFICATION:**

I hereby certify that this is a true and correct copy of Ordinance No. 2016-04 which has been published pursuant to law.

  
Kathy Hollywood, City Clerk

**Exhibit 2016-04-1**

**Chapter 30.36 At Home in Encinitas Zone and Design Guidelines**

*All of the text, graphics, illustrations and the like in this Chapter 30.36 are entirely new. Because the entirety of it is new, it is not underscored, but it should be viewed by the voter as new. This is done because of the length and breadth of Chapter 30.36 and underscoring all of it would be confusing and difficult to read. Therefore, the voter is admonished to understand that the entirety of Chapter 30.36 is new.*

# AT HOME IN ENCINITAS ZONE

FOR TRANSITIONING TO MIXED USE AND MULTI-FAMILY RESIDENTIAL



ENCINITAS, CA

JUNE 22, 2016 Ordinance 2016-04





# AT HOME IN ENCINITAS ZONE

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# 30.36.010. Introductory Provisions

## A. Intent

The At Home in Encinitas Zone is intended to:

1. Implement the At Home in Encinitas General Plan land use designation, which recognizes that relatively few vacant sites suitable for these land uses remain in the City, so the land use designation is purposefully flexible to accommodate a one-way transition from existing first generation uses and development standards to the second generation uses and standards in a manner that allows existing uses and development to thrive until that transition is initiated;
2. Allow for a moderate increase in residential density and to accommodate a mixture of residential building types and unit sizes;
3. Enable market-based solutions to the provision of attainable housing;
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. Respond to neighborhood character, be compatible with community specific settings and promote basic best practices in urban design;
7. Promote infill development and revitalization that is compact and supports pedestrian-friendly development patterns with safe, effective and multi-modal transportation options; and
8. Contribute to the economic and fiscal sustainability of the City.

## B. Conflicting Provisions

Wherever a conflict exists between this Chapter 30.36 and the Encinitas Municipal Code or any Specific Plan, the intent, provisions and requirements of this Chapter controls.

## C. At Home in Encinitas Zone Established

The At Home in Encinitas Zone is established, along with the following Character Contexts with Design Contexts which closely relate the Zone to the varied community character and design contexts in the City:

### 1. Character Contexts

- a. Residential (R30)
- b. Mixed Use (X30)
- c. Shopfront (S30)

### 2. Design Contexts

- a. Neighborhood Center (N)
- b. Village Center (V)
- c. Main Street (M)

### 3. Context Combinations Allowed

#### Neighborhood Center

Residential Neighborhood Center	AHE-R30-N
Mixed Use Neighborhood Center	AHE-X30-N
Shopfront Neighborhood Center	AHE-S30-N

#### Village Center

Residential Village Center	AHE-R30-V
Mixed Use Village Center	AHE-X30-V
Shopfront Village Center	AHE-S30-V

#### Main Street Corridor

Residential Main Street	AHE-R30-M
Mixed Use Main Street	AHE-X30-M
Shopfront Main Street	AHE-S30-M

## D. Design Guidelines

It is the intent of this Chapter that all development be in accordance with the Design Guidelines for Mixed Use and Multi-Family Residential for the new AHE-S30-, AHE-X30- and AHE-R30- character contexts as set forth in Sec. 30.36.200 through Sec. 30.36.250.

## E. Master Design Review Permit Overlay Zone

The Master Design Review Permit Overlay (-MDP) is established to designate the location and amount of mandatory nonresidential ground floor uses for large sites with the AHE-S30- character context. The Overlay is a recognition that requiring all ground floor uses on a large site may constrain the development of housing because of a lack of market demand for nonresidential ground floor uses on the entirety of a large site. Therefore, the Overlay permits focusing the non-residential ground floor uses in at least one contiguous area, allowing the remainder of buildings on the site to include ground floor residential uses.

## F. First Generation Use & Development Standards

1. The following First Generation use and development standards apply to the At Home in Encinitas Zone as designated on the map for individual sites. The use and development standards correspond to those in the prior zone or Specific Plan that was in effect on the effective date of this Chapter, as referenced below.

Zoning	Code Location
RR: Rural Residential RR1: Rural Residential 1 RR2: Rural Residential 2 R3: Residential 3 R5: Residential 5 R8: Residential 8	30.16 Residential Zones
GC: General Commercial VSC: Visitor Serving Commercial OP: Office Professional LC: Local Commercial	30.20 Commercial Zones
BP: Business Park	30.24 Light Industrial Zones
PSP: Public/Semi Public	30.28 Public/Semi-Public Zones
101SP: North 101 Corridor Specific Plan CSP: Cardiff Specific Plan ERSP: Encinitas Ranch Specific Plan DESP: Downtown Encinitas Specific Plan	Specific Plan

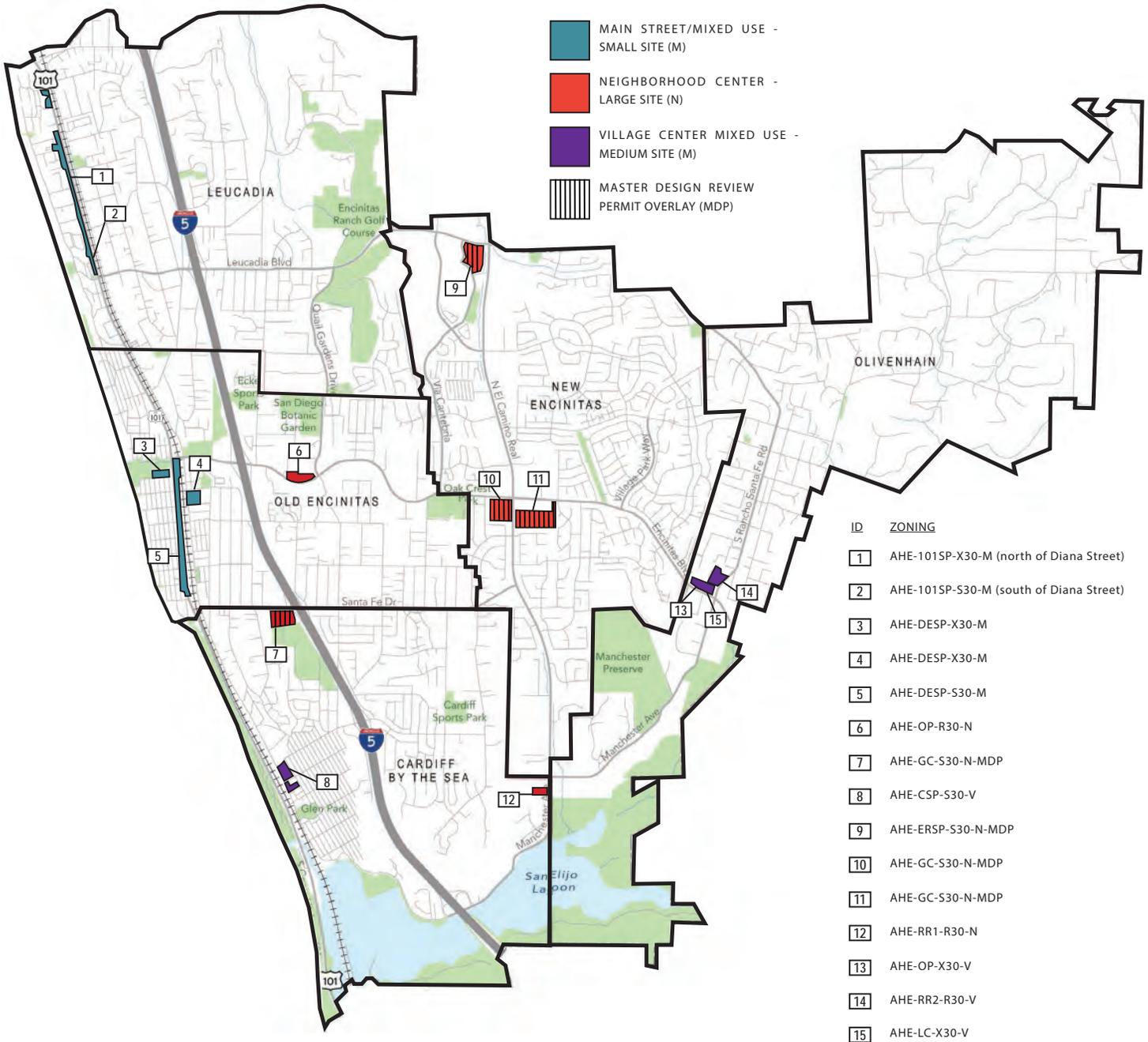
2. Refer to Sec. 30.36.100 A. for the process of transitioning from First Generation use and development standards to the Second Generation use and development standards established in this Chapter.
3. Unique entitlement processes and findings established in this Chapter are applicable only to the Second Generation use and development standards of this Chapter and do not apply to discretionary actions that are applicable to the First Generation use and development standards.

## G. Applicability

This Chapter applies to any site zoned At Home in Encinitas. The following map shows the sites zoned At Home in Encinitas (AHE), the first generation use and development standards for the site (GEN1), the second generation character context (GEN2) and sites subject to the Master Design Review Permit Zone Overlay (MDP).

**Example Zone:**

AHE-GC-S30-N-MDP, where AHE is the zone district, GC is GEN1, S30-N is GEN2 and MDP is the zone overlay.





# 30.36.020. Housing Prototypes

The section provides standards for six housing prototypes. Mixed Use Residential, Apartment, Flat, Carriage House, Townhome and Duplex provide an assortment of potential housing prototypes that are compatible with existing development. Standards for each housing prototype supplement the standards for each character context within which each housing prototype is allowed in. Also, only certain housing prototypes are allowed in a designated Transition Area 2 (see Sec. 30.36.060).

	Neighborhood Center			Village Center			Main Street			Transition Area 2
	AHE-S30-N	AHE-X30-N	AHE-R30-N	AHE-S30-V	AHE-X30-V	AHE-R30-V	AHE-S30-M	AHE-X30-M	AHE-R30-M	
 Mixed Use Residential	■	■	--	■	■	--	■	■	--	--
 Apartment	--	■	■	--	■	■	--	■	■	--
 Flat	--	■	■	--	■	■	--	■	■	--
 Carriage House	--	■	■	--	■	■	--	■	■	■
 Townhome	--	■	■	--	■	■	--	■	■	■
 Duplex	--	■	■	--	■	■	--	■	■	■

Key: ■ = Housing prototype allowed -- = Housing prototype not allowed

## A. Mixed Use Residential

A Mixed Use Residential building includes commercial uses on the ground floor and residential uses on upper floors. They may have shared entrances and may have interior corridors. They may also have separate ground floor entrances. Parking is provided in a surface lot or underground. Tuck-under parking can also be incorporated when site constraints make other parking options difficult.



### Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

## B. Apartment

Apartments are multifamily units, accessed via a common entrance and corridor. They can be single- or double-loaded. Parking is provided in surface lots, or could include podium parking or more dense situations. Apartments have porches on the ground floor and balconies on upper floors and often include common outdoor amenities.



### Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

### C. Flat

A Flat is stacked vertically without an internal corridor, and include an individual entry while upper floors are access via a common stair core. Each building contains four to six units, depending on height and unit size. Parking is tucked under the building. This building type includes a wide range of unit sizes to accommodate mixed-income opportunities.



#### Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

### D. Carriage House

Carriage houses are 2nd floor (and occasionally 3rd floor) apartments located above ground floor parking. Parking is provided either as tuck-under (partially enclosed or in private garages) or in private garages (fully enclosed). Carriage houses are usually located along an alley or within an internal surface parking lot of a larger development.



#### Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

### E. Townhome

A Townhome is a single-family home that is attached to others. End units have openings on three sides, while interior units have openings only in the front and in the back. It may be attached or detached with a small yard. The main entrance typically faces a public street and sidewalk and often includes a front porch or stoop.



#### Size

Floor area per dwelling unit	1,500 SF max avg.
------------------------------	-------------------

### F. Duplex

A Duplex is similar to a Townhome in that it is a single-family home attached to others, but it is limited to two units, which share a party wall. Because of the lower intensity these buildings produce, they are ideal for transitions into existing single-family neighborhoods. Parking is located in the rear, either in a garage or on a surface parked driveway.



#### Size

Floor area per dwelling unit	1,800 SF max avg.
------------------------------	-------------------

# 30.36.030. Neighborhood Center

## Summary



### Intent

The Neighborhood Center design context exists along centrally located commercial centers on major arterials and are usually organized in the form of “nodes” - where a major intersection serves as the destination, or in linear “corridors.” The Neighborhood Center design context is envisioned as transforming from what is today one of strictly commercial land uses into more of a mixture of uses where residential units add to the vibrancy of the place and offer more sensitive transitions to surrounding single-family neighborhoods. The Neighborhood design character context includes larger parcels of land, and therefore, larger buildings are more appropriate. Building height should remain in the range of two to three stories and buildings should orient to the street and public sidewalks. Uses may be vertically stacked or horizontally distributed. Parking should be subordinate. Internal pedestrian and auto connections are crucial to breaking up the size of very large parcels, as increased walkability is a primary desired element. Connections to adjacent developments should also be provided to support walking and biking. Enhanced connections to transit is also important.

#### SHOPFRONT NEIGHBORHOOD (AHE-S30-N)

##### Housing Prototypes:

Mixed use residential Sec. 30.36.020.A

#### MIXED USE NEIGHBORHOOD (AHE-X30-N)

##### Housing Prototypes:

Mixed use residential Sec. 30.36.020.A

Apartment Sec. 30.36.020.B

Flat Sec. 30.36.020.C

Carriage house Sec. 30.36.020.D

Townhome Sec. 30.36.020.E

Duplex Sec. 30.36.020.F

#### RESIDENTIAL NEIGHBORHOOD (AHE-R30-N)

##### Housing Prototypes:

Apartment Sec. 30.36.020.B

Flat Sec. 30.36.020.C

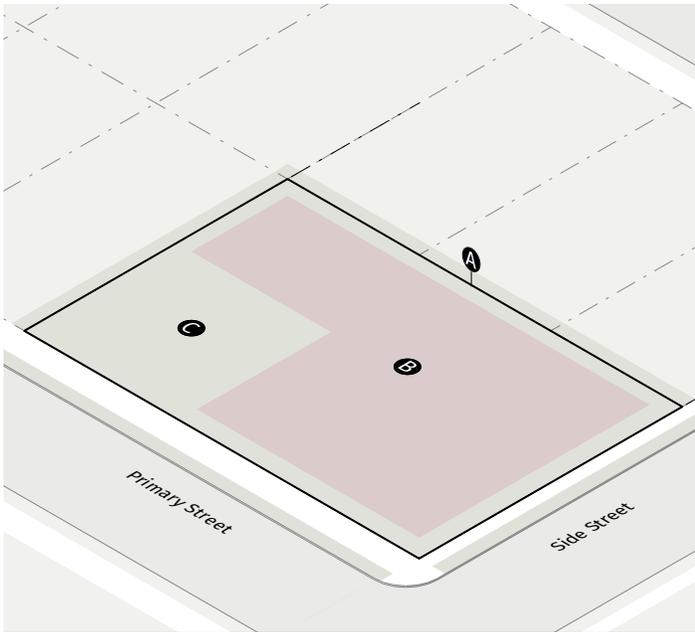
Carriage house Sec. 30.36.020.D

Townhome Sec. 30.36.020.E

Duplex Sec. 30.36.020.F

# A. Shopfront Neighborhood (AHE-S30-N)

## 1. Site



### Density

Min density	20 u/a min
Max density	30 u/a max

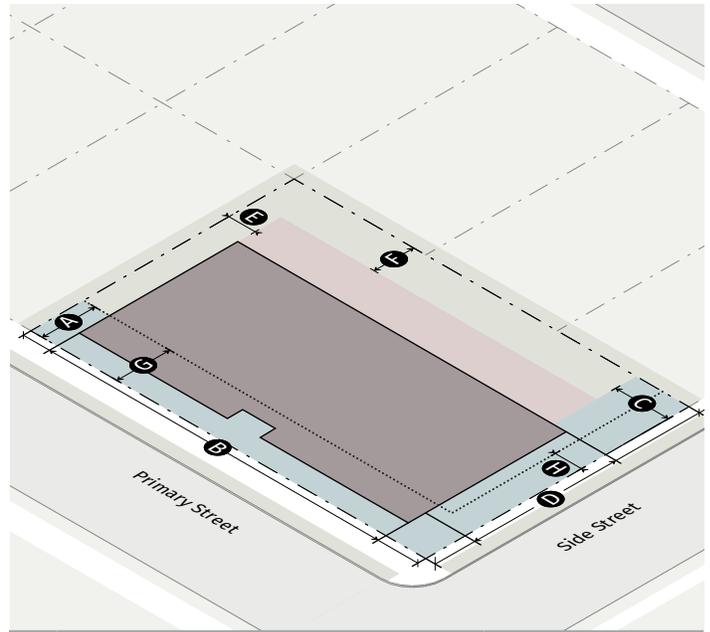
### Site Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	70% max
Block perimeter	2,500 SF max

### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

## 2. Building Placement



### Build-to Range

<b>A</b> Primary street	0' min/20' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	75% min
<b>C</b> Side street	0' min/20' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	40% min

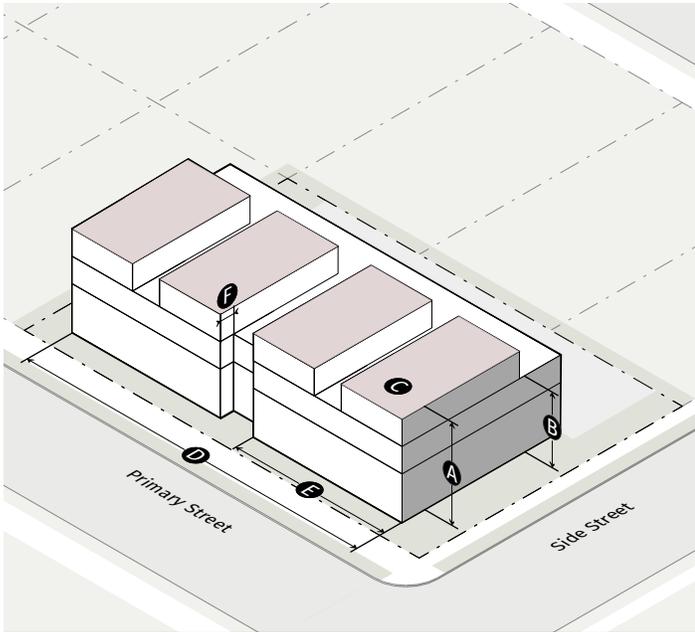
### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	10' min
<b>F</b> Rear: common lot line	15' min
<b>F</b> Rear/side: alley	5' min

### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Building Height and Mass



Building Height

<b>A</b> Total height	3 stories/ 38' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	250' max
<b>E</b> Street-facing wall length before offset	125' max
<b>F</b> Offset depth	5' min

4. Building Frontage



Transparency

<b>A</b> Ground story	60% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

Story Height

<b>D</b> Ground floor elevation	0' min/3' max
<b>E</b> Ground story: floor to floor	16' min
<b>F</b> Upper story: floor to floor	9' min

Pedestrian Access

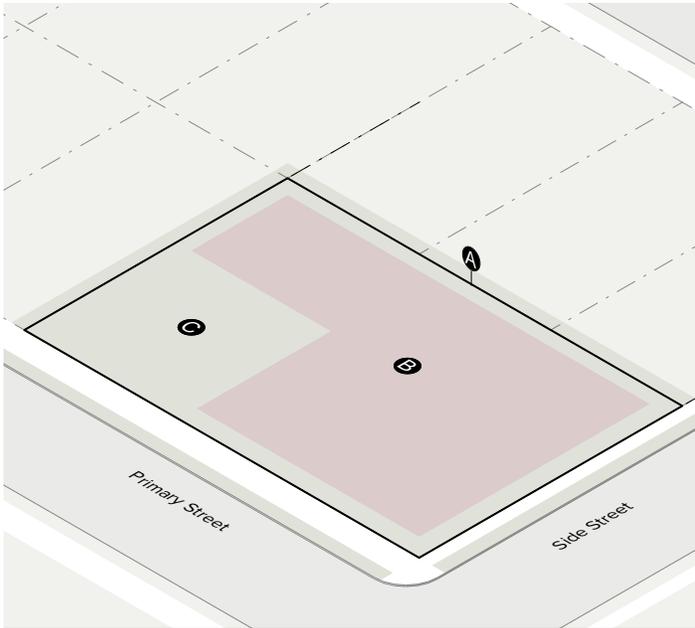
<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	75' max

Building Elements

Awning/canopy, balcony, forecourt, gallery	See Sec. 30.36.060.L
--	----------------------

## B. Mixed Use Neighborhood (AHE-X30-N)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

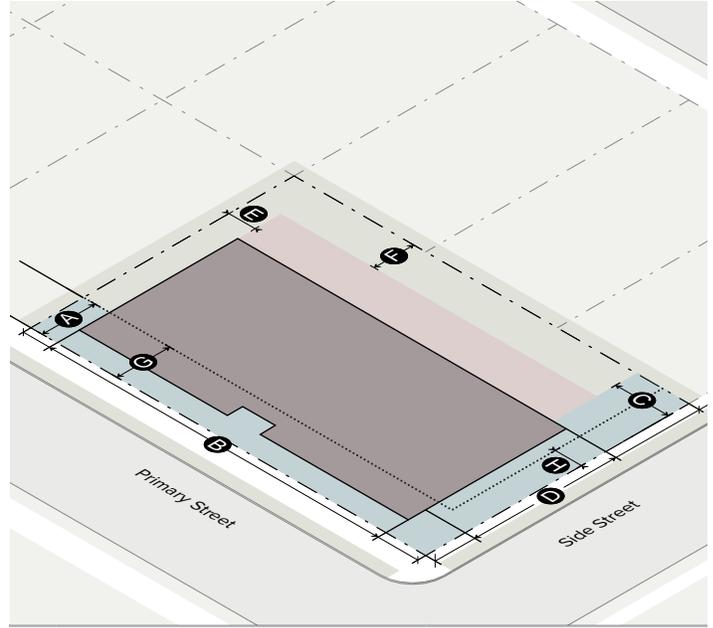
#### Site Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	70% max
Block perimeter	2,500 SF max

#### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/20' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	75% min
<b>C</b> Side street	0' min/20' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	40% min

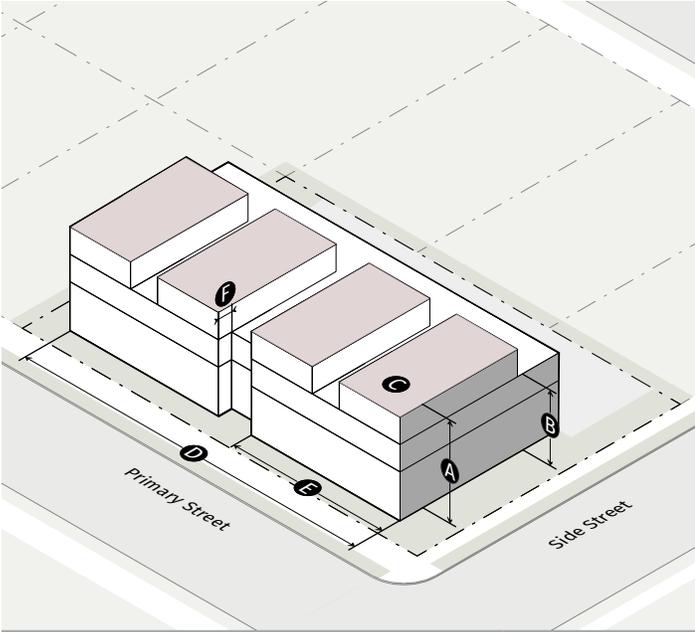
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	10' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	15' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Building Height and Mass



Building Height

<b>A</b> Total height	3 stories/ 38' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	250' max
<b>E</b> Street-facing wall length before offset	125' max
<b>F</b> Offset depth	5' min

4. Building Frontage



Transparency

	Residential	Mixed Use
<b>A</b> Ground story	20% min	60% min
<b>B</b> Upper story	20% min	20% min
<b>C</b> Blank wall area	30' max	30' max

Story Height

	Residential	Mixed Use
<b>D</b> Ground floor elevation	2' min/ 5' max	0' min/ 3' max
<b>E</b> Ground story: floor to floor	10' min	16' min
<b>F</b> Upper story: floor to floor	9' min	9' min

Pedestrian Access

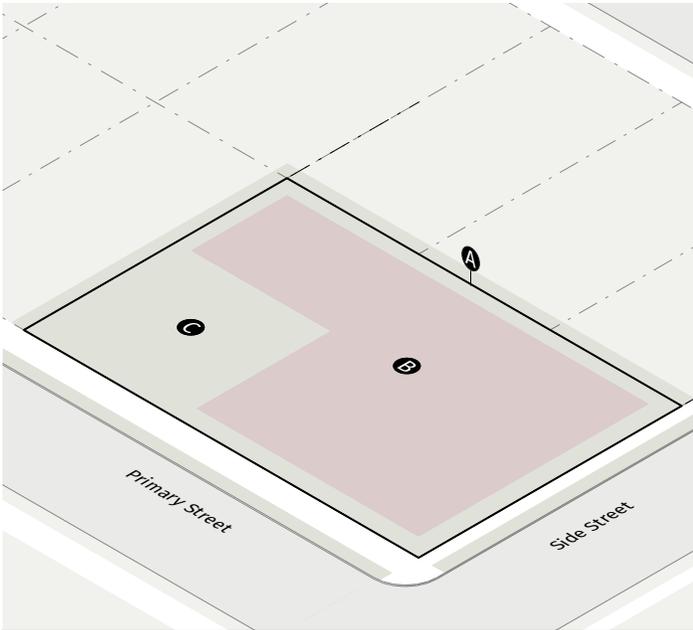
	Residential	Mixed Use
<b>G</b> Entrance facing primary street	Required	Required
<b>H</b> Entrance spacing along primary street	--	75' max

Building Elements

	Residential	Mixed Use
Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L	--
Awning/canopy, balcony, forecourt, gallery	--	See Sec. 30.36.070.L

# C. Residential Neighborhood (AHE-R30-N)

## 1. Site



### Density

Min density	20 u/a min
Max density	30 u/a max

### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	70% max
Block perimeter	2,500 SF max

### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

## 2. Building Placement



### Build-to Range

<b>A</b> Primary street	10' min/30' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	75% min
<b>C</b> Side street	10' min/30' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	40% min

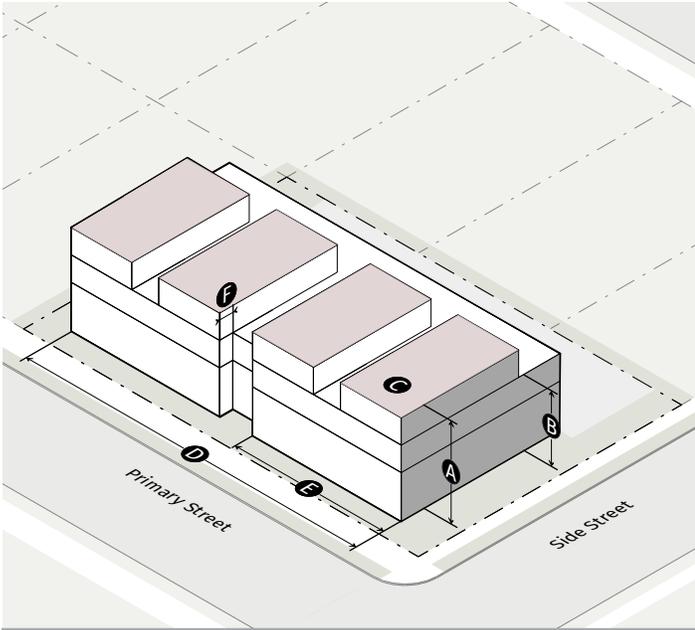
### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	10' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	15' min
<b>F</b> Rear/side: alley	5' min

### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Building Height and Mass



Building Height

<b>A</b> Total height	3 stories/ 35' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	250' max
<b>E</b> Street-facing wall length before offset	125' max
<b>F</b> Offset depth	5' min

4. Building Frontage



Transparency

<b>A</b> Ground story	20% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

Story Height

<b>D</b> Ground floor elevation	2' min/5' max
<b>E</b> Ground story: floor to floor	10' min
<b>F</b> Upper story: floor to floor	9' min

Pedestrian Access

<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	n/a

Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L
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# 30.36.040. Village Center

## Summary



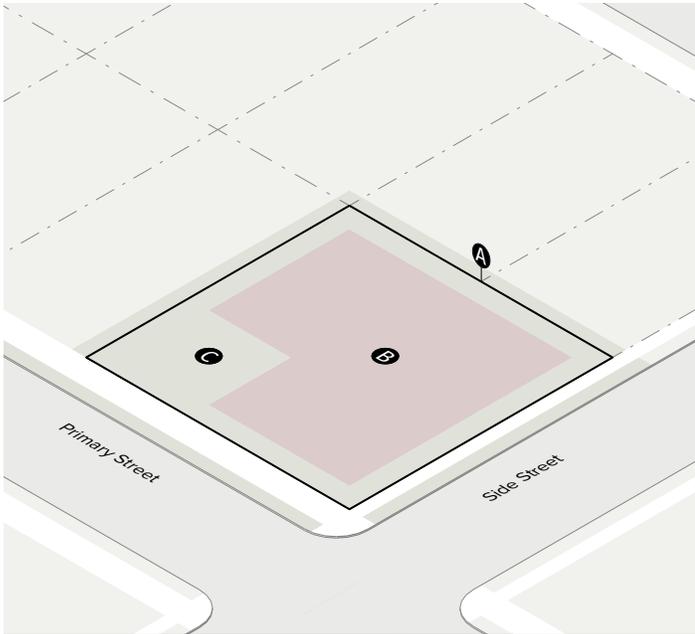
### Intent

The Village Center design context appears in the Cardiff Town Center area as well as commercial areas in Olivenhain. Other AHE-S30, AHE-X30 or AHE-R30 sites also exist where the “village center” palette is most desirable. The desired Village Center character includes a mixture of land uses within close proximity to each other where smaller buildings are “clustered” and connected via pathways, courtyards, and other outdoor connections. Buildings should be modestly set back from the street and have more variation in building frontage than the other two design contexts, but connecting to the street remains very important. Uses should be vertically “stacked” or horizontally arranged on a single site. A sense of connection with the outdoors should be pronounced. Materials should respond to the established community. For example, Cardiff Town Center includes historic brick structures as well as newer buildings with colorfully painted stucco; Olivenhain includes more natural materials such as wood, masonry and clay tile roofs. Reinforcing the traditional character of the Village Center context is a key objective.

SHOPFRONT VILLAGE (AHE-S30-V)	MIXED USE VILLAGE (AHE-X30-V)	RESIDENTIAL VILLAGE (AHE-R30-V)
<b>Housing Prototypes:</b>	<b>Housing Prototypes:</b>	<b>Housing Prototypes:</b>
Mixed use residential Sec. 30.36.020.A	Mixed use residential Sec. 30.36.020.A	Apartment Sec. 30.36.020.B
	Apartment Sec. 30.36.020.B	Flat Sec. 30.36.020.C
	Flat Sec. 30.36.020.C	Carriage house Sec. 30.36.020.D
	Carriage house Sec. 30.36.020.D	Townhome Sec. 30.36.020.E
	Townhome Sec. 30.36.020.E	Duplex Sec. 30.36.020.F
	Duplex Sec. 30.36.020.F	

# A. Shopfront Village (AHE-S30-V)

## 1. Site



### Density

Min density	20 u/a min
Max density	30 u/a max

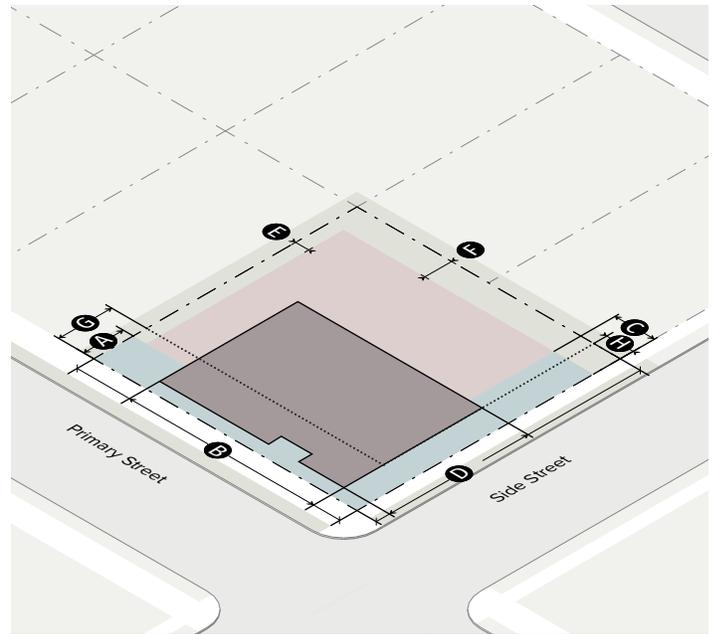
### Dimensions

<b>A</b> Site area	10,000 SF min
<b>B</b> Building coverage	65% max

### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

## 2. Building Placement



### Build-to Range

<b>A</b> Primary street	0' min/15' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	70% min
<b>C</b> Side street	0' min/15' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	35% min

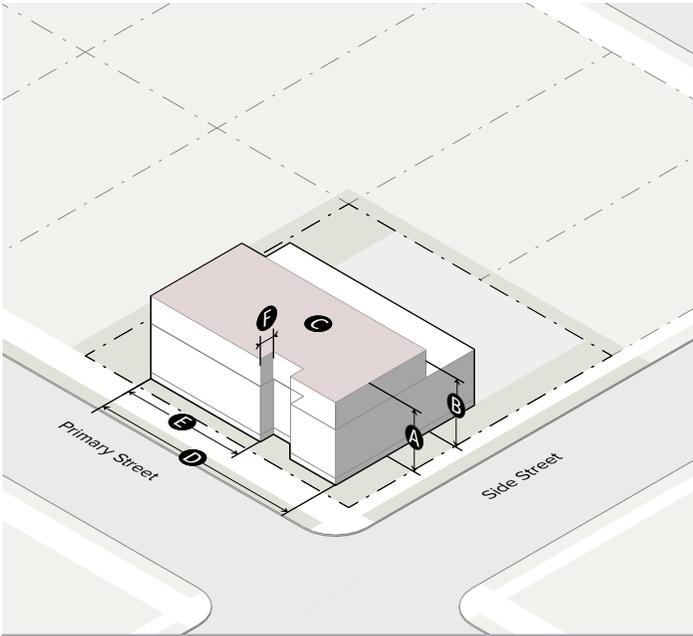
### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	5' min
<b>F</b> Rear: common lot line	10' min
<b>F</b> Rear/side: alley	5' min

### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Building Height and Mass



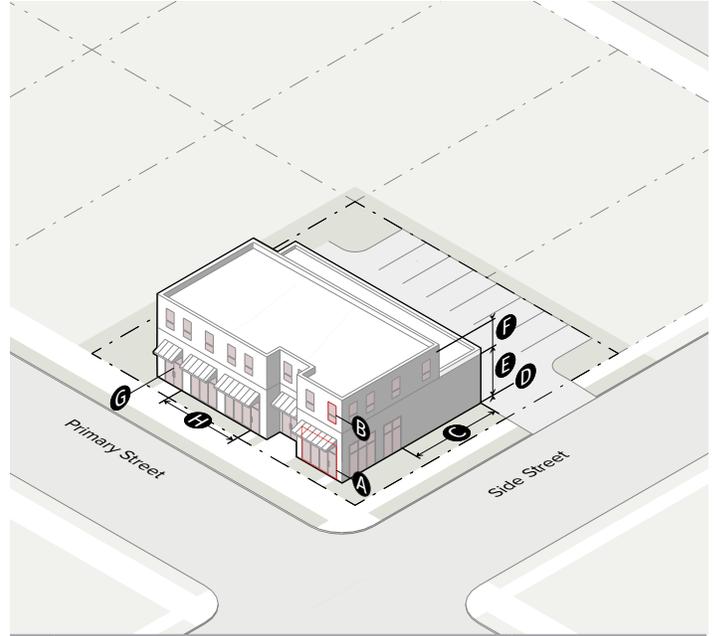
Building Height

<b>A</b> Total height	2 stories/ 30' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 2nd story floor area (based on total of all building footprints on site)	95% max

Building Articulation

<b>D</b> Overall street-facing wall length	200'
<b>E</b> Street-facing wall length before offset	100' max
<b>F</b> Offset depth	5' min

4. Building Frontage



Transparency

<b>A</b> Ground story	60% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

Story Height

<b>D</b> Ground floor elevation	0' min/3' max
<b>E</b> Ground story: floor to floor	16' min
<b>F</b> Upper story: floor to floor	9' min

Pedestrian Access

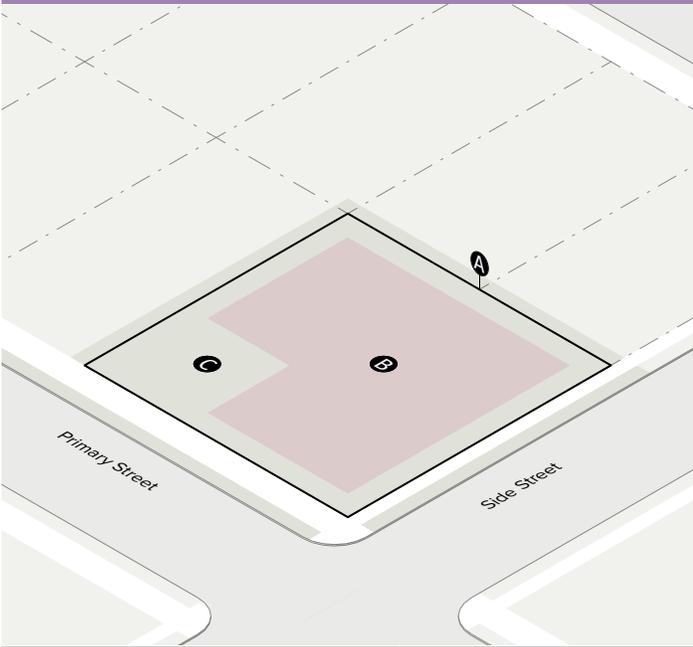
<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	65' max

Building Elements

Awning/canopy, balcony, forecourt, gallery	See Sec. 30.36.070.L
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# B. Mixed Use Village (AHE-X30-V)

## 1. Site



### Density

Min density	20 u/a min
Max density	30 u/a max

### Dimensions

<b>A</b> Site area	10,000 SF min
<b>B</b> Building coverage	65% max

### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

## 2. Building Placement



### Build-to Range

<b>A</b> Primary street	0' min/15' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	70% min
<b>C</b> Side street	0' min/15' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	35% min

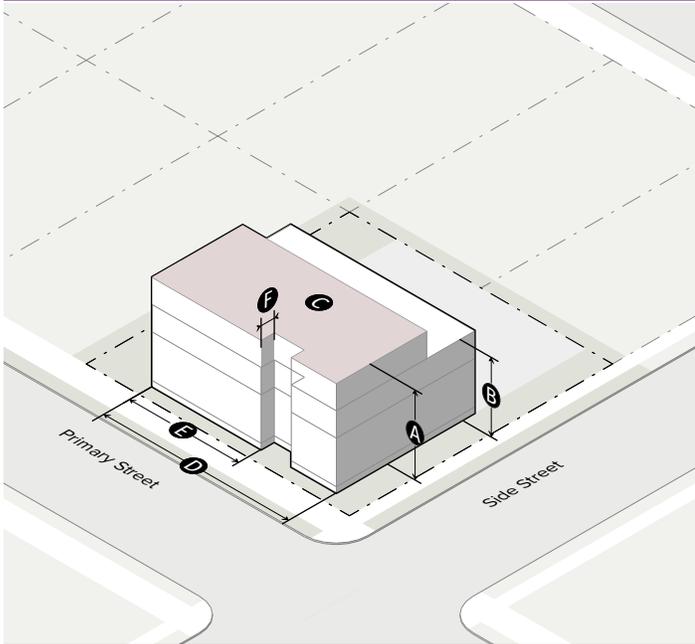
### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	5' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	10' min
<b>F</b> Rear/side: alley	5' min

### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Building Height and Mass



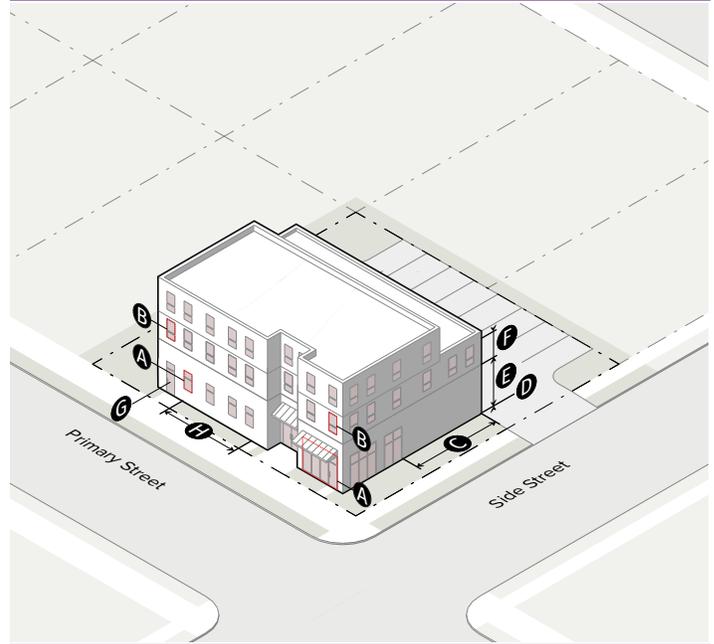
Building Height

<b>A</b> Total height	3 stories/ 38' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	200'
<b>E</b> Street-facing wall length before offset	100' max
<b>F</b> Offset depth	5' min

4. Building Frontage



Transparency

	Residential	Mixed Use
<b>A</b> Ground story	20% min	60% min
<b>B</b> Upper story	20% min	20% min
<b>C</b> Blank wall area	30' max	30' max

Story Height

	Residential	Mixed Use
<b>D</b> Ground floor elevation	2' min/ 5' max	0' min/ 3' max
<b>E</b> Ground story: floor to floor	10' min	16' min
<b>F</b> Upper story: floor to floor	9' min	9' min

Pedestrian Access

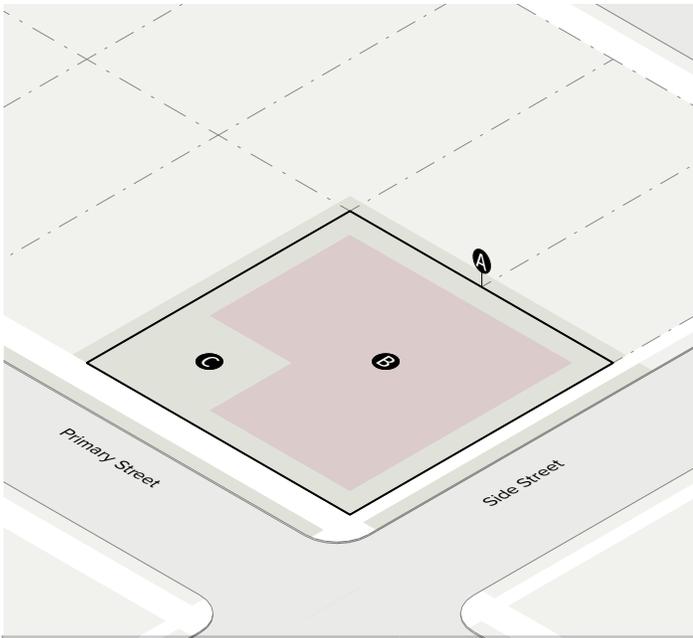
	Residential	Mixed Use
<b>G</b> Entrance facing primary street	Required	Required
<b>H</b> Entrance spacing along primary street	--	65' max

Building Elements

	Residential	Mixed Use
Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L	--
Awning/canopy, balcony, forecourt, gallery	--	See Sec. 30.36.070.L

# C. Residential Village (AHE-R30-V)

## 1. Site



### Density

Min density	20 u/a min
Max density	30 u/a max

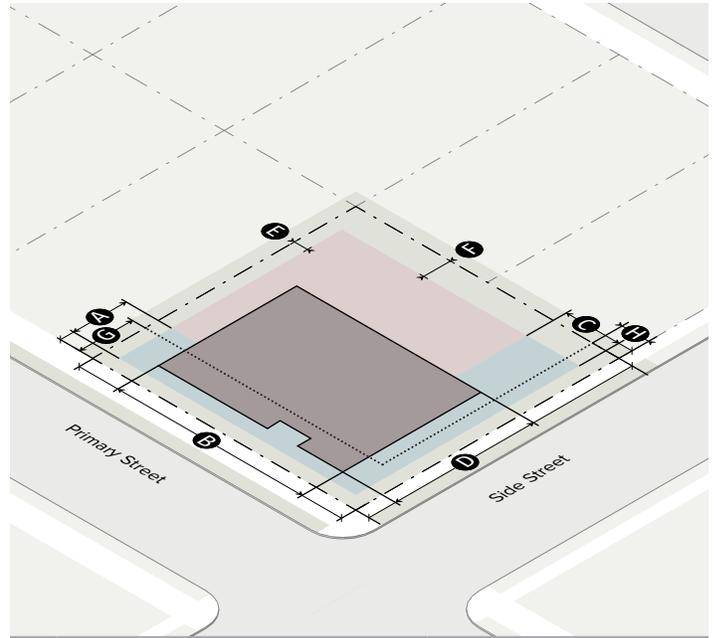
### Dimensions

<b>A</b> Site area	10,000 SF min
<b>B</b> Building coverage	65% max

### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

## 2. Building Placement



### Build-to Range

<b>A</b> Primary street	5' min/20' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	70% min
<b>C</b> Side street	5' min/20' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	35% min

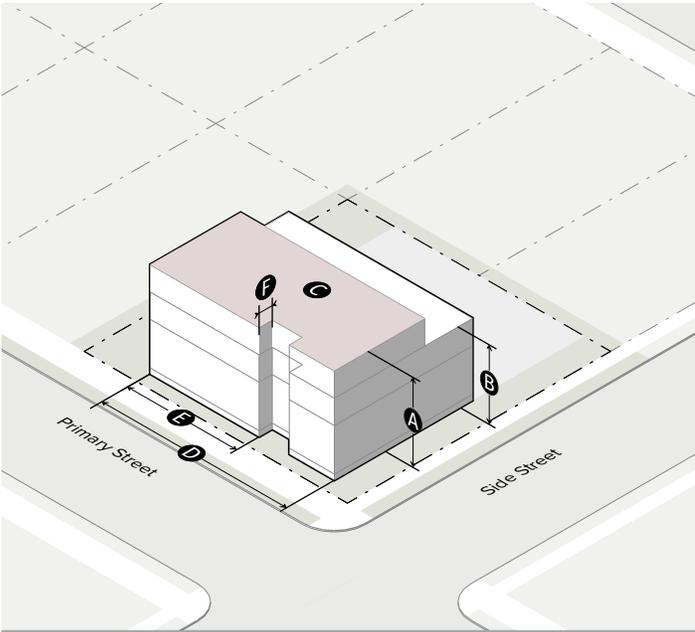
### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	5' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	10' min
<b>F</b> Rear/side: alley	5' min

### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Building Height and Mass



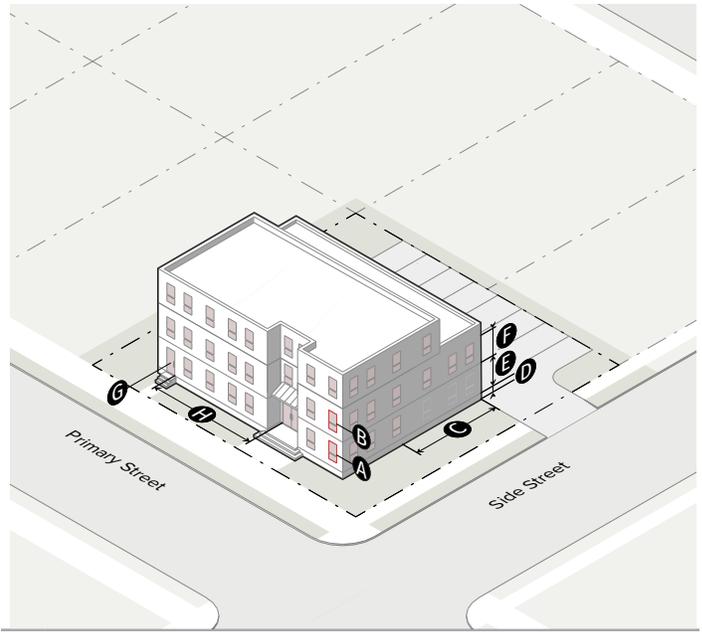
Building Height

<b>A</b> Total height	3 stories/ 35' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	200' max
<b>E</b> Street-facing wall length before offset	100' max
<b>F</b> Offset depth	5' min

4. Building Frontage



Transparency

<b>A</b> Ground story	20% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

Story Height

<b>D</b> Ground floor elevation	2' min/5' max
<b>E</b> Ground story: floor to floor	10' min
<b>F</b> Upper story: floor to floor	9' min

Pedestrian Access

<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	n/a

Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L
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# 30.36.050. Main Street Corridor

## Summary



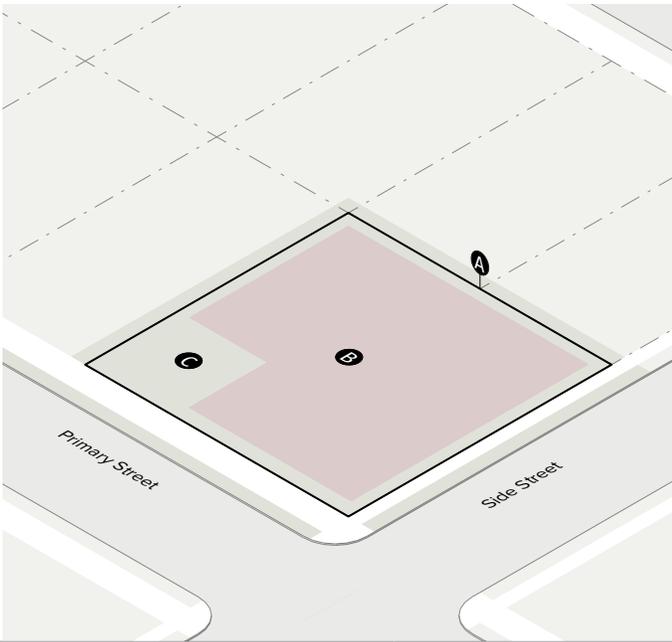
### Intent

The Main Street Corridor design context lies predominantly along Highway 101, although some other locations exist. The desired Main Street character includes buildings with a strong orientation to and interaction with the street. For mixed-use buildings, this means that the ground floor should be very transparent and welcoming, with storefronts and outdoor seating and displays. The activities inside the building should activate the sidewalk it faces. Mixed-use buildings should include housing on upper floors, with balconies or outdoor terraces overlooking the street. Residential-only projects within Main Street contexts should still orient to the street with clearly defined entries and balconies and common space fronting the street. Raised stoops and individual street-side entries are also welcome to help animate the street. Highway 101 is centrally located and near major transit routes. This proximity to transit also should be considered when designing in this context.

SHOPFRONT MAIN STREET (AHE-S30-M)	MIXED USE MAIN STREET (AHE-X30-M)	RESIDENTIAL MAIN STREET (AHE-R30-M)
Housing Prototypes:	Housing Prototypes:	Housing Prototypes:
Mixed use residential    Sec. 30.36.020.A	Mixed use residential    Sec. 30.36.020.A	Apartment                    Sec. 30.36.020.B
	Apartment                    Sec. 30.36.020.B	Flat                            Sec. 30.36.020.C
	Flat                            Sec. 30.36.020.C	Carriage house            Sec. 30.36.020.D
	Carriage house            Sec. 30.36.020.D	Townhome                 Sec. 30.36.020.E
	Townhome                 Sec. 30.36.020.E	Duplex                        Sec. 30.36.020.F
	Duplex                        Sec. 30.36.020.F	

# A. Shopfront Main Street (AHE-S30-M)

## 1. Site



### Density

Min density	20 u/a min
Max density	30 u/a max

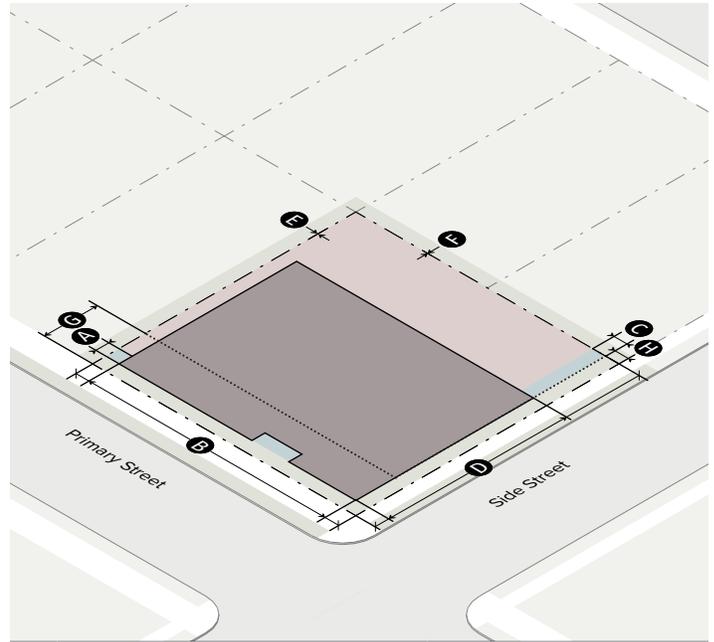
### Dimensions

<b>A</b> Site area	10,000 SF min
<b>B</b> Building coverage	75% max

### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

## 2. Building Placement



### Build-to Range

<b>A</b> Primary street	0' min/10' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	80% min
<b>C</b> Side street	0' min/10' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	45% min

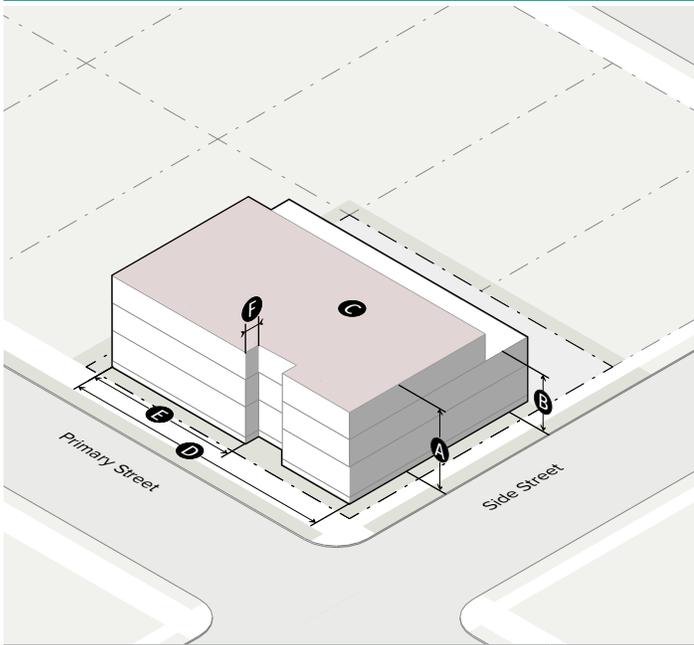
### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	0' min
<b>F</b> Rear: common lot line	5' min
<b>F</b> Rear/side: alley	5' min

### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Height and Mass



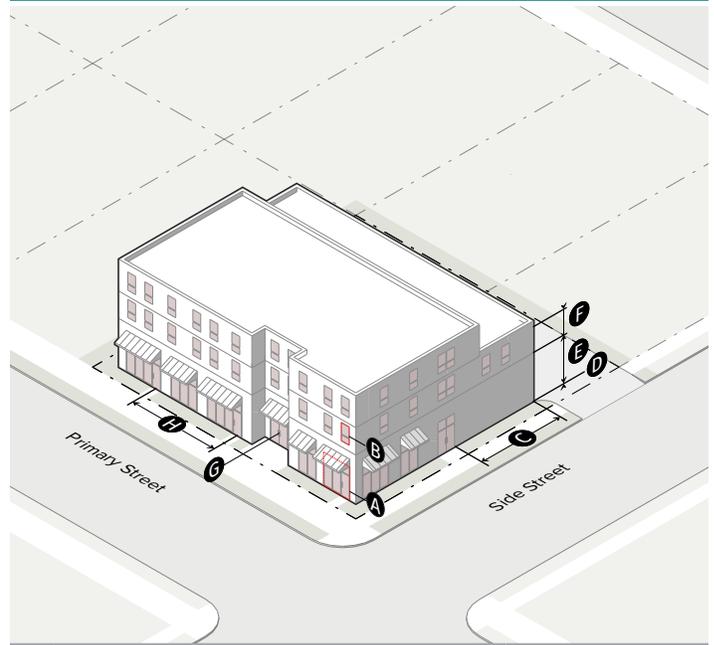
Building Height

<b>A</b> Total height	3 stories/ 38' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	200' max
<b>E</b> Street-facing wall length before offset	100' max
<b>F</b> Offset depth	5' min

4. Frontage



Transparency

<b>A</b> Ground story	60% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

Story Height

<b>D</b> Ground floor elevation	0' min/3' max
<b>E</b> Ground story: floor to floor	16' min
<b>F</b> Upper story: floor to floor	9' min

Pedestrian Access

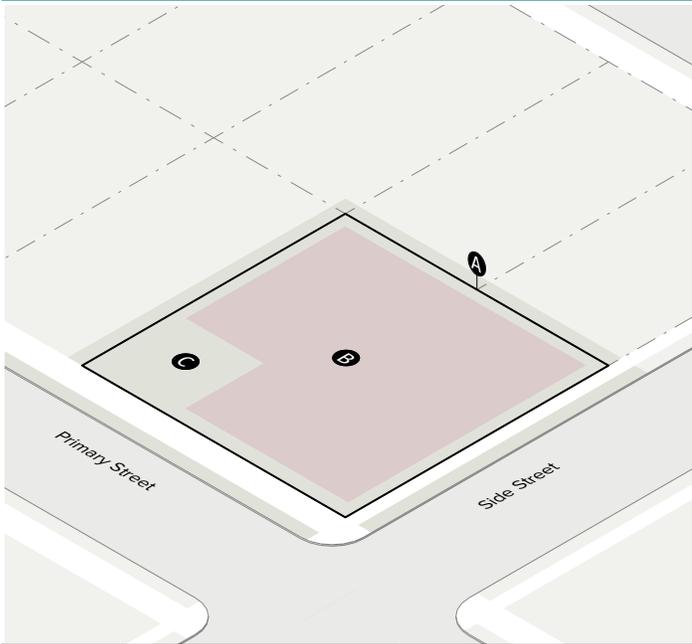
<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	50' max

Building Elements

Awning/canopy, balcony, forecourt, gallery	See Sec. 30.36.070.L
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## B. Mixed Use Main Street (AHE-X30-M)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

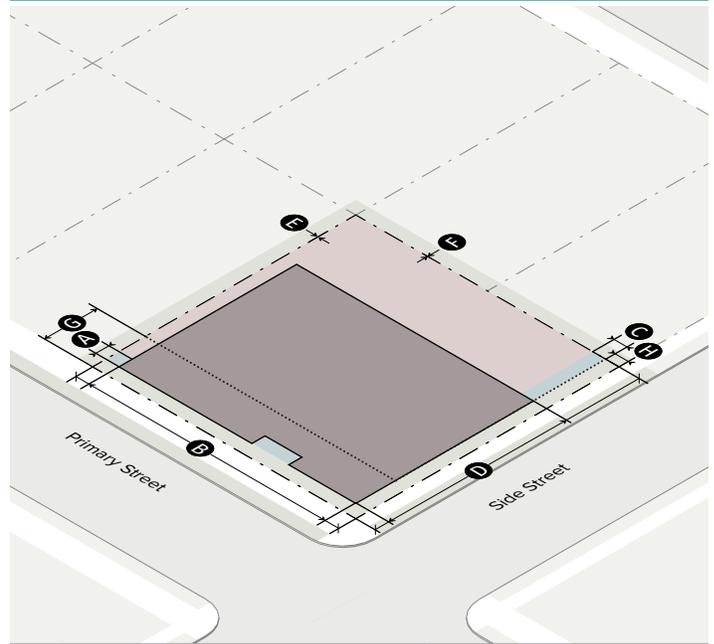
#### Dimensions

<b>A</b> Site area	10,000 SF min
<b>B</b> Building coverage	75% max

#### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/10' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	80% min
<b>C</b> Side street	0' min/10' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	45% min

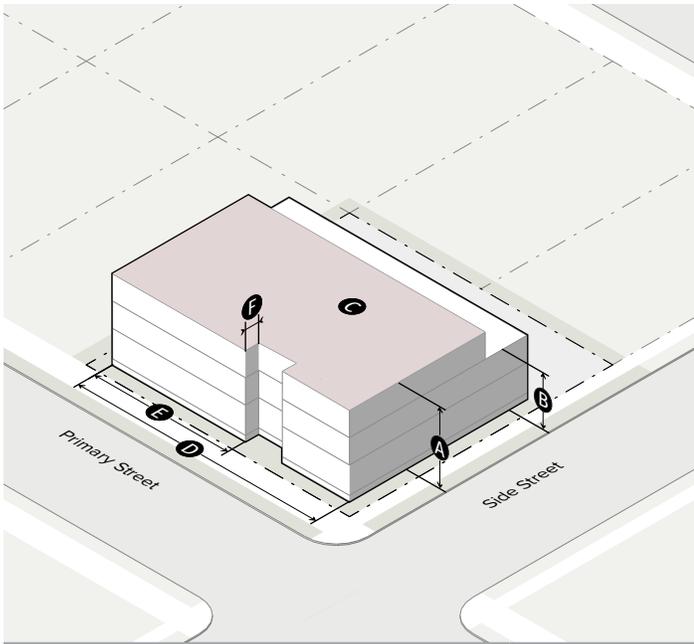
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	0' min
<b>F</b> Rear: common lot line	5' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Height and Mass



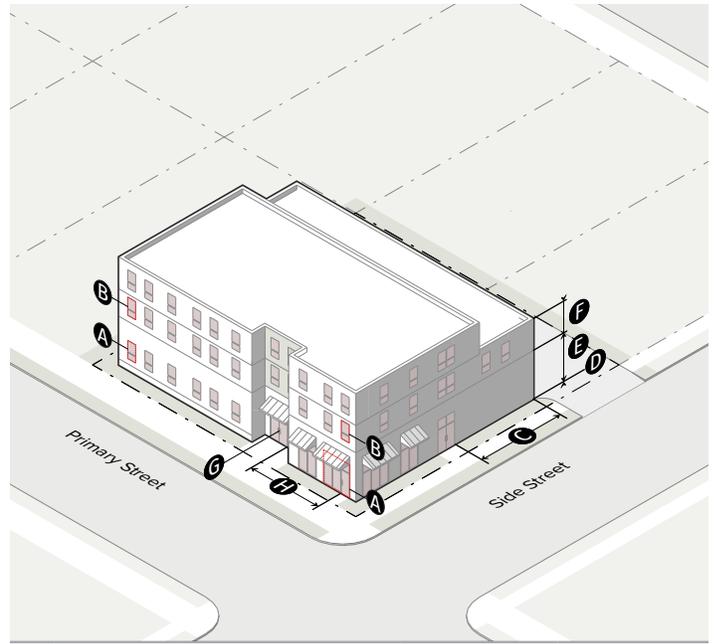
Building Height

<b>A</b> Total height	3 stories / 38' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories / 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	200' max
<b>E</b> Street-facing wall length before offset	100' max
<b>F</b> Offset depth	5' min

4. Frontage



Transparency

	Residential	Mixed Use
<b>A</b> Ground story	20% min	60% min
<b>B</b> Upper story	20% min	20% min
<b>C</b> Blank wall area	30' max	30' max

Story Height

<b>D</b> Ground floor elevation	2' min / 5' max	0' min / 3' max
<b>E</b> Ground story: floor to floor	10' min	16' min
<b>F</b> Upper story: floor to floor	9' min	9' min

Pedestrian Access

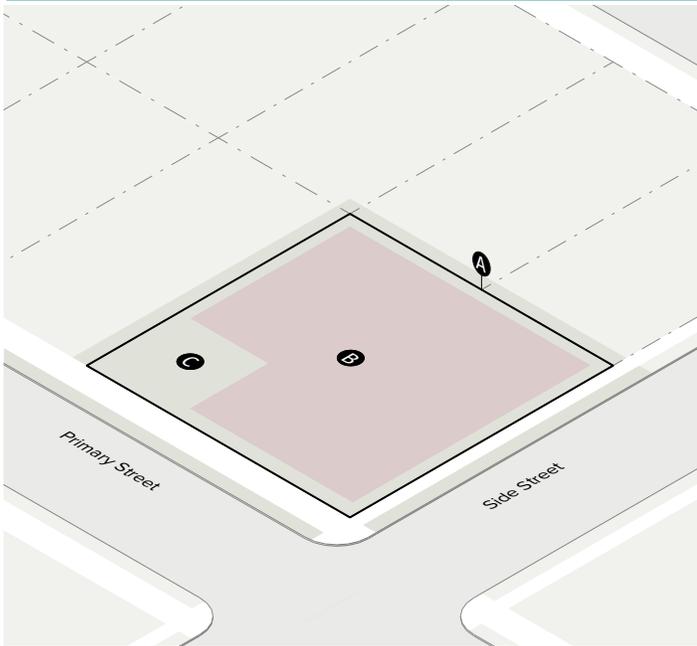
<b>G</b> Entrance facing primary street	Required	Required
<b>H</b> Entrance spacing along primary street	75' max	50' max

Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L	--
Awning/canopy, balcony, forecourt, gallery	--	See Sec. 30.36.070.L

# C. Residential Main Street (AHE-R30-M)

## 1. Site



### Density

Min density	20 u/a min
Max density	30 u/a max

### Dimensions

<b>A</b> Site area	10,000 SF min
<b>B</b> Building coverage	75% max

### Open Space

<b>C</b> Useable open space	10% min of floor area of all residential units
0-10 residential units	Private or common open space
11 or more residential units	75% min of required open space must be common open space

## 2. Building Placement



### Build-to Range

<b>A</b> Primary street	5' min/10' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	80% min
<b>C</b> Side street	5' min/10' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	45% min

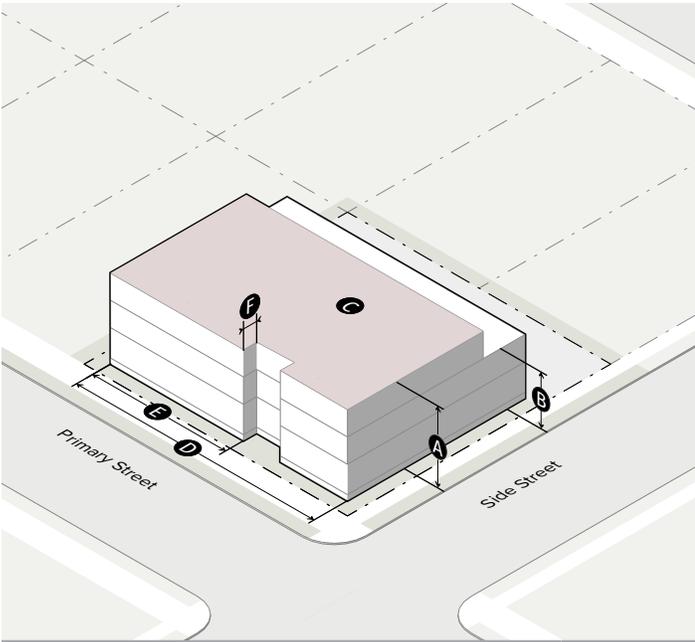
### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	0' min
<b>F</b> Rear: common lot line	5' min
<b>F</b> Rear/side: alley	5' min

### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Height and Mass



Building Height

<b>A</b> Total height	3 stories/ 35' max
<b>B</b> Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>C</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

Building Articulation

<b>D</b> Overall street-facing wall length	200' max
<b>E</b> Street-facing wall length before offset	100' max
<b>F</b> Offset depth	5' min

4. Frontage



Transparency

<b>A</b> Ground story	20% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30 max

Story Height

<b>D</b> Ground floor elevation	2' min/5' max
<b>E</b> Ground story: floor to floor	10' min
<b>F</b> Upper story: floor to floor	9' min

Pedestrian Access

<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	75' max

Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L
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# 30.36.060. Neighborhood Transitions

## A. Applicability

A transition area must consider adjacent land uses, existing and permitted by the General Plan and zoning. The following neighborhood transition standards apply when a site immediately abuts a RR, RR-1, RR-2, R-3, R-5, R-8, R-11 or RS-11 zone boundary line. For the purposes of this section, immediately abutting means sharing a property line or separated by an alley or private road. Similar transitions will also apply when the site immediately abuts an ER/OS/PK zone boundary line, or similar open space or park designation made through by specific plan.

## B. Transition Area 1: Buffer

### 1. Applicability

- a. Neighborhood Center;
- b. Village Center; and
- c. Main Street Corridor.

### 2. Permitted Activity

Fencing, landscaping, yard/open space, stormwater management facilities and pathways only. This includes a limited set of low-intensity passive play areas and usable open space.

### 3. Depth

- a. Neighborhood Center: 15 feet min.
- b. Village Center: 10 feet min.
- c. Main Street Corridor: 5 feet min.

## C. Transition Area 2: Compatible Use

### 1. Applicability

- a. Neighborhood Center; and
- b. Village Center.

### 2. Permitted Activity

- a. All permitted activity from Transition Area 1.
- b. Parking.

- c. Service areas.
- d. Accessory structures.
- e. Carriage house, townhome and duplex housing prototypes.
- f. All types of recreational programming, including active play areas, play structures, and other recreational space/amenities.

### 3. Height

2 stories/26 feet max.

### 4. Depth

- a. Neighborhood Center: 25 feet min.
- b. Village Center: 25 feet min.

## D. Transition Area 3: Compatible Massing

### 1. Applicability

- a. Neighborhood Center;
- b. Village Center; and
- c. Main Street Corridor.

### 2. Permitted Activity

- a. All permitted activity in Transition Areas 1 and 2.
- b. Mixed Use Residential, Apartment and Flat housing prototypes.

### 3. Height

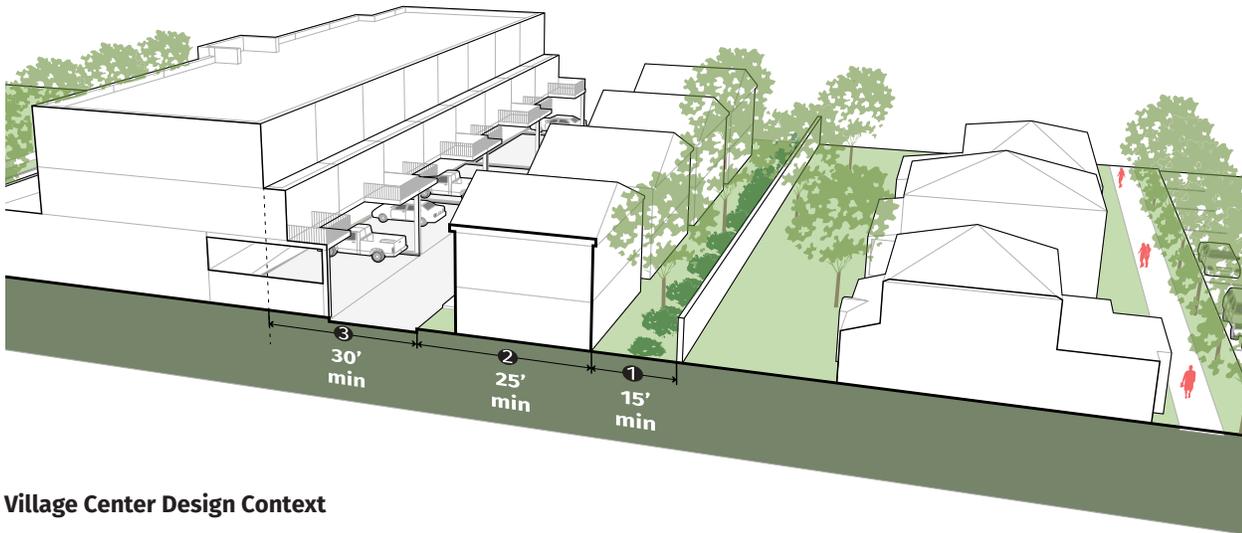
2 stories/26 feet max.

### 4. Depth

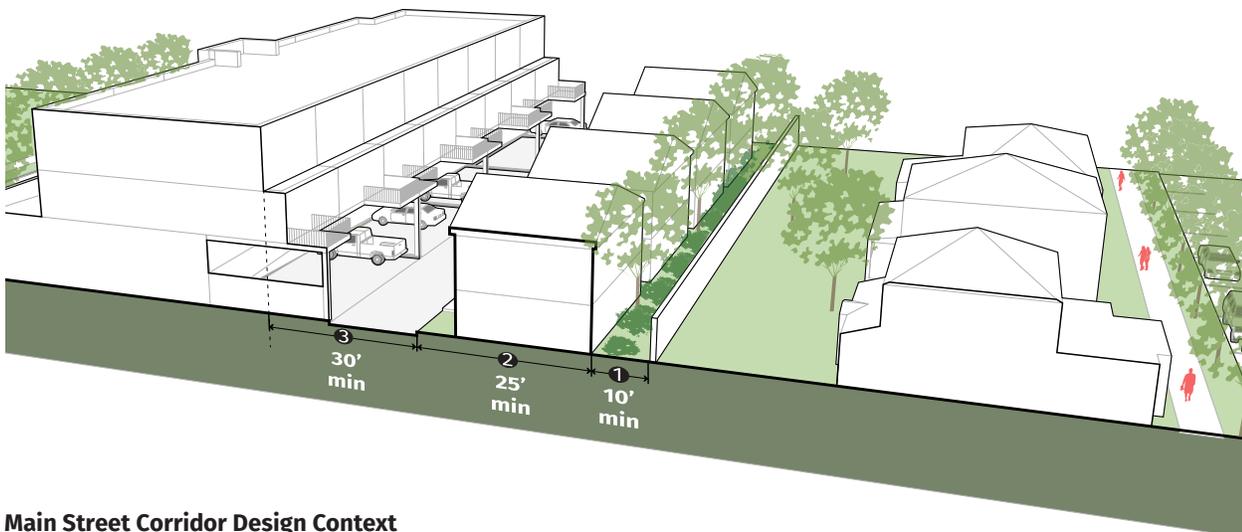
- a. Neighborhood Center: 30 feet min.
- b. Village Center: 30 feet min.
- c. Main Street Corridor: 20 feet min.

# NEIGHBORHOOD TRANSITIONS

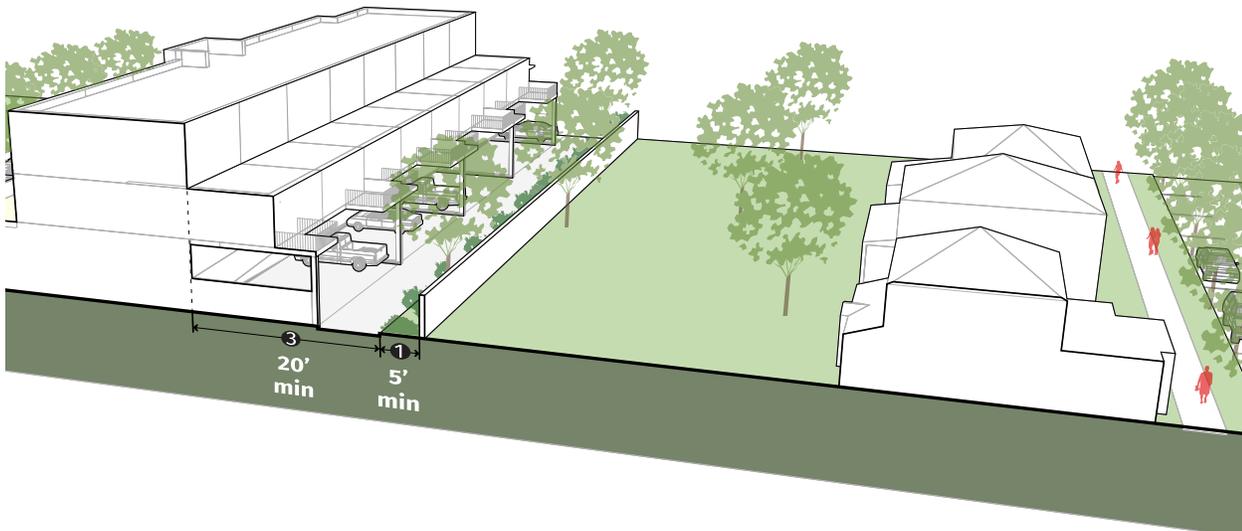
Neighborhood Center Design Context



Village Center Design Context



Main Street Corridor Design Context

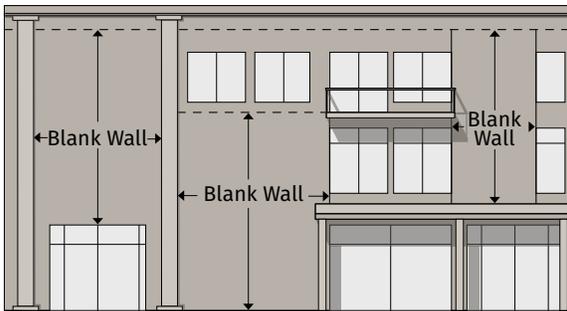


# 30.36.070. Measurements and Exceptions

## A. Blank Wall Area

### 1. Defined

Blank wall area means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).



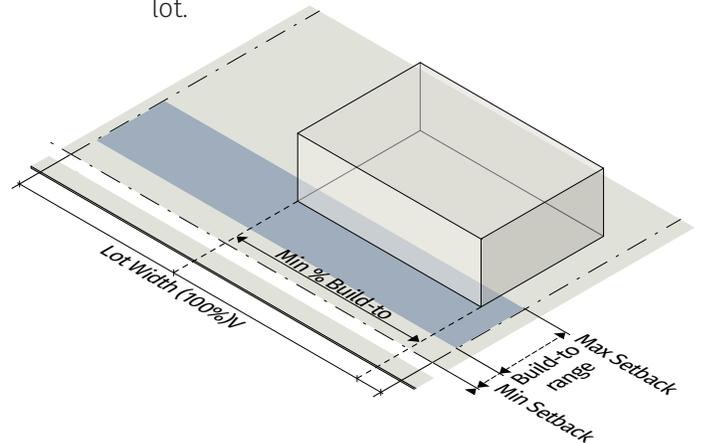
### 2. Standards

Blank wall area applies in both a vertical and horizontal direction. Blank wall area applies to all building faces visible from an alley, private street or public right-of-way.

## B. Build-To Range

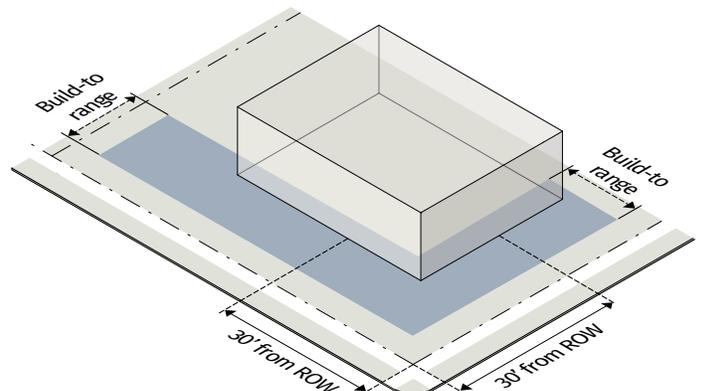
### 1. Defined

- The build-to range is the area on the lot where a certain percentage of the street-facing building facade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.
- The required percentage specifies the amount of the street-facing building facade that must be located in the build-to range, measured based on the width of the building divided by the width of the lot.



### 2. Corner Lots

On a corner lot, a building facade must be placed within the build-to range for the first 30 feet along the street extending from the block corner, measured from the intersection of the two right-of-way lines.



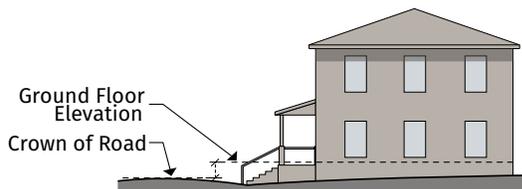
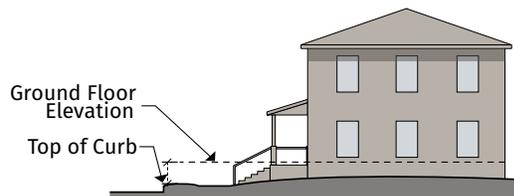
### 3. Uses Allowed

With the exception of parking spaces and outdoor storage, all structures and uses (including outdoor dining) allowed on the lot are allowed in the build-to range.

## C. Ground Floor Elevation

### 1. Defined

Ground floor elevation is the height of the ground floor relative to the height of the sidewalk and is measured from top of the abutting curb, or from the crown of the road where no curb exists, to the top of the finished ground floor.



### 2. Standards

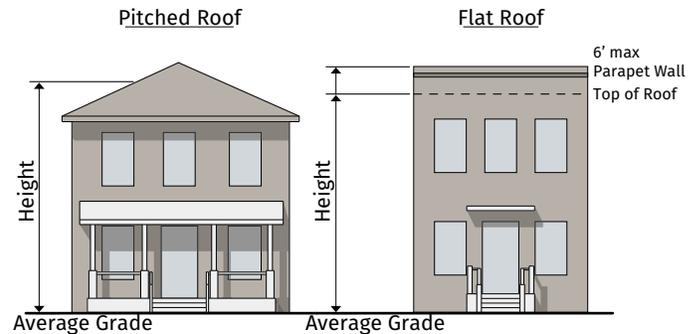
Minimum ground floor elevation applies to the first 30 feet of the lot measured from the right-of-way line.

## D. Height

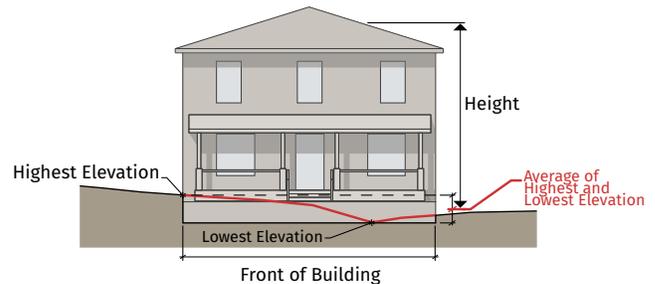
### 1. Building Height

a. Building height is measured from average grade in both number of stories and feet to the mean height level between the eaves and ridge of a pitched or to the highest point of a flat roof, not including a maximum parapet wall encroachment as specified in this Chapter. For example, the maximum height encroachment for a parapet wall is 6 feet.

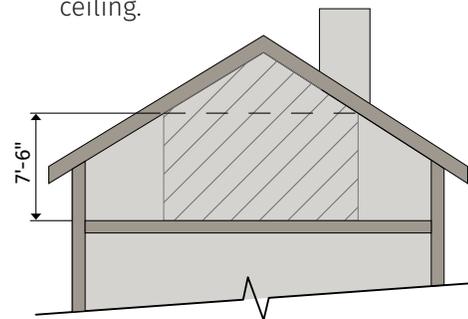
b. When necessary to accommodate the Floodplain Management Regulations of Sec. 23.40, height may be measured at a maximum height of 2 feet above base flood elevation.



c. Average grade is determined by calculating the average of the highest and lowest elevation along pre-development grade or improved grade (whichever is more restrictive) along the front of the building parallel to the primary street setback.



d. An attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet; measured from the finished floor to the finished ceiling.



e. A basement with 50% or more of its perimeter wall area (measured from finished floor elevation) surrounded by finished grade is not considered a story.

## 2. Building Pad Establishment

The building pad for a site with greater than 10% slope may be established through the Design Review process, with building heights measured from the established building pad.

## 3. Height Encroachments

All buildings and structures must be located at or below the required district height limit, except as listed below.

- a. The maximum height limits of the district do not apply to spires, belfries, cupolas, domes not intended for human occupancy; monuments, water tanks, water towers or other similar structures which, by design or function, must exceed the established height limits.
- b. The following may exceed the established height limit of the district provided they do not exceed the maximum height by more than 6 feet:
  - 1) Chimney, flue or vent stack;
  - 2) Rooftop deck, patio, shade structure;
  - 3) Flagpole;
  - 4) Vegetation associated with a rooftop garden or landscaping;
  - 5) Skylights;
  - 6) Parapet wall; and
  - 7) Solar panels, wind turbines and rain-water collection systems.
  - 8) Rooftop decks, patios or shade structures are not allowed to encroach into building height limits in Transition Area 2, Compatible Use Area. If provided in Transition Area 2, rooftop decks, patios or shade structures must fall under the height allowance as specified. A parapet wall can encroach up to 4 feet in Transition Area 2.

- c. The following may exceed the established height limits provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the edge of the roof:

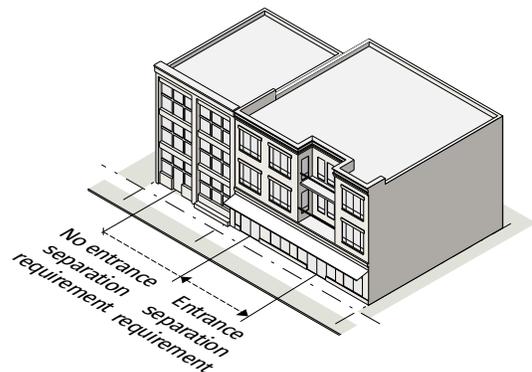
- 1) Elevator or stairway access to roof; and
- 2) Mechanical equipment and associated screening (not including a parapet wall).

## E. Parking Setbacks

1. All surface parking must be located behind the primary and street parking setback lines.
2. The parking setback applies to the ground story only.
3. Parking setbacks are measured from the edge of the right-of-way.

## F. Pedestrian Access

1. An entrance providing both ingress and egress, operable to residents or customers at all times, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are allowed.
2. The entrance spacing requirements must be met for each building, but are not applicable to adjacent or abutting buildings. Entrance spacing is measured from the edge of door to the edge of the next door.
3. An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.



## G. Primary/Side Streets

1. Where only one street abuts a lot, that street is considered a primary street.
2. A lot with multiple street frontages must designate at least one primary street. A lot may have more than one primary street. The Planning and Building Director will determine which streets are primary streets based on the following (where applicable):
  - a. The street or streets with the highest classification;
  - b. The established orientation of the block;
  - c. The street or streets abutting the longest face of the block;
  - d. The street or streets parallel to an alley within the block;
  - e. The street that the lot takes its address from; and
  - f. The pedestrian orientation of adjacent or abutting development, existing or proposed.

## H. Setback Encroachments

All buildings and structures must be located at or behind the required setbacks except as listed below. Unless specifically stated no building or structure may extend into a required easement or public right-of-way.

### 1. Building Features

- a. Porches, stoops, balconies, galleries and awnings/canopies may extend into a required primary or side street setback as stated in Sec. 30.36.070.L.
- b. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows and oriels less than 10 feet wide, cornices, belt courses, sills, buttresses or other similar architectural features may encroach up to 3 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.

- c. Chimneys or flues may encroach up to 4 feet, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- d. Unenclosed patios, decks, balconies, stoops, porches, terraces or fire escapes may encroach into a side interior or rear setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- e. Handicap ramps may encroach to the extent necessary to perform their proper function.
- f. Structures below and covered by the ground may encroach into a required setback.

### 2. Site Features

- a. Fences and walls may encroach into a required setback.
- b. Sidewalks and driveways may encroach into a required setback.
- c. Landscaping may encroach into a required setback.
- d. Signs may encroach into a required setback.

### 3. Low Impact Stormwater Features

- a. Low impact stormwater management features may encroach into a primary or side street setback (but not into the sidewalk), including, but not limited to:
  - 1) Rain barrels or cisterns, 6 feet or less in height;
  - 2) Planter boxes;
  - 3) Bioretention areas; and
  - 4) Similar features, as determined by the Planning and Building Director.

- b. Low impact stormwater management features listed above may encroach into a side interior or rear setback, provided such extension is at least 2 feet from the vertical plane of any lot line.

#### 4. Mechanical Equipment and Utility Lines

- a. Mechanical equipment associated with residential uses, such as HVAC units, swimming pool pumps or filters, and security lighting, may encroach into a side interior or rear setback, provided that such extension is at least 3 feet from the vertical plane of any lot line.
- b. Minor structures accessory to utilities (such as hydrants, manholes, and transformers and other cabinet structures and related fences) may encroach into a required rear or side setback.
- c. Minor utilities below and covered by the ground may encroach into a required setback.

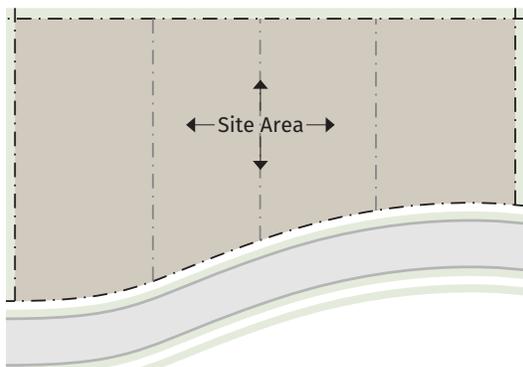
### I. Site

#### 1. Defined

A site is any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

#### 2. Site Area

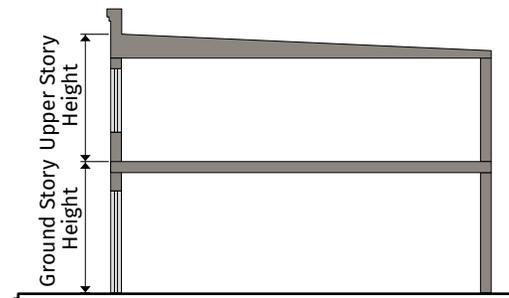
Site area is the cumulative area of all contiguous lots that make up the site. Site area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.



### J. Story Height

#### 1. Defined

Story height is the height of each story of building and it is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story height is measured from the top of the finished floor to the top of the wall plate above.



### K. Transparency

#### 1. Defined

Transparency is the minimum percentage of windows and doors that must cover a ground or upper story facade.

#### 2. Standards

- a. Transparency applies to primary and side street-facing building facades only.



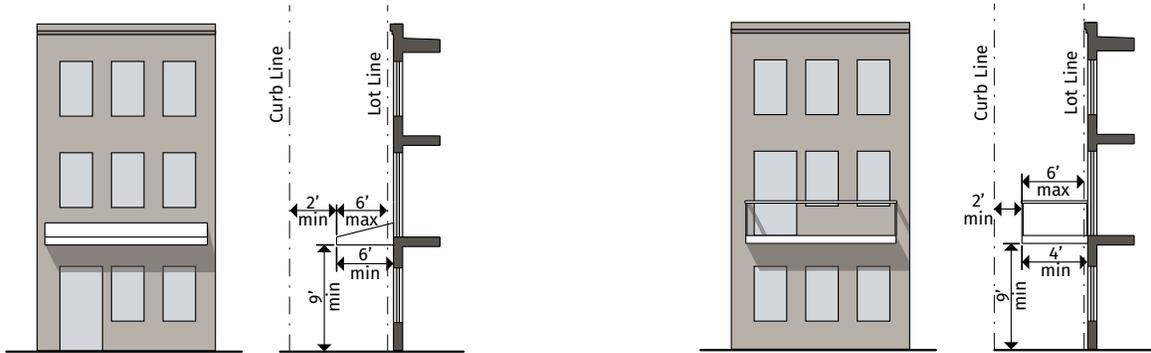
- b. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.

- c. Ground story transparency is measured between 2 and 12 feet above the abutting sidewalk.
- d. Upper story transparency is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate above.

## L. Building Elements

### 1. Intent

The following standards are intended to ensure that certain building elements when added to a building frontage are of sufficient size to be both usable and functional and be architecturally compatible with the frontage they are attached to.



### 2. Awning/Canopy

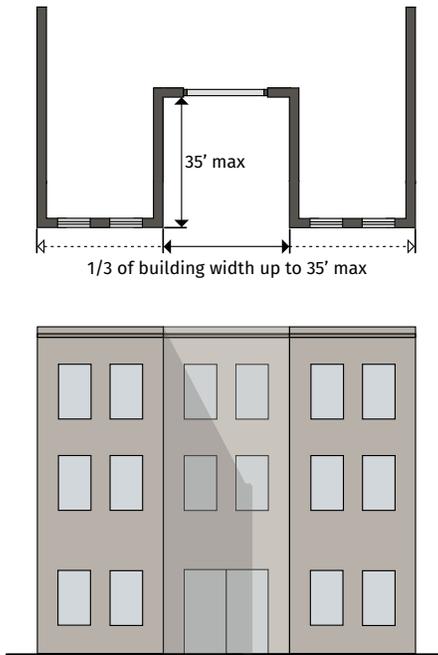
A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

- An awning/canopy must be a minimum of 9 feet clear height above the sidewalk and must have a minimum depth of 6 feet.
- An awning/canopy may extend into a primary or side street setback.
- Subject to the issuance of a Right-of Way Encroachment Permit, an awning/canopy may encroach up to 6 feet over the public right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

### 3. Balcony

A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.

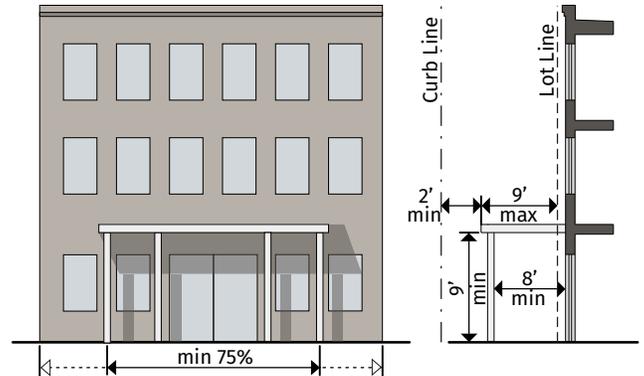
- A balcony must be at least 4 feet deep.
- A balcony must have a clear height above the sidewalk of at least 9 feet.
- A balcony may be covered and screened, but cannot be fully enclosed.
- A balcony may extend into a primary or side street setback.
- Subject to the issuance of a Right-of Way Encroachment Permit, a balcony may encroach up to 6 feet over the public right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.



#### 4. Forecourt

An open area at grade, or within 30 inches of grade, that serves as an open space, plaza or outdoor dining area.

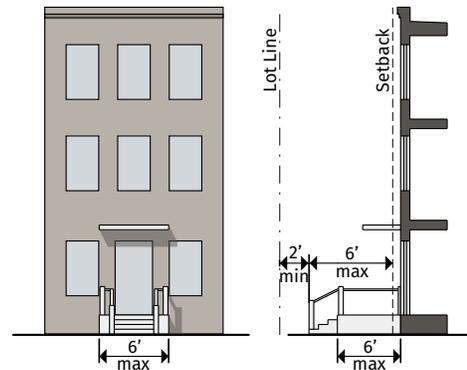
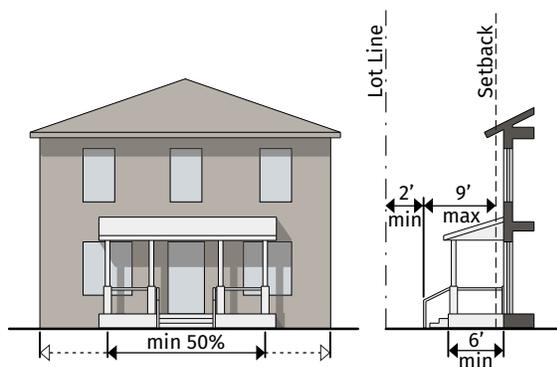
- A forecourt must be no more than one-third of the length of the building face, and in no case longer than 35 feet in width.
- The depth of the forecourt must not exceed the general width. A forecourt may be no more than 35 feet in depth.
- A maximum of one forecourt is permitted per lot.
- A forecourt meeting the above requirements is considered part of the building for the purpose of measuring the build-to requirement.



#### 5. Gallery

A covered passage extending along the outside wall of a building supported by arches or columns that is open on 3 sides.

- A gallery must have a clear depth from the support columns to the building's facade of at least 8 feet and a clear height above the sidewalk of at least 9 feet.
- A gallery must be contiguous and extend over at least 75% of the width of the building facade from which it projects.
- A gallery may extend into a primary or side street setback.
- Subject to the issuance of a Right-of Way Encroachment Permit, a gallery may encroach up 9 feet into the public right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.



## 6. Porch

A raised structure attached to a building, forming a covered entrance to a doorway.

- A front porch must be at least 6 feet deep (not including the steps).
- A front porch must be contiguous, with a width not less than 50% of the building facade from which it projects.
- A front porch must be roofed and may be screened, but cannot be fully enclosed.
- A front porch may extend up to 9 feet, including the steps, into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- A front porch may not encroach into the public right-of-way.

## 7. Stoop

A small raised platform that serves as an entrance to a building.

- A stoop must be no more than 6 feet deep (not including the steps) and 6 feet wide.
- A stoop may be covered but cannot be fully enclosed.
- A stoop may extend up to 6 feet, including the steps, into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- A stoop may not encroach into the public right-of-way.

## M. Other Standards and Measures

The following sections of the Zoning Code apply to any site zoned At Home in Encinitas:

1. Fences and Walls: Encinitas Zoning Code Chapter 30.16.010.F for R30; or 30.20.010.J.4 & 5 for X30 and S30.
2. Auxiliary Structures/Equipment and Utilities: Encinitas Zoning Code Chapter 30.20.010.F
3. Performance Standards: Encinitas Zoning Code Chapter 30.40.
4. Temporary Use Regulations: Encinitas Zoning Code Chapter 30.46.
5. Signs: Encinitas Zoning Code Chapter 30.60.
6. If any other criterion, measure or standard is not addressed in this Chapter, refer to the Encinitas Municipal and Zoning Codes, or if previously in a Specific Plan, refer first to the standards in the Specific Plan, which are made applicable by this reference.

# 30.36.080. Use Provisions

## A. Classification of Uses

1. In order to regulate a variety of similar uses, use categories have been established. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify uses and activities based on common functional, product or physical characteristics.
  2. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The Planning and Building Director has the responsibility for categorizing all uses.
  3. Use category definitions are specified in Sec. 30.36.080.E.
- h. Types of vehicles used and their parking requirements;
  - i. The number of vehicle trips generated;
  - j. How the proposed use is advertised;
  - k. The likely impact on surrounding properties;
  - l. Whether the activity is likely to be found independent of the other activities on the site; and
  - m. The North American Industry Classification System (NAICS).
2. Where a use not listed is found by the Planning and Building Director not to be similar to any other permitted use, the use is only permitted following a text amendment.

## B. Uses Not Listed

A use not specifically listed is prohibited unless the Planning and Building Director determines the use to be part of a use category as described below.

1. The Planning and Building Director is responsible for categorizing all uses. If a proposed use is not listed in a use category, but is similar to a listed use, the Planning and Building Director may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the Planning and Building Director will consider the following:
  - a. The actual or projected characteristics of the proposed use;
  - b. The relative amount of site area or floor area and equipment devoted to the proposed use;
  - c. Relative amounts of sales;
  - d. The customer type;
  - e. The relative number of employees;
  - f. Hours of operation;
  - g. Building and site arrangement;

## C. Permitted Use Table

### 1. Permitted Uses (P)

A "P" in a cell indicates that a use is permitted by right.

### 2. Major Use Permit (C)

A "C" in a cell indicates that a major use permit is required.

### 3. Minor Use Permit (Cm)

A "Cm" in a cell indicates that a minor use permit is required.

### 4. Uses Not Allowed (X)

An "--" indicates that a use is not allowed.

### 5. Supplemental Use Standards (\*)

The numbers contained in the right-hand column of the table are references to additional standards that apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a "\*".

Use Category Specific Use	Shopfront			Mixed Use			Residential			Supplemental Use Standards
	AHE- S30-N	AHE- S30-V	AHE- S30-M	AHE- X30-N	AHE- X30-V	AHE- X30-M	AHE- R30-N	AHE- R30-V	AHE- R30-M	
<b>Residential Uses</b>										
<b>Household Living</b>										
Dwelling unit, one-family	--	--	--	--	--	--	--	--	--	
Dwelling unit, two-family	--	--	--	P	P	P	P	P	P	
Dwelling unit, three-family	--	--	--	P	P	P	P	P	P	
Dwelling unit, multi-family	P*	P*	P*	P	P	P	P	P	P	30.36.080.D.1
Dwelling unit, accessory	--	--	--	P	P	P	P	P	P	
Live/work	C*	C*	C*	C	C	C	C	C	C	30.36.080.D.2
Home occupation	P*	30.48.040.L								
Mobile home park	--	--	--	--	--	--	--	--	--	
Mobile home (including dwelling unit)	--	--	--	--	--	--	--	--	--	
<b>Group Living</b>										
Convent, monastery	P	P	P	P	P	P	P	P	P	
Group residential	P	P	P	P	P	P	P	P	P	
Emergency residential shelter	C	C	C	C	C	C	C	C	C	
Residential care, limited (up to 6 people)	P	P	P	P	P	P	P	P	P	
Residential care, general (7+ people)	C	C	C	C	C	C	C	C	C	
<b>Public and Institutional Uses</b>										
<b>Civic, except as listed below:</b>										
City hall	P	P	P	P	P	P	P	P	P	
Conservatory of music	P	P	P	P	P	P	P	P	P	
Educational institution, private	C	C	C	C	C	C	C	C	C	
Place of worship including church, mosque, synagogue, temple	C	C	C	C	C	C	C	C	C	
Post office	P	P	P	P	P	P	P	P	P	
School, K-12, private/charter	C	C	C	C	C	C	C	C	C	
<b>Parks and Open Space, except as listed below:</b>										
Golf course	--	--	--	--	--	--	--	--	--	
<b>Utilities</b>										
Minor utilities	P	P	P	P	P	P	P	P	P	
Major utilities	--	--	--	--	--	--	--	--	--	
<b>Wireless Communication</b>										
	C	C	C	C	C	C	C	C	C	

P = Permitted, C = Major Use Permit Required, Cm = Minor Use Permit Required, \* = Subject to supplemental use standards, -- = Not Permitted

Use Category Specific Use	Shopfront			Mixed Use			Residential			Supplemental Use Standards
	AHE- S30-N	AHE- S30-V	AHE- S30-M	AHE- X30-N	AHE- X30-V	AHE- X30-M	AHE- R30-N	AHE- R30-V	AHE- R30-M	
<b>Commercial Uses</b>										
<b>Day Care</b>										
Family day care home, small (Up to 6 people)		P			P			P		
Family day care home, large (7 to 12 people)		P			P			P		
Day care center (13+ people)		P			P			Cm		
<b>Indoor Recreation</b>		P			P			--		
<b>Medical</b>		P			P			--		
<b>Office</b>		P			P			--		
<b>Outdoor Recreation</b>		--			--			--		
<b>Overnight Lodging</b>		P			P			--		
<b>Parking</b>		--			Cm			--		
<b>Passenger Terminal</b>		C			C			--		
<b>Personal Service, except as listed below:</b>		P			P			--		
Animal care, indoor		P			P			--		
Animal care, outdoor		--			--			--		
Therapeutic massage		C			C			--		
<b>Restaurants, except as listed below:</b>		P			P			--		
Bar/cocktail lounge		C			C			--		
Restaurant with drive through		--			--			--		
Restaurant, club with alcohol sales, brewpub, craft brewery		Cm			Cm			--		
Restaurant with live entertainment		Cm			Cm			--		
Temporary food stand		P*			P*			P*		30.48
<b>Retail, except as listed below:</b>		P			P			--		
Alcoholic beverage sales-off premises		C			C			--		
Commercial car or bike sharing station		C			C			C		
Electric vehicle, fast charging station (public only)		C			C			C		
Gas station		--			--			--		
Surf shop with manufacturing		C			C			--		
<b>Vehicle Sales and Rental</b>		--			--			--		

P = Permitted, C = Major Use Permit Required, Cm = Minor Use Permit Required, \* = Subject to supplemental use standards, -- = Not Permitted

Use Category Specific Use	Shopfront			Mixed Use			Residential			Supplemental Use Standards
	AHE- S30-N	AHE- S30-V	AHE- S30-M	AHE- X30-N	AHE- X30-V	AHE- X30-M	AHE- R30-N	AHE- R30-V	AHE- R30-M	
<b>Industrial Uses</b>										
Heavy Industrial	--	--	--	--	--	--	--	--	--	
Light Industrial/Manufacturing	--	--	--	C	C	C	--	--	--	
Research and Development	--	--	--	P	P	P	--	--	--	
Resource Extraction	--	--	--	--	--	--	--	--	--	
Vehicle Service and Repair	--	--	--	--	--	--	--	--	--	
Warehouse, Storage and Distribution	--	--	--	--	--	--	--	--	--	
Waste Related Service	--	--	--	--	--	--	--	--	--	
<b>Open Uses</b>										
Agriculture, except as listed below	--	--	--	--	--	--	--	--	--	
Community garden	P*	30.33								
Nursery	--	--	--	P*	P*	P*	--	--	--	30.33
Winery	C	C	C	C	C	C	--	--	--	

P = Permitted, C = Major Use Permit Required, Cm = Minor Use Permit Required, \* = Subject to supplemental use standards, -- = Not Permitted

## D. Supplemental Use Standards

### 1. Dwelling Unit, Multi-family

In an AHE-S30- character context, dwelling units can only be located in the upper-stories of a Mixed Use Residential housing prototype. Dwelling units cannot be located on a ground story. This requirement is modified for sites within the Master Design Review Permit Overlay Zone. Accessory and incidental uses such as a lobby, gym or community room are allowed on ground stories.

### 2. Live/Work

In an AHE-S30- character context, the ground story of a live/work unit can only be used for nonresidential use. The residential portion of the live/work unit must be located on an upper-story.

## E. Use Categories

### 1. Residential Uses

#### a. Household Living

Residential occupancy of a dwelling unit by a household. Household living includes the following:

- 1) Dwelling unit, one-family.
- 2) Dwelling unit, two-family.
- 3) Dwelling unit, three-family.
- 4) Dwelling unit, multi-family.
- 5) Dwelling unit, accessory.
- 6) Live/work.
- 7) Home occupation.
- 8) Mobile home park.
- 9) Mobile home (including dwelling unit).

#### b. Group Living

Residential occupancy of a structure that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. Group living includes the following:

- 1) Convent, monastery.
- 2) Group residential.
- 3) Emergency residential shelter.
- 4) Residential care, limited (<6 people).
- 5) Residential care, general (7+ people).
- 6) Employee, transitional and supportive housing uses are allowed as a household living use in the same manner as a similar household living use in a specific zone.

### 2. Public and Institutional Uses

#### a. Civic

Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice. Civic includes the following:

- 1) City hall.
- 2) Conservatory of music.
- 3) Educational institution, private.
- 4) Educational institution, public.
- 5) Fire station.
- 6) Library.
- 7) Museum.
- 8) Place of worship including church, mosque, synagogue, temple.
- 9) Police/sheriff station.
- 10) Post office.
- 11) Postal annex, private ownership.
- 12) Public school district administrative office.
- 13) School, K-12, private/charter
- 14) School, K-12, public.

#### b. Parks and Open Space

Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas. Parks and open space includes the following:

- 1) Athletic field.
- 2) Cemetery.
- 3) Conservation area.

- 4) Golf course.
- 5) Park/recreational area.
- 6) Recreational facility.

### c. Utilities

Public or private infrastructure serving a limited area with no on-site personnel (minor utility) or serving the general community with on-site personnel (major utility). Utilities includes the following.

- 1) Minor utilities, including on-site stormwater retention or detention facility, neighborhood-serving telephone exchange/switching center, gas/electric/telephone/cable transmission lines, water and wastewater pump station or lift station, gas gates, reservoir, control structure, drainage well, water supply water well.
- 2) Major utilities, including aeration facility, electrical substation, electric or gas generation plant, filter bed, transmission towers, waste treatment plant, water pumping facility, water tower or tank.

### d. Wireless Communication

Any personal wireless services as defined by the TCA and licensed by the Federal Communications Commission, including, but not limited to, the types commonly known as cellular, personal communications services (“PCS”), specialized mobile radio (“SMR”), enhanced specialized mobile radio (“ESMR”), paging, ground based repeaters for satellite radio services, micro-cell antennae and similar systems which exist now or may be developed in the future and exhibit technological characteristics similar to them.

## 3. Commercial Uses

### a. Day Care

A facility providing care and supervision for compensation during part of a 24 hour day, for a child/adult or children/adults not related by blood, marriage or legal guardianship to the person or persons providing the care, in a place other than the child's or children's own home or homes. Day care includes the following:

- 1) Family day care home, small (up to 6 people).
- 2) Family day care home, large (7 to 12 people).
- 3) Day care center (13+ people).

### b. Indoor Recreation

A commercial facility providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation includes the following:

- 1) Aquarium, private.
- 2) Amusement center, game/video arcade.
- 3) Assembly hall, auditorium, meeting hall.
- 4) Billiard, pool hall.
- 5) Bowling alley.
- 6) Club, athletic or recreational.
- 7) Dance, martial arts, music studio or classroom.
- 8) Extreme sports facility such as BMX, skateboarding or roller blading.
- 9) Gym, health spa, yoga studio, palliates.
- 10) Inflatable playground/jump house.
- 11) Miniature golf facility.

- 12) Motor track.
- 13) Movie theater or other indoor theater.
- 14) Ice or roller skating rink.

### c. Medical

A facility providing medical or surgical care to patients. Some facilities may offer overnight care. Medical includes the following:

- 1) Ambulance service (private).
- 2) Blood plasma donation center.
- 3) Dental clinic.
- 4) Hospital.
- 5) Medical, dental office/clinic, chiropractor, osteopath, physician, medical practitioner.
- 6) Medical or dental laboratory.
- 7) Surgical center.
- 8) Urgent care, emergency medical office.

### d. Office

A facility used for activities conducted in an office setting and generally focusing on business, professional or financial services. Office includes the following:

- 1) Business services including, but not limited to, advertising, business management consulting, computer or data processing, graphic design, commercial art or employment agency.
- 2) Counseling in an office setting.
- 3) Financial services including but not limited to, lender, investment or brokerage house, bank, call center, bail bonds, insurance adjuster, real estate or insurance agent, mortgage agent or collection agency.

- 4) Professional services including, but not limited to, lawyer, accountant, auditor, bookkeeper, engineer, architect, sales office, travel agency, interior decorator or security system services.
- 5) Radio, TV station, recording studio.
- 6) Trade, vocational, technical, business school.

### e. Outdoor Recreation

A commercial facility, varying in size, providing daily or regularly scheduled recreation-oriented activities. Activities take place predominately outdoors or within outdoor structures. Outdoor recreation includes the following:

- 1) Camp or campground.
- 2) Drive-in theater.
- 3) Extreme sports facility, such as BMX, skateboarding or roller blading.
- 4) Open-air theater.
- 5) Outdoor amusements such as batting cage, golf driving range, amusement park, miniature golf facility or water park.
- 6) Racetrack.
- 7) Stadium, arena.

### f. Overnight Lodging

Accommodations arranged for short term stays. Overnight lodging includes the following:

- 1) Bed and breakfast.
- 2) Hotel, motel.
- 3) Transient habitation.

### g. Parking

A facility that provides parking as a principal use. Parking includes the following:

- 1) Commercial parking.
- 2) Remote parking.

### h. Passenger Terminal

Facilities for the loading and unloading of trains, buses, taxis or limo services, or for utilizing shared transportation options. Passenger terminal includes terminals and stations for the following:

- 1) Bus transfer facility or bus station.
- 2) Car share facility.
- 3) Limousine or taxi service.
- 4) Light rail station.
- 5) Rail station.

### i. Personal Service

A facility involved in providing personal or repair services to the general public. Personal service includes the following:

- 1) Animal care, indoor.
- 2) Animal care, outdoor.
- 3) Beauty, hair or nail salon.
- 4) Catering service.
- 5) Cleaning establishment, dry cleaning, laundry, laundromat.
- 6) Copy center, printing, binding, photocopying, blueprinting, mailing service.
- 7) Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium.
- 8) Locksmith.

- 9) Optometrist.

- 10) Repair of appliances, bicycles, canvas product, clocks, computers, jewelry, musical instruments, office equipment, radios, shoes, televisions, watch or similar items.

- 11) Tailor, milliner or upholsterer.

- 12) Therapeutic massage.

- 13) Tattoo parlor or body piercing.

- 14) Tutoring.

- 15) Wedding chapel.

### j. Restaurant

A facility that prepares and sells food and drink for on- or off-premise consumption. Restaurant includes the following:

- 1) Bar/cocktail lounge.

- 2) Club, private.

- 3) Coffee shop.

- 4) Restaurant with drive through.

- 5) Restaurant, club with no alcohol sales.

- 6) Restaurant, club with alcohol sales, brewpub, craft brewery.

- 7) Restaurant with live entertainment.

- 8) Temporary food stand.

- 9) Yogurt or ice cream shop.

### k. Retail

A facility involved in the sale, lease or rental of new or used products. Retail sales includes the following:

- 1) Alcoholic beverage sales-off premises.

- 2) Antiques, appliances, art supplies, baked goods, bicycles, books, building supplies, cameras, carpet and floor

coverings, crafts, clothing, computers, convenience goods, dry goods, electronics, fabric, flowers, furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, package shipping, pets, pet supplies, pharmaceuticals, phones, photo finishing, picture frames, plants, pottery, printed materials, produce, seafood, shoes, souvenirs, sporting goods, stationery, tobacco, toys, vehicle parts and accessories, videos, video games and related products.

- 3) Art studio, gallery.
- 4) Art printing and fabrication.
- 5) Commercial car or bike sharing station.
- 6) Convenience store without fuel pumps.
- 7) Cottage industries such as candle making, glass blowing, pottery making, weaving, woodworking, sculpting, and other similar or associated activities.
- 8) Electric vehicle, fast charging station (public only).
- 9) Gas station.
- 10) Surf shop without manufacturing.
- 11) Surf shop with manufacturing.

#### **l. Vehicle Sales and Rental**

A facility that sells, rents or leases passenger vehicles, light and medium trucks, and other consumer vehicles such as motorcycles, boats and recreational vehicles. Vehicle sales and rental includes the following:

- 1) **Minor Vehicle Sales and Rental**  
Sales, rental or leasing of passenger vehicles, motorcycles, boats.
- 2) **Major Vehicle Sales and Rental**  
Sales, rental or leasing of commercial vehicles, heavy equipment and manufactured homes. Includes Recreational vehicles, 18-wheelers, commercial box trucks, high-lifts, construction, heavy earthmoving equipment and manufactured homes.

#### **4. Industrial Uses**

##### **a. Heavy Industrial**

A facility that involves dangerous, noxious or offensive uses or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause. Heavy industrial includes the following:

- 1) Animal processing, packing, treating, and storage, livestock or poultry slaughtering, processing of food and related products, production of lumber, explosives, fireworks, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing.
- 2) Boat building.
- 3) Bottling plant.
- 4) Bulk fuel sales.
- 5) Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.

- 6) Chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.
- 7) Concrete batch plant.
- 8) Petroleum, liquefied petroleum gas and coal products and refining.
- 9) Prefabricated building manufacturing.
- 10) Sawmill, log production facility, lumberyard.
- 11) Rubber and plastic products, rubber manufacturing.

#### b. Light Industrial/Manufacturing

A facility conducting light industrial or manufacturing operations within a fully-enclosed building. Light industrial/manufacturing includes the following:

- 1) Brewery, distillery.
- 2) Clothing, textile or apparel manufacturing.
- 3) Facilities engaged in the assembly or manufacturing of scientific measuring instruments; semiconductor and related devices, including but not limited to clocks, integrated circuits, jewelry, medical, musical instruments, photographic or optical instruments or timing instruments.
- 4) Motion picture studio.
- 5) Pharmaceutical or medical supply manufacturing.
- 6) Sheet metal, welding, machine shop, tool repair.
- 7) Woodworking, cabinet makers or furniture manufacturing.
- 8) Recreational equipment manufacturing.

- 9) Toy manufacturing.
- 10) Upholstery installation.
- 11) Woodworking, cabinet makers or furniture manufacturing.

#### c. Research and Development

A facility focused primarily on the research and development of new products.

Research and development includes the following:

- 1) Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
- 2) Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
- 3) Pilot plants used to test manufacturing processes planned for use in production elsewhere.

#### d. Resource Extraction

A facility that extracts minerals and other solids and liquids from land. Resource extraction includes the following:

- 1) Borrow pit.
- 2) Extraction of phosphate or minerals.
- 3) Extraction of sand or gravel, borrow pit.
- 4) Metal, sand stone, gravel clay, mining and other related processing.
- 5) Stockpiling of sand, gravel, or other aggregate materials.

#### e. Vehicle Service and Repair

Repair and service to passenger vehicles, trucks, and other consumer motor

vehicles such as motorcycles, boats and recreational vehicles. Vehicle service and repair includes the following:

**1) Minor Vehicle Service and Repair**

A facility where minor vehicle repair and service is conducted, including audio and alarm installation, custom accessories, quick lubrication facilities, minor scratch and dent repair, emissions testing, bed-liner installation, and glass repair or replacement includes car wash.

**2) Major Vehicle Service and Repair**

A facility where general vehicle repair is conducted, including transmission, brake, muffler and tire shops, along with body and paint shops.

**f. Warehouse, Storage and Distribution**

A facility involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers. Warehouse, storage and distribution includes the following:

- 1) Building materials storage yard.
- 2) Contractor storage yard.
- 3) Distribution center.
- 4) Enclosed storage (includes bulk storage, cold storage plants, frozen food lockers, ice, household moving and general freight storage).
- 5) Fleet storage.
- 6) Furniture transfer and storage.
- 7) Newspaper distribution.
- 8) Self-service storage, mini-warehouse.

- 9) Trailer storage, drop off lot.
- 10) Towing/impounding of vehicles.

**g. Waste-related Service**

A facility that processes and stores waste material. Waste-related service includes the following:

- 1) Automobile dismantlers/recyclers, junk yard, wrecking yard, salvage yard.
- 2) Hazardous household materials collection center.
- 3) Hazardous waste facility.
- 4) Landfill.
- 5) Recycling facilities.
- 6) Scrap metal processors, secondary materials dealer.

**5. Open Uses**

**a. Agriculture**

The production of crops, livestock or poultry. Agriculture includes the following:

- 1) Agricultural auction.
- 2) Agricultural, horticulture packing, processing.
- 3) Animal grazing and raising.
- 4) Community garden.
- 5) Feed and grain sales.
- 6) Fish hatchery.
- 7) Horse raising, riding stable.
- 8) Nursery.
- 9) Winery.

# 30.36.090. Parking

## A. Applicability

The parking requirements of Chapter 30.54 Off-Street Parking apply except as modified below.

## B. Residential Parking Ratios

1. The following minimum residential parking ratios are required.

Market Rate	
Dwelling unit, two-family	2 spaces per unit
Dwelling unit, three-family	
Dwelling unit, multi-family	
Studio	1 space per unit
1 bedroom	1.25 spaces per unit
2 bedroom	1.75 spaces per unit
3 or more bedrooms	2 spaces per unit
Dwelling unit, accessory	1 space per unit
In the Main Street Context, 1 additional guest parking space must be provided for every 10 residential parking spaces.	
Affordable/Senior Housing	
Dwelling unit, two-family	1 space per unit
Dwelling unit, three-family	
Dwelling unit, multi-family	
Studio	.75 spaces per unit
1 bedroom	1 spaces per unit
2 bedroom	1.25 spaces per unit
3 or more bedrooms	1.75 spaces per unit
Dwelling unit, accessory	1 space per unit

2. In determining the required number of parking spaces, fractional spaces are rounded up to the nearest whole number.
3. In the Main Street Context, parking facilities for commercial uses developed pursuant to and following the effective date of this Chapter must be designed to serve not only the development during ordinary working hours, but also public coastal access during weekends and holidays, in conjunction with public transit

or shuttle buses serving coastal recreational areas because this cumulative development affects public access to the coast.

## C. Parking Reductions

### 1. Applicability

All residential and nonresidential development in the At Home in Encinitas Zone is eligible for the following parking reductions.

### 2. Proximity to Transit

- a. A 5% reduction in the number of required parking spaces is allowed for uses with a main entrance within a walking distance of 600 feet of an operating bus stop where service intervals are no longer than 15 minutes for high frequency transit stops and facilities designated in the SANDAG Sustainable Communities Strategy.
- b. A 15% reduction in the number of required parking spaces is allowed for uses with a main entrance within a walking distance of 1,320 feet of an operating train station designated in the SANDAG Sustainable Communities Strategy.

### 3. Private Car Sharing Program

Reduction in the number of required parking spaces by 5 spaces for each car-share vehicle provided is allowed where an active on-site car sharing program is made available for use to residents or patrons.

### 4. Shared Parking

- a. Applicants that wish to use shared parking as a means of reducing the total number of required spaces may submit a shared parking analysis using the ULI Shared Parking Model (latest edition).

- b. Such reductions are permitted on a case-by-case basis where, following review of the shared parking analysis, the Planning and Building Director determines a reduction is appropriate.
- c. The Planning and Building Director will consider all of the following in determining whether a reduction is warranted:
  - 1) Whether the uses proposed have mutually exclusive or compatibly overlapping normal hours of operation;
  - 2) The likelihood that the reduced number of parking spaces can satisfy demand;
  - 3) The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;
  - 4) The impact of periodic overflows upon the public streets and other parking facilities;
  - 5) The nature of surrounding land uses, character of the surrounding road system, and nearby circulation pattern;
  - 6) The amount of on-street parking available within 1,320 feet of the development; and
  - 7) Any additional reduction in parking demand by implementing transportation demand management strategies proposed by the applicant.
- d. In all cases, the applicant has the burden to demonstrate that a reduction in parking standards is warranted.

## 5. Transportation Demand Management (TDM)

### a. General

- 1) The Planning Commission may approve up to a 25% reduction in the number of spaces for uses that institute and commit to and maintain a transportation demand management funded (TDM) program, considering information the applicant submits that clearly indicates the types of TDM activities and measures proposed.
- 2) The applicant must demonstrate to the satisfaction of the Planning and Building Director that a specific reduction will occur. If the applicant demonstrates that a specific reduction will occur, the Planning and Building Director may reduce the amount of required parking equal to the amount of the reduction, up to a maximum of 25%.
- 3) No TDM program may be discontinued without notice to the Planning and Building Director and proof of compliance with all applicable parking requirements.
- 4) No TDM program may be changed without the approval of the Planning and Building Director. The Planning and Building Director may approve a change only if the applicant demonstrates that the changes proposed will either maintain the previously approved reduction, support an increase in the previously approved reduction, or that parking is provided to compensate for any reduction lost by the proposed change to the plan.

## b. Types of TDM

There is no limitation on the types of TDM activities for which reductions may be granted. The following measures serve as a guide to potential transportation management activities that may be used in combination to reduce parking demand.

### 1) Transportation Coordinator

A TDM program must appoint an employee to act as transportation coordinator with responsibility for disseminating information on transportation options that may be cause for a reduction in otherwise applicable parking requirements.

### 2) Carpool and Vanpool Services

The transportation coordinator is responsible for matching potential carpoolers and vanpoolers by administering a carpool/vanpool matching program.

### 3) Preferential Parking

The applicant may provide for specially marked spaces for each registered carpool and vanpool.

### 4) Guaranteed Ride Home

Carpool, vanpool and transit riders must be provided with guaranteed rides home in emergency situations.

### 5) Showers/Clothes Lockers

Shower and clothes locker facilities may be provided. If provided, they must be provided free of charge.

### 6) Alternative Commute Subsidies / Parking Cash Out

Employees may be provided with a subsidy, determined by the applicant and subject to review by the City, if

they use transit or commute by other alternative modes.

### 7) Compressed Work Week

The applicant may allow employees to adjust their work schedule in order to complete the basic work requirement of five 8-hour workdays by adjusting their schedule to reduce vehicle trips to the work site.

### 8) Flextime

The applicant may provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually-determined work hours.

### 9) Telecommuting

The applicant may provide opportunities for and the ability to work off-site.

## 6. Maximum Parking Reduction

The maximum cumulative parking reduction allowed is 40%.

## D. Location of Parking

Required parking spaces must be located on the same lot they are intended to serve, except as provided below.

### 1. Applicability

All residential and nonresidential development.

### 2. On-Street Parking

- a. Where on-street parking spaces exist in the public right-of-way, one on-street parking space may be substituted for every required on-site parking space, provided the on-street space immediately abuts the subject property.

- b. Each on-street parking space may only be counted for one property. Where a space straddles an extension of a property line, the space may only be counted by the owner whose property abuts 50% or more of the on-street parking space.
- c. The Planning and Building Director may determine that, in order to ensure future roadway capacity, the on-street parking credit is not available.

### 3. Remote Parking

- a. All required parking, except required accessible spaces, may be located off-site, provided the remote parking spaces are located within 600 feet of the primary entrance of the use served and are zoned At Home in Encinitas.
- b. A written agreement must be prepared and submitted as part of a Minor Use Permit approval: Any such written agreement must:
  - 1) Be acceptable to the City Attorney in substance and form;
  - 2) Clearly demonstrate to the satisfaction of the Planning and Building Director that the remote parking facility has sufficient capacity to accommodate the parking requirement of the proposed use, or the designated portion;
  - 3) State clearly that it is irrevocable without the prior written consent of the Planning and Building Director; and
  - 4) State that the remote parking lot must be used and maintained exclusively for parking to serve the principal use so long as the principal use requiring the parking remains in existence.
- c. Notwithstanding the above, a project located within a parking district established pursuant to the laws of California

may provide parking or payment in lieu in accordance with the terms and conditions of the parking district.

### E. Bicycle Parking Requirements

1. The following bicycle parking spaces are required for each use.
2. In no case is a nonresidential use required to provide more than 20 bicycle parking spaces.

	Required Spaces (min)	Short-term/ Long-term
<b>Residential Uses</b>		
Dwelling unit, multi-family, Group living	.5 per unit up to 2 bedrooms, .25 per additional bedroom	20%/80%
Senior housing	None	--
All other residential uses	None	--
<b>Public and Institutional Uses</b>		
All permitted uses	1 per 5,000 SF of gross floor area, 4 min	90%/10%
<b>Commercial Uses</b>		
All permitted uses	1 per 2,500 SF of gross floor area, 4 min	80%/20%
<b>Industrial Uses</b>		
All permitted uses	1 per 7,500 SF of gross floor area, 4 min	20%/80%

## F. Bicycle Parking Facilities

### 1. General Requirements

- a. Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- b. Each required bicycle parking space must be at least 2 feet by 6 feet. Where a bicycle can be locked on both sides of a bicycle parking space without conflict, each side can be counted as a required space.

### 2. Short-Term Bicycle Parking

- a. Required short-term bicycle parking spaces must be located on-site, be publicly accessible in a convenient and visible area, and be located no more than 100 feet from the building the bicycle parking space is intended to serve.
- b. All short-term bicycle parking spaces must be able to accommodate cable locks and "U" locks, including removing the front wheel and locking it to the rear fork and frame and must be able to support a bicycle in a stable position.

### 3. Long-Term Bicycle Parking

- a. Required long-term bicycle parking spaces must be located in an enclosed, secured or supervised area providing protection from theft, vandalism and weather and must be accessible to intended users.
- b. Required long-term bicycle parking for residential uses cannot be located within dwelling units or within deck, patio areas, or private storage areas accessory to dwelling units.
- c. With approval of the Planning and Building Director, long-term bicycle parking spaces may be located off-site within 600 feet of the site.
- d. Notwithstanding the above, a project located within a parking district established pursuant to the laws of California

may provide parking or payment in lieu in accordance with the terms and conditions of the parking district.

## G. Vehicle Loading

### 1. Loading Not Required

On-site loading space is not required, unless the Planning and Building Director determines adequate space must be made available on-site for the unloading and loading of goods, materials, items or stock for delivery and shipping.

## 30.36.100. Administration

### A. Applicability and Process for Transition

1. The At Home in Encinitas zone applies to sites within the At Home in Encinitas General Plan land use designation for the purpose of implementing that designation. It provides for a one way transition from the First Generation use and development standards to those of the Second Generation in this Chapter.
2. When a property owner proceeds through the entitlement process to take advantage of the incentives afforded by the Second Generation use and development standards, along with the corresponding entitlement processes and findings, it must also obtain a ministerial Second Generation Permit (SGP) from the same decision maker as for the discretionary entitlement, which commits the property owner to the Character and Design Context combination in this zone; a covenant is recorded against the property accordingly, binding that owner to its decision.
3. The purpose of the Second Generation Permit is to provide for a notification and documentation process whereby a property owner notifies the City of its intent to take advantage of the Second Generation use and development standards; the Second Generation Permit is ministerial and shall be granted if the project complies with the Second Generation use and development standards, which then triggers the City to ministerially disclose this transition on the General Plan land use map and Zoning Map.
4. The First Generation designations are clipped out of the respective string on the General Plan land use map and Zoning Map as a disclosure and for administrative tracking purposes, putting all on notice that the transition was initiated (e.g., AHE-GC-X30-N becomes AHE-X30-N).

5. Returning backward to the First Generation requires a legislative action.
6. Any previous uses and development remaining from the First Generation after the Second Generation is initiated must conform, or are then deemed legally non-conforming, subject to Chapter 30.76 Nonconformities.
7. First Generation and Second Generation regulations and processes cannot be mixed.

### B. California Environmental Quality Act

1. An Environmental Assessment/Program Environmental Impact Report (PEIR), State Clearinghouse Number 2015041044, was certified for this project.
2. The PEIR serves as the primary environmental document for the project and future development that would be undertaken in conjunction with it.
3. Subsequent environmental review is required for discretionary actions to entitle future development, including but not limited to Design Review, certain Subdivision actions and Use Permits.
4. Subsequent discretionary actions must be examined in the light of the PEIR to determine whether an additional environmental document needs to be prepared.
5. Pursuant to California Public Resources Code Section 21093, these discretionary actions may tier from the PEIR or a determination made that no further environmental review is necessary.
6. The Planning and Building Director must prepare and maintain an environmental review guide and checklist as a tool to streamline future environmental review of projects for which this Chapter applies.

## C. Master Design Review Permit

1. Certain sites on the map in Sec. 30.36.010.G are designated for the preparation of a Master Design Review Permit (MDP), as indicated by the MDP Zoning Overlay.
2. An MDP is a discretionary action subject to Planning Commission approval. The purposes of the MDP are to designate the location and extent of nonresidential ground floor uses on a large contiguous site established on the Zoning Map with the -S30- character context, allowing for ground floor residential uses in buildings elsewhere on the site and establish a phasing plan for development.
3. The application form and submittal requirements for an MDP must be prepared by the Planning and Building Director. Phases of development in the short term require a high level of detail while phases occurring over the long term may have less detail, provided that the MDP commits those later phases of development to providing additional detail later processed as an amendment to the MDP. Subsequent site-specific discretionary permits may be required.
4. The project area must include the entirety of the contiguous properties designated for the preparation of an MDP.
5. Within the MDP project area, a contiguous area must be designated for nonresidential uses to provide for a minimum floor area ratio equivalent to 0.20 of the total MDP project area, inclusive of the ground floor and any upper floor area designated for such nonresidential uses. Ground floor residential uses are prohibited in this contiguous area. Outside this contiguous area, ground floor residential uses are permitted and any of the AHE-X30- housing prototypes listed in Sec. 30.36.020 are allowed.
6. The Planning Commission may approve, deny or approve with conditions an MDP based on the following findings:

- a. The project is planned and designed to create a vibrant, walkable place with a mixed use core.
- b. A phasing plan for the project provides for an orderly and cohesive development, inclusive of private and public amenities and improvements commensurate with the level and type of development for each phase.
- c. The MDP conforms to the standards and provisions of the Encinitas Municipal Code.
- d. The resulting MDP conforms to the Housing Plan, including allowing the City to rely on the project to receive credit toward meeting its Regional Housing Needs Assessment allocation.

## D. Design Review

1. All buildings, grading, landscaping or construction projects in the At Home in Encinitas Zone (whether they require any other City permit or not) are subject to design review unless exempted by Chapter 23.08, except that the decision-maker is the Planning and Building Director unless the discretionary action includes a Master Design Review Permit (MDP) for which the Planning Commission is the decision-maker. For projects including other discretionary actions at a higher level than the Planning and Building Director, the design review permit will also be decided upon at that higher level. Design review findings for projects in the At Home in Encinitas Zone are as set forth in Sec. 30.36.100.D.4 below.
2. All design review will be conducted in accordance with Chapter 23.08, Design Review, unless modified by this Chapter.
3. The Design Guidelines for Mixed Use and Multifamily Residential apply to all design review in the At Home in Encinitas Zone and are adopted and incorporated as a part of Chapter 30.36 by reference.
4. Design findings in the At Home in Encinitas Zone are as follows:

- a. The project successfully reflects the design principles;
- b. The project reinforces the community features of the community in which it is located;
- c. The project responds to the design context in which it is located;
- d. The project exhibits successful implementation of the site design guidelines; and
- e. The project represents successful implementation of the building design guidelines.

## E. Subdivisions

All projects within the At Home in Encinitas Zone that involve the creation of subdivisions are subject to Title 24, Subdivisions

## F. Conditional Use Permits

Review of any use in the At Home in Encinitas Zone requiring a major or minor conditional use permit (see 30.36.070) occur in accordance with Chapter 30.74, Use Permits.

## G. Coastal Development Permit

Projects within the Coastal Zone must be additionally processed and entitled pursuant to Chapter 30.80.

## H. Adequate Sites

### 1. Inventory Credit

To ensure adequate sites inventory credit, the following additional standards apply and control over any conflicting provisions:

- a. Sites must be zoned to permit owner-occupied and rental multi-family housing by right.
- b. A rezoning to At Home in Encinitas must include contiguous parcels or lots that would result in a minimum yield of at least 16 units at a minimum density of 20 units per acre based on a Net Acre calculation.

- c. A project within a mixed use Character Context (X30 and S30) must achieve the minimum density as measured based on the entire Site Area, regardless of whether portions are devoted exclusively to non-residential uses. Furthermore, at least 50% of the total floor area of a mixed use project must be for residential uses. Parking and similar utilitarian facilities do not count toward the floor area calculation.

### 2. No Net Loss

When a discretionary permit for either a First Generation or Second Generation project is acted upon for any site depicted on the map in Sec. 30.36.010.B, a finding must be made that adequate sites inventory exists with remaining sites. This finding is not cause for denial of the project.

## I. Administrative Deviations

### 1. Authority

During the Design Review process, the Planning and Building Director is authorized to approve deviations to certain provisions of this Chapter, where, due to special conditions, strict enforcement would be physically impractical. This optional process may occur only where the applicant requests a deviation to a standard as specified below.

### 2. Deviations Allowed

The Planning and Building Director is authorized to approve a deviation for the following:

#### a. Build-to Range

- 1) Increase or reduction of up to 10% of the minimum or maximum required primary street or side street setback.
- 2) Reduction of up to 5% of the minimum required build-to percentage.

### b. Ground Floor Elevation

Reduction of up to one foot of the minimum required ground floor elevation.

### c. Story Height

Reduction of up to 5% of the minimum required ground and upper story floor heights.

### d. Transparency

Reduction of up to 5% of the minimum percentage of windows and doors that must cover street-facing building facades.

### e. Blank Wall Area

Reduction of up to 10% of the maximum allowed blank wall area on a street-facing building facade.

### f. Pedestrian Access

Reduction of up to 10% of the minimum required distance between street-facing entrances.

## J. Initial Implementation Authority

Notwithstanding Subsections D and I, the Planning Commission is the decision-maker until the City Council repeals this Subsection J after finding that this new Chapter has been successfully and effectively implemented. The latest this evaluation can occur is January 1, 2020.

## K. Alternative Compliance Allowed

### 1. Planning Commission Authority

Alternative compliance is a discretionary review process in which an applicant meets the intent of a development standard of this Chapter in an alternative way (this does not include Use Provisions in Sec 30.36.080). The Planning Commission has the authority to approve a request for alternative compliance during design review.

## 2. Application Requirements

Application for alternative compliance must be submitted at the time of application for design review. The applicant must submit pertinent material necessary for review of the alternative design. In addition to the submittal material required for design review. This may include architectural renderings, materials samples or other project-specific information.

## 3. Findings

- a. The Planning Commission must find that the intent of the applicable At Home in Encinitas Zone standard has been met or exceeded in an alternative way.
- b. The Planning Commission must consider any applicable At Home in Encinitas character context intent statement.
- c. The Planning Commission must find that the intent of the applicable portion of the Design Guidelines for Mixed Use and Multifamily Residential has been met or exceeded in an alternative way.

## L. State Agency Certification

The City's Housing Plan must be certified by the State Department of Housing and Community Development and its Local Coastal Program must be certified by the California Coastal Commission.



## 30.36.110. Defined Terms

**Character Context** means the use and development standards included in the Residential (R30), Mixed Use (X30) or Shopfront (S30) designations, which are part of the Second Generation of regulatory incentives set forth in this Chapter.

**Density** means the total number of dwelling units permitted on a net acre of land.

**Design Context** means the urban design characteristics based on the geographic location of the site in the City and the compatible neighborhood development prototype, represented by the Main Street Corridor (M), Village Center (V) or Neighborhood Center (N) designators, which are part of the Second Generation of regulatory incentives set forth in this Chapter.

**First Generation** means the use and development standards of the prior zone applicable immediately prior to the effective date of this Chapter.

**Ground Story** means the story closest to and above grade along the street.

**Housing Typology** means a housing type defined by its form and function in Sec. 30.36.020.

**Net Acre** means the total acreage of the site minus any environmental constraints and permanent site encumbrances that are determined to be excluded from development during the project review process, and any area proposed to be dedicated for future rights-of-way. This definition differs from “net acreage” as defined in Chapter 30.04.

**Planning and Building Director** means the Planning and Building Director or their designee.

**Primary Street** means the principal frontage for a building site, as determined in Sec. 30.36.070.G.

**Second Generation** means the use and development standards and the processes collectively set forth in this Chapter that represent the regulatory incentives

the City established to accommodate the production of high quality housing with a range of 20 to 30 dwelling units per acre in a residential or mixed use place.

**Transition Area** means an area on the site where special transition rules apply in Sec. 30.36.060.

**Side Street** means a frontage that is not a primary street, as determined in Sec. 30.36.070.G.

**Upper Story** means any story above the ground story.

# DESIGN GUIDELINES

## FOR MIXED USE AND MULTIFAMILY RESIDENTIAL



ENCINITAS, CA

ORDINANCE 2016-04: JUNE 22nd, 2016





# DESIGN GUIDELINES

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# 30.36.200 DESIGN GUIDELINES ESTABLISHED

## A. INTRODUCTION

1. The Design Guidelines for Mixed Use and Multifamily Residential may be cited as the “At Home in Encinitas Design Guidelines.”

2. The Design Guidelines apply to all Second Generation land uses subject to this Chapter.

3. The Design Guidelines are applied during the discretionary Design Review process. Should State law preempt local discretionary authority, these Design Guidelines shall be applied ministerially.

4. In no case may the Design Guidelines be used solely to reduce the density of a project. All sites were evaluated during the 2013 - 2021 Housing Element Update process and found to be developable within the allowable density range. Nonetheless, every site and project have a unique set of opportunities and constraints, which may result in a project achieving less than the maximum allowable density, but in no case shall a project develop at less than the minimum allowable density.

## IN THIS SECTION:

A. INTRODUCTION

1





# 30.36.210 APPLYING THE DESIGN GUIDELINES

## A. INTRODUCTION

This document provides design guidelines for development in the At Home in Encinitas Zone, which is established in support of the city's Housing Element for housing and mixed use development with a density of 20 to 30 dwelling units per acre. The guidelines provide a clear framework to denote the desired form and character of new residential development projects and to achieve the highest quality design in those areas. Implementation will help define how we spend our time in these places and what activities we engage in while we are there.

These design guidelines seek to promote design quality, provide direction for new development, and to establish clear goals and expectations for promoting compatible design and respecting community character. The guidelines are solution-oriented in that they provide direction for appropriateness in a range of design categories while also allowing flexibility and creativity. They also promote development that is compatible with the city at large, with the individual contexts, and the individual communities within Encinitas.

This section provides a background to the guidelines and their purpose. It then explains how the document is organized, how it is to be used and how it relates to the zone district.

## IN THIS SECTION:

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## B. RELATIONSHIP OF ZONING STANDARDS AND DESIGN GUIDELINES

*These design guidelines apply to the At Home in Encinitas Zone available only to a set of sites in the City that are specifically designated on the map in Section 30.36.010.G. These Design Guidelines only apply to Second Generation development in the At Home in Encinitas Zone.*

### 1. CONTEXT-SENSITIVE DESIGN

The intent is to promote a moderate increase in residential density when the project is designed to be compatible with the city at large, its various communities and more specific settings where responding to neighborhood character and when best practices in urban design are addressed. This residential development will appear different in various settings. That is, there is no one specific development model that can be applied universally. A major goal is to ensure that new development complements building scales to the street type and to the land uses that surround it. For that reason, a series of three “Design Contexts” is established, which reflect objectives for the character of development in different settings: Neighborhood Center (N), Village Center (V), and Main Street Corridor (M). These are indicated in the zoning with a “modifier symbol.” Thus, the X30 Character Context, for a Neighborhood Center is indicated as: X30-N. See Sections 30.36.030, 30.36.040, 30.36.050 and 30.36.220 for a description of the Design Contexts.

#### A NOTE ABOUT BUILDING HEIGHTS IN THE ILLUSTRATIONS:

*Many images that appear in this document show three-story buildings. This should not be construed to imply that an entire project may be of this height. When viewing these images it should be assumed that other portions of the same project would have one and two story structures.*

#### A NOTE ABOUT PHOTOGRAPHS IN THE DOCUMENT:

*The photographs that accompany the guidelines are intended to depict concepts rather than specific form, theme or style.*

## 2. ZONING AND THE DESIGN GUIDELINES

The standards in this zone are quantitative and measurable to address the mass and scale of development while the design guidelines are qualitative to achieve quality and compatibility.

The zoning standards establish basic requirements for new development, including:

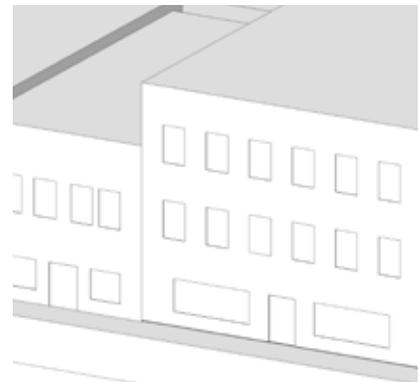
- Densities (minimum densities are required to comply with state housing law and RHNA)
- Lot area and coverage
- Building placement (required setbacks or build-to lines and frontage requirements)
- Parking and access
- Open space
- Building height and articulation
- Transparency (for mixed-use buildings)
- Building entrances
- Allowable uses, conditional uses, and unpermitted uses

The standards in the At Home in Encinitas Zone are quantitative and measurable and compliance is required. These rules must be satisfied by all new development that “opts” into the zone to which the standards apply. These rules are prescriptive; they provide a high level of predictability in terms of potential outcomes in development projects.

In contrast, the guidelines provide direction for the more qualitative aspects of a project and address design topics where more flexibility is appropriate and in which a variety of design solutions may meet the objectives for compatibility and appropriateness. The design guidelines also address unique characteristics inherent within the individual communities and contexts of Encinitas. Some guidelines may not apply in every circumstance. In other cases, an alternative solution to an applicable guideline may be proposed. Where this occurs, project applicants should articulate how alternative solutions will meet the intent of an achieved guideline. All projects are evaluated on their adherence and to the degree to which substantial compliance with the intent can be measured.

### THE TERM “PROJECT” IN THIS DOCUMENT:

*A “project” is meant to be an improvement to property that by itself meets the minimum density requirements of this zone. This may be an individual building or a grouping of buildings that are planned as a single development.*



*Zoning standards establish basic requirements for new development. They are quantitative and provide a high level of predictability.*



*Design guidelines seek to promote quality of design and respond to unique community characteristics. They are more qualitative than the zoning standards.*

### C. USING THE GUIDELINES

The design guidelines apply to any project in the zone district. This section explains how the guidelines will be used and how they will be administered. It also explains the organization of the guidelines and the standard format that is employed.

#### 1. WHO USES THE GUIDELINES?

Property owners, along with developers and designers, choosing to develop under the Second Generation standards in this Zone must use this document. Residents and other interested parties may also reference the guidelines as an educational tool in helping to achieve a common vision for Encinitas.

#### 2. HOW ARE THEY ADMINISTERED?

The guidelines are utilized during the City development review process to achieve the highest level of design quality, while at the same time providing the flexibility necessary to achieve creativity. All projects are evaluated and analyzed on their adherence to the design guidelines through a “design review findings” process, administered by staff. To make the design review findings, a project must show substantial compliance with the intent of the design guidelines.

#### 3. DETERMINING COMPLIANCE

In determining whether a Design Review permit may be issued, findings must be made, pursuant to Encinitas Municipal Code Section 30.36.100.D.4. The Design Guidelines in this Chapter (Sections 30.36.200 – 30.36.250) shall be applied to determine compliance with those findings, in addition to compliance with other standards in this Chapter and applicable standards of the Encinitas Municipal Code. When applying the Design Guidelines, the decision-maker shall determine which of the guidelines are relevant to the project and whether each relevant guideline is achieved. When conducting the Design Review, the City will balance in totality the combination of intent statements, concepts and guidelines that appear throughout the Design Guidelines, in the interest of achieving a high quality project.

*Complying with the design guidelines in this document is mandatory for all projects using the Second Generation standards in this Zone. Review occurs internally by city staff after compliance with the zoning standards is determined. Property owners and developers are strongly encouraged to coordinate with City staff early in the design process to ensure that projects meet all zoning standards prior to entering the design review process.*

#### 4. OVERVIEW OF THE GUIDELINES SECTIONS

The guidelines are organized into these sections:

##### **30.36.220 CONTEXT-SENSITIVE DESIGN**

This section establishes overarching Design Principles for development in this Zone. All projects must comply with these Principles. The Principles will be considered individually and also will be used in interpreting the design guidelines that follow. This section also includes information about the unique community features found throughout Encinitas. This is to ensure that each new project takes into consideration their unique setting in order to deliver a project that fits with and enhances the existing environment.

##### **30.36.230 DEVELOPMENT PROTOTYPES**

This section provides examples of development and housing prototypes that are appropriate solutions to meeting the objectives of the new floating zones and guidelines. These examples have been vetted by the community and leaders, however, other solutions also may be appropriate.

##### **30.36.240 SITE DESIGN GUIDELINES**

This section provides design guidelines related to site design. Concepts for building placement, parking, access and connectivity are included in this section. Streetscapes are also addressed, including open space, topography, neighborhood transitions, and project phasing. While section 30.36.220 Context-Sensitive Design is broad in nature, relating to a larger context, the section on site design focuses on the individual project and how it relates to its immediate neighbors.

##### **30.36.250 BUILDING DESIGN GUIDELINES**

This section provides design guidelines for individual buildings. It includes concepts related to building frontage, entries, height, mass and scale, materials, roofs, and windows.

## 5. HEALTH AND ENVIRONMENTAL DESIGN

The built environment denotes the form, function and character of communities and greatly influences human behavior. Therefore, it is important that we design communities for sustainable, healthy living. This document also addresses some environmental factors that affect the quality of a development. The conservation of energy and water are key objectives in community planning and each new design should include ways to do so, as well as reduce dependence on the automobile. Throughout this document, icons appear which highlight environmental design opportunities. They are:



**Water Conservation** - This icon indicates that the guideline should be used in order to conserve water on the site and within the building.



**Energy Conservation** - This icon indicates methods for reducing the carbon footprint of a building by implementing “green” building design methods.



**Reduced Auto Dependence** - This icon indicates methods that achieve alternative modes of transportation and correlates the impact of the built environment on physical health.

## 6. HOW TO READ THE DESIGN GUIDELINES

The guidelines are organized in a hierarchical format, with a variety of components. The letters correspond to the example design guideline that appears on the following page.

- (A) GENERAL TOPIC** - This identifies a category to be addressed for a set of guidelines. This also appears in a gray text box in the top right of each page.
- (B) INTENT STATEMENT** - This statement describes the overall intent of the guidelines that follow. In some cases, this intent statement may be referenced in considering alternative means of meeting a guideline.
- (C) DESIGN GUIDELINE TOPIC** - Sets of related guidelines are grouped by topic heading. These are located in blue boxes with a numbering system. This is used to reference specific design guidelines, i.e. “refer to guideline 18.a in section 30.36.240.”
- (D) DESIGN GUIDELINE** - This statement provides specific design direction within the topic area. The design guidelines are numbered in sequence to facilitate referencing them in formal reports and findings statements.
- (E) SUPPLEMENTARY INFORMATION** - This material appears as “bullets” which provide additional information and in some cases include specific examples of appropriate solutions.
- (F) ENVIRONMENTAL DESIGN ICONS** - These symbols relate to the city’s commitment to incorporate environmental awareness in new design.
- (G) IMAGES, DIAGRAMS AND GRAPHICS** - Sketches and photographs illustrate guideline intent.
- (H) RELATED REFERENCES** - Some pages include “sidebars” which provide reference to other relevant information.

### A NOTE ABOUT PHOTOGRAPHS:

*Photographs are used to illustrate specific design topics and in some cases may include other features that would not be permitted. These images should not be construed to imply that the entire scene depicted is appropriate or that the project would meet other city development regulations.*

6. SAMPLE DESIGN GUIDELINE

A → Site Design Guidelines

Building Placement

B → B. BUILDING PLACEMENT

All multi-family and mixed-use buildings should be positioned in ways that create well defined street frontages and convey a sense of scale. Each new building should respect traditional development patterns and the individual context, providing visual continuity along the block. It should promote an active, walkable neighborhood by providing pedestrian interest and minimizing the visibility of parking from the street.



Locate a building to respond to traditional development patterns in the design context.

C → 1. BUILD-TO AND SETBACKS

F → a. Locate a building to create a well-defined street frontage and minimize the visibility of parking areas.



i. Position a building so that most of the façade is located within the build-to zone (established in the R30, X30 and S30 standards) to minimize the visual impacts of parking areas and promote an active, pedestrian-oriented street.

D → ii. Alternatives to Mixed-Use and build-to standards may be considered, using these guidelines, where site configuration, topography or existing development patterns limit the feasibility of locating buildings at the sidewalk edge.  
E →

b. Locate a building to respond to traditional development patterns in the design context.

- i. In the Main Street context a new building should:
  - » Align at the sidewalk edge with a high percentage within the build-to area.
  - » Provide a clearly defined street edge, composed of storefronts (for a mixed-use building) or stoops (for a purely residential building).



Locate a building to create a well-defined street frontage and minimize the visibility of parking areas.

## D. BASIC DESIGN CONCEPTS

*Each project should be designed to respond to a “tiered” set of concepts related to community character and the individual setting. Those levels of consideration are illustrated here, and are explained in more detail in Section 30.36.220.*

### 1. DESIGN PRINCIPLES

Overarching design principles express **citywide design objectives**. They are:

- Design with Consistency & Integrity
- Respond to Neighborhood Context
- Design with Individuality
- Design for Views
- Respond to the Street
- Provide a Sense of Scale
- Balance Indoor and Outdoor Activity
- Provide a Progression of Space

### 2. COMMUNITY FEATURES

Each project should reinforce the **design traditions of the community** in which it is located. The five communities with unique features are:

- Old Encinitas
- Leucadia
- Cardiff
- New Encinitas
- Olivenhain

### 3. DESIGN CONTEXT

Each project must respond to its **unique design context**. The three unique design contexts respond to the last letter of the new zoning code terminology. They are:

- Main Street Design Context
- Village Center Design Context
- Neighborhood Design Context

### 4. SITE DESIGN

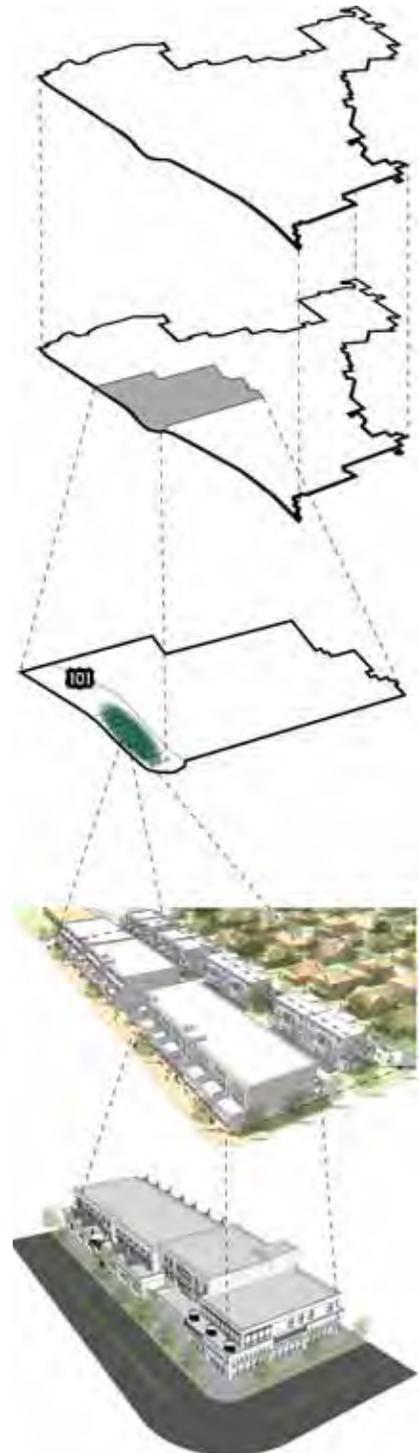
Design guidelines for site design encourage **high quality in public and semi-public spaces**. Objectives include:

- Creating a sense of place within each development
- Maximizing connectivity
- Designing the “edges” of a site to be assets to surrounding neighborhoods
- Making the best use of natural resources

### 5. BUILDING DESIGN

These design guidelines encourage **high quality design of individual buildings**. Objectives include:

- Promoting a sense of human scale to building proportions
- Providing a consistent street edge
- Encouraging high quality materials and design
- Promoting variation in massing and building form
- Accommodating a moderate increase in density while maintaining compatibility with established neighborhoods.





# 30.36.220 CONTEXT-SENSITIVE DESIGN

## A. INTRODUCTION

This section provides the foundation for designing in this Zone. It draws upon common themes that are reflected in the city’s Housing Element of the General Plan and upon overarching principles for design that the city seeks to achieve in all development. It also introduces a framework for considering each project’s fit with its setting. This is defined by descriptions of the traditional or desired design characteristics for of each of the five communities that make up Encinitas, as well as an introduction to the different “design contexts” that are assigned to the places where this Zone applies. This material shall be used when determining appropriateness of a specific improvement project.

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B. HOUSING ELEMENT COMMON THEMES	12
C. DESIGN PRINCIPLES	14
D. COMMUNITY FEATURES	16
E. DESIGN CONTEXTS	21



**LEGEND**       Townhomes       Flats       Apartments       Existing Context



## B. HOUSING ELEMENT COMMON THEMES

*Several “themes” evolved during the update to the City’s Housing Element, leading up to creation of the At Home in Encinitas Zone. They include broad objectives that serve the community, the environment, and the economy, as well as appropriate design character. These themes that should be reflected in new designs.*

### 1. MAINTAIN THE UNIQUE CHARACTER OF ENCINITAS

New development should respond to basic commercial or housing needs, but should also help create community centers that are distinctive and reflect the unique historical, cultural, economic, and geographical context of the area. By maintaining the unique character of Encinitas we are looking for the types of physical environments that create a sense of civic pride, and therefore support a more cohesive community fabric.

### 2. MIXED USE BUILDINGS IN KEY ACTIVITY CENTERS

A fundamental goal is to achieve a full array of different land uses and structures which work together to create vibrant communities. Developments that have medium to high densities and mixed land uses brings origins and destinations closer together and provide retail-residential synergies. It means that streets have more activity and interest, which leads to a greater propensity to walk and use transit to lower auto ownership rates.

### 3. MIXTURE OF TWO AND THREE-STORY BUILDINGS

By creating clear concepts through prototype designs, and providing clear examples of what is considered appropriate or desirable mixed use for different areas, the community can shape the projects that developers propose to provide more compatible uses and offer sensitive transitions to established lower density neighborhoods.

### 4. GROW SMALL BUSINESSES AND EMPLOYMENT BASE

High quality communities with architectural and natural elements are more likely to retain their economic vitality and value over time. Residents provide a market and employees for business and, in turn, businesses provide desired amenities and employment opportunities for residents.

### 5. WALKABLE PLACES & SOCIAL GATHERING SPACES

How and where residential, commercial, and industrial structures are arranged define the basic land use patterns, which are relevant for travel because they determine how close destinations are to one another. A combination of land use policies, implemented with transportation demand management strategies, can have significant effect on travel behavior. Walkable communities enhance mobility, reduce negative environmental consequences, strengthen economies, improve public health, and support stronger communities through improved social interaction.

### 6. MAINTAIN SMALL SCALE BUILT ENVIRONMENT

Attractive design is critical to balance the competing demands placed on infill, compact development. A design review function can help preserve community character that exists, but also to ensure that new development reflects an appropriate scale and complementary style to make residents feel comfortable and secure. The preference is to manage new development so that it is phased over time to meet future housing needs, while at the same time being well-designed and built to function as an asset to the community.

## C. DESIGN PRINCIPLES

*Each project in the At Home in Encinitas Zone should follow several overarching design principles. They are the first step in articulating the goals and characteristics associated with healthy, vibrant and diverse communities that offer residents more choices of how and where we live. These design principles include:*

### 1. DESIGN WITH CONSISTENCY AND INTEGRITY

Each design must have a coordinated design concept. Materials, massing and details should be used in a consistent manner. This often is the well-composed expression of a specific architectural style; in other cases, the design may be more vernacular, even eclectic, but overall it must have a sense of order and place within the community.

### 2. RESPOND TO NEIGHBORHOOD CONTEXT

Response to setting includes respect for the character of neighboring properties. While each design is unique, those within individual neighborhoods should have a sense of relatedness, which is derived in part from building placement on a site, a repetition of uniform setbacks, and continuity in materials, massing and form. Community character is important because it helps summarize the look and feel of different places, corridors, and open spaces.

### 3. DESIGN WITH INDIVIDUALITY

Designing each building to be unique is also a tradition in Encinitas. Each is aesthetically interesting, while restrained in character - they are not ostentatious or "over-the-top." Many structures and landscapes are custom-built. Even where a developer has built several structures in close proximity, each is an individual design. Repeated design often associated with a tract development is contrary to the city's design traditions and is inappropriate. Each project should also find what works best for people, strengthening the connection between people and the places they share through a building's form and shape, place making, arts and culture, and/or incorporation of art.

### 4. DESIGN FOR VIEWS

For many properties in Encinitas, views to scenic attractions, including the ocean and foothills are key aspects of design. The mass of a building should be positioned to maximize these view opportunities, and outdoor use areas should be planned to take advantage of these assets. Design sites and buildings that do not appear to loom out of scale over adjacent buildings.



*Design with consistency and integrity.*



*Respond to neighborhood context.*



*Design with individuality.*



*Design for views.*

### 5. RESPOND TO THE STREET

A special characteristic of Encinitas' design traditions is that each property has details which are visually attractive and interesting to people on the street. This may be a porch that faces the street, the artful composition of an entire building facade, or a well-maintained landscape. In some areas, designs offer a finer grain, perhaps as an ornamental detail on the face of a building, in the treatment of a balcony or deck or placement of an ornamental planter at the street edge. Each reflects an acknowledgment that an individual property is a part of the greater whole and that the neighborhood is enriched by this contribution to the public way.



*Respond to the street.*

### 6. PROVIDE A SENSE OF SCALE

Buildings and landscapes that convey a sense of scale are also a part of the design traditions in Encinitas. This scale is conveyed in the overall massing of structures as well as the way in which windows, doors, and details give a sense of a building's size and presence to the street. The texture of materials and the manner in which they are assembled do so as well. This helps one comprehend the building in the context to a person's size.



*Provide a sense of scale.*

### 7. BALANCE INDOOR AND OUTDOOR ACTIVITY

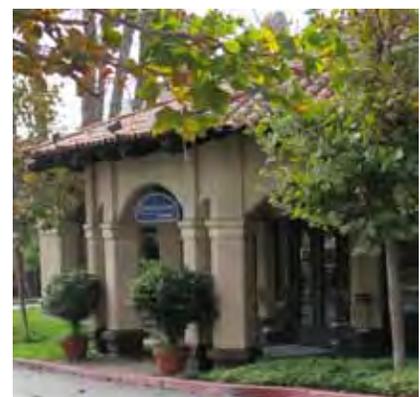
Each design should make use of outdoor areas as well as indoor spaces, and reflect the scenic appeal and mild climate of the setting. It may be manifest in patios, gardens and decks that extend living outside. These features add green space and amenities to neighborhoods.



*Balance indoor and outdoor activity.*

### 8. PROVIDE A PROGRESSION OF SPACE

Each property should have a sequence of spaces that leads from the public realm, then transitions into a "semi-public" area and then ends with the private building entry. This progression may be rather extended, and include a sidewalk area and then a courtyard or patio, with a walkway that leads to a building entrance. In other cases, this sequence may be more compressed, with a small stoop near the street edge or simply a recessed entry. Nonetheless, in each case there should be a sense of progression from the public to the private realm.



*Provide a progression of space.*

### D. COMMUNITY FEATURES

*Each project should reinforce the design traditions of the community in which it is located. These community character perspectives are particularly critical in making sure new development generally fits in within the existing neighborhood and is complementary to what exists today. A brief description of some of the key features of each community is presented in this section.*

#### 1. OLD ENCINITAS:

Old Encinitas, located in the center of the city, serves as the historic core and downtown for the City. Its major streets include Highway 101 and Interstate 5 (running north-south) and Encinitas Boulevard and Santa Fe Drive (running east-west).

Old Encinitas includes the most established and historic character of all the five communities. Highway 101, with its iconic “Encinitas” archway sign, serves as the “main street” for the entire city. Its traditional grid of uniformly-sized lots and blocks with buildings located at the sidewalk edge creates a more “urban” character. Buildings are modest in scale, but many are two or more stories. Storefronts with awnings and sidewalk cafes are common. A variety of architectural styles exists. Roof heights are also varied. Many include traditional “low pitch” roofs with varied cornice heights and others include more steeply pitched styles. East of Highway 101 and the railroad, the topography slopes upward offering views of the ocean from many east-west streets.

Because this “cultural district” still greatly resembles the natural beach town lifestyle that existed when woodies and longboards lined the coastline, Downtown offers a fascinating mixture of future and past. It remains one of the few places in California where you can find an eclectic mix of 1960s inspired beach culture combined with boutique shopping, contemporary restaurants, new age meditation gardens, and yoga studios. Old Encinitas also includes newer master planned neighborhoods east of Interstate 5. These areas are in the middle of Encinitas and bridge together similar areas of Leucadia and Cardiff.

Development in Old Encinitas should:

- b. Reflect the historic significance and established character;
- c. Blend indoor and outdoor spaces; and
- d. Take cues from older buildings in their proportions, dimensions, and materials, without replicating historic styles.



*East of Highway 101 and the railroad, the topography slopes upward offering views of the ocean from many east-west streets.*



*Sidewalk cafes and small courtyards occur frequently.*



*Old Encinitas includes the most established and historic character of all the five communities.*



*New development should “fit in” with the context, but still represent its own time.*

## 2. LEUCADIA:

Leucadia is located in the northwest section of Encinitas, just north of downtown. Its major streets include Highway 101 and Interstate 5 (running north-south) and Leucadia Boulevard and La Costa Avenue (running east-west).

Leucadia is centered on the Highway 101 corridor, which features eclectic architecture and a beachside culture. Buildings along Highway 101 are modest in scale, but vibrant with bold colors. Outdoor café seating and small street-facing plazas abound. Buildings only face Highway 101 on the west side. On the east side, the railroad runs parallel to Highway 101. Most properties along Highway 101 are within walking distance to Beacon’s Beach, with its panoramic cliffside views and pedestrian access. Ocean views also exist from upper floors of buildings along Highway 101. East of Highway 101, the character of Leucadia is made up of traditional low-scale residential neighborhoods. Examples of its agricultural traditions are also apparent. Because of its unique qualities, indicative of a broad range of “funky” style and beachside-urban scale, Leucadia tends to be thought of as an architecturally diverse community, with a more casual atmosphere.

New multifamily housing and mixed use developments in Leucadia should:

- a. Reflect the eclectic architecture along Highway 101;
- b. Respond to the coastal atmosphere and “beachside” culture,
- c. Incorporate outdoor elements such as cafe seating (for mixed use projects) or small courtyards and plazas, and
- d. Recognize the agricultural heritage of the area.



Most properties along Highway 101 are within walking distance of Beacon’s Beach, with panoramic cliffside views.



The Highway 101 corridor through Leucadia includes an eclectic mix of architecture styles and bold colors.



Leucadia’s bold colors and outdoor orientation gives it a “beachside” culture.



New development should incorporate outdoor elements such as cafe seating.

### 3. CARDIFF:

Cardiff is located in the southwest section of Encinitas, just south of downtown. Unlike Leucadia and Old Encinitas, Cardiff's development is predominantly east of Highway 101 with San Elijo State Park located west of Highway 101 along the coast. Cardiff's major arterials include Highway 101 and Interstate 5 running north-south and Santa Fe Drive and San Elijo Avenue running east-west.

Cardiff's location, being east of Highway 101, distinguishes it from the other coastal communities that have development west of Highway 101 and directly adjacent to the beach. This separation from the ocean makes Cardiff feel independent and unique. The term "village" is often used to describe it. Because of its location and topography, Cardiff includes exceptional ocean views, even from some ground floors or outdoor areas. Its architecture is more eclectic and colorful, like Leucadia's. A variety of land uses are present and housing density, in proximity to its "center," is more apparent than in other communities. Established residential neighborhoods are located on the hillsides overlooking the ocean as well as inland and east of Interstate 5. Neighborhood-serving retail centers are located along major corridors.

New development in Cardiff should:

- a. Respect its "village-like" character and uniqueness, with an emphasis on scale rather than stylish standards;
- b. Include unique, yet modest, architecture;
- c. Consist of buildings in smaller modules linked with pedestrian plazas, connections, or open space to respect the village-like character that exists, and
- d. Maintain and maximize views, wherever feasible.



Because of its location - separated from the ocean - and topography, Cardiff includes exceptional ocean views.



Cardiff's architecture is more eclectic and colorful, and buildings are modestly scaled.



In Cardiff a variety of land uses are present, and housing density, in proximity to its "center," is more apparent than in other communities.



New development should respect the "village-like" character.

## 4. NEW ENCINITAS:

New Encinitas is located in the central part of the city, just east of downtown. Development patterns are typical of suburban tract developments, with large-lot single family residences on winding streets and cul-de-sacs. Commercial nodes are located along major arterials. Major arterial streets include El Camino Real (running north-south) and Encinitas Boulevard (running east-west).

Existing development includes large regional retail centers along major corridors. An objective for mixed-use and multifamily development in New Encinitas is to help transform these places into areas with more residents and that are more pedestrian friendly. These larger commercial parcels offer opportunities for combining commercial and residential uses as they redevelop. Doing so can support economic development, while adding vibrancy with increased residential density. Additionally, these larger parcels provide room for sensitively transitioning into single family neighborhoods with low-scale residential prototypes, rather than abruptly changing from commercial to single family residential.

Mixed use and multifamily developments in New Encinitas should:

- a. Focus on creating unique places with a mix of commercial and residential uses and create vital activity centers - where people choose to live, work, and play there because they are attractive and high quality options;
- b. Reflect the New Encinitas family lifestyle and create pleasant transitions into established single family residential neighborhoods; and
- c. Expand vibrancy to the corridor and allow for a wider variety of economic opportunity, access, and place making.



Large-scale redevelopment offers opportunities for better transitioning into established single family neighborhoods by using a variety of low-scale residential types.



*The traditional development patterns of New Encinitas include large regional-serving retail centers along major corridors that are separated from single family residential neighborhoods.*



*New development should focus on creating unique places with a variety of commercial and residential uses.*

## 5. OLIVENHAIN:

Olivenhain is located in the easternmost section of the city, just east of New Encinitas. The “center” of Olivenhain is located at the intersection of Encinitas Boulevard and Rancho Santa Fe Road, its two major arterial streets.

Olivenhain differs from the other Encinitas communities in that it has a very rural atmosphere with lower density. It exhibits a significant equestrian culture, offering horse trails as well as sidewalks. Development is more traditional in style and rural in character. Building materials and finishes are typically more rustic. Major corridors include a mixture of residential and commercial uses, but elsewhere a rural residential character exists. The landscape is more natural in Olivenhain, with views orienting to the foothills rather than the ocean. Olivenhain is described as being “village-like” but with a more pastoral character than Cardiff.

New development in Olivenhain should:

- a. Respect the low-scale, low-density character of Olivenhain while offering new housing choices;
- b. Reflect the rural characteristics in materials and architectural styles, including the significant equestrian culture and orientation to the foothills; and
- c. Respect the rural atmosphere by utilizing lower light levels than other communities in Encinitas.



*Olivenhain includes a rural atmosphere with a significant equestrian culture.*



*Major corridors include a mixture of residential and commercial space.*



*Streets are narrow and may be paved or unpaved. Sidewalks are often shared equestrian paths.*



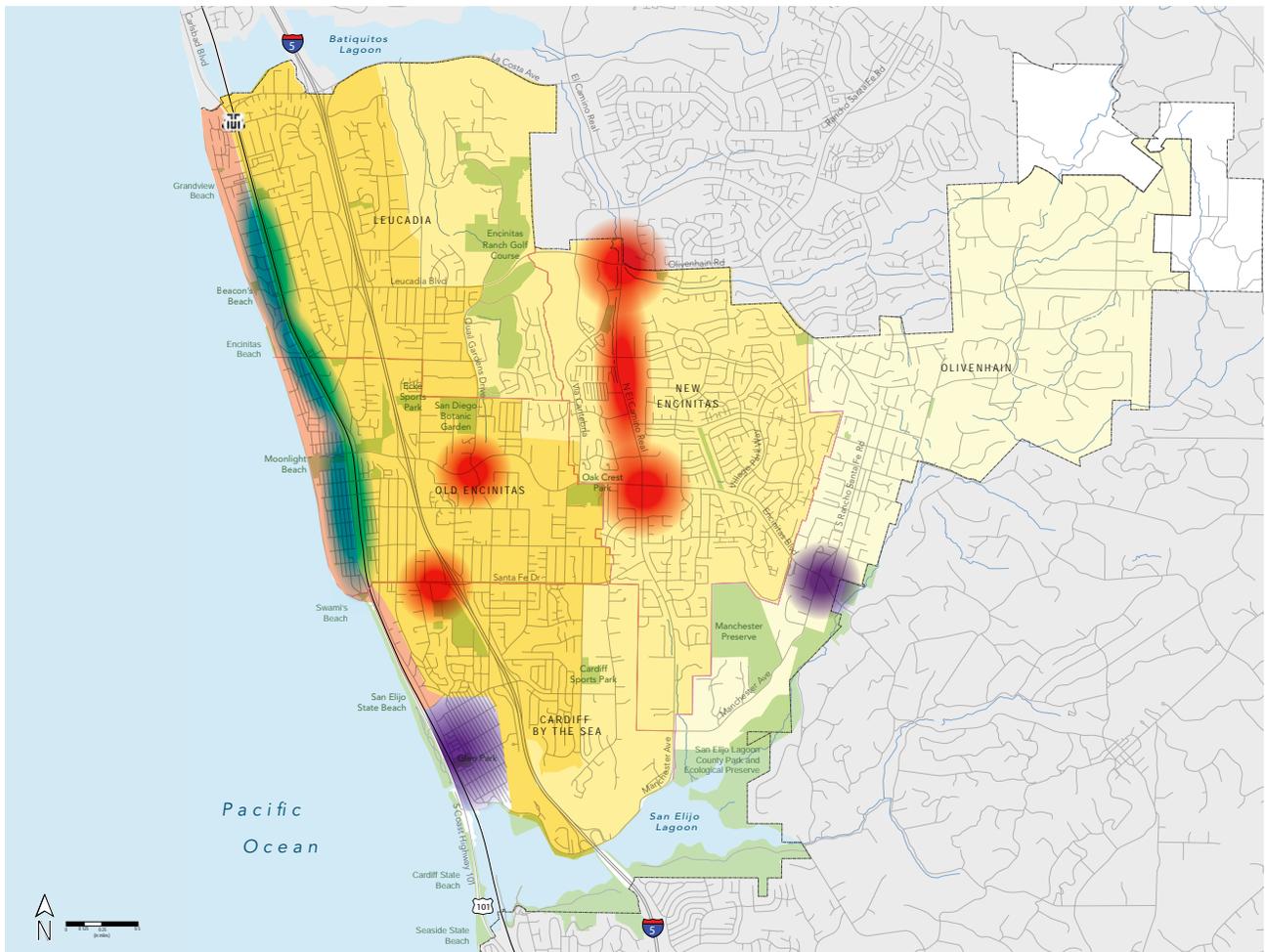
*Landscaping in this design context is more natural, and often used for privacy.*



*New development should respect the low-scale, low-density character while offering new housing choices.*

**E. DESIGN CONTEXTS**

Three distinct “Design Contexts” exist in those parts of Encinitas where the At Home in Encinitas Zone may be used. Some of these design contexts appear in each of the five communities, while others appear only in a few. In each case, these aspects should be considered in each project. The following pages describe each design context in more detail. The features that are described are those that are desired to occur in these areas, which combines some existing characteristics with some aspects that should be introduced to these places.



### 1. MAIN STREET DESIGN CONTEXT

The Main Street design context lies predominantly along Highway 101, although some other locations exist.

The desired Main Street character includes buildings with a strong orientation to and interaction with the street. For mixed use buildings, this means that the ground floor should be very transparent and welcoming, with storefronts, outdoor seating and displays. The activities inside the building should activate the sidewalk it faces. Mixed use buildings should include housing on upper floors, with balconies or outdoor terraces overlooking the street. Residential-only projects within Main Street contexts should still orient to the street with clearly defined entries and balconies and common space fronting the street. Raised stoops and individual street-side entries are also welcome to help animate the street. Highway 101 is centrally located and near major transit routes. This proximity to transit also should be considered when designing in this context.

New development in the Main Street context should:

- Have a strong orientation to the street and help define the sidewalk edge;
- Include ground floor uses that help activate the street and sidewalk;
- Include diverse housing choices;
- Connect to public transit; and
- Reinforce the unique character of the Highway 101 corridor;
- Incorporate historic facade elements when feasible;
- Express the finer-grained character and scale of a street that has evolved over time, by providing variety in design within a single project, using changes in style, form, materials, color and fenestration.



*In the Main Street design context, primary buildings should help define the street edge and encourage pedestrian activity.*



*New development should have a strong orientation to the street and sidewalk.*



*New development should connect to public transit.*



#### LEGEND

 Mixed Use	 Carriage House	 Townhome	 Existing Context
---	--	--	--

*For a project in the Main Street Context, the primary buildings should align at the street edge. Lower scale building types may be used to transition along sensitive edges.*



*New development should reinforce the unique character of the Highway 101 corridor.*

### 2. VILLAGE CENTER DESIGN CONTEXT

The Village Center context appears in the Cardiff Town Center area as well as in the commercial areas of Olivenhain. Other sites also exist where the “village center” palette is most desirable.

The desired Village Center character includes a mixture of land uses within close proximity to each other where smaller buildings are “clustered” and connected via pathways, courtyards, and other outdoor connections. Buildings should be modestly set back from the street and have more variation in building frontage than the other two design contexts, but connecting to the street remains very important. Uses should be vertically “stacked” or horizontally arranged on a single site. A sense of connection with the outdoors should be pronounced. Materials should respond to the established community. For example, Cardiff Town Center includes historic brick structures as well as newer buildings with colorfully painted stucco; Olivenhain includes more natural materials such as wood, masonry and clay tile roofs. Reinforcing the traditional character of each Village Center context is a key objective.

New development in the Village Center context should:

- a. Reinforce the “village” character in architectural style, materials, and scale;
- b. Incorporate common outdoor areas that connect buildings to one another;
- c. Vary facades to appear to be smaller, individual structures.
- d. Express the finer-grained character and scale of a street that has evolved over time, by providing variety in design within a single project, using changes in style, form, materials, color and fenestration.



*New development should reinforce the “village” character in architectural style, materiality, and scale.*



*Larger, new development should vary the facades to appear to be smaller, individual structures.*



*A variety of small-scaled housing types are appropriate and can add density while keeping with the scale and character of a “village” setting.*



**LEGEND**

- Mixed Use
- Carriage House
- Townhome
- Flats
- Apartments
- Existing Context

*A project in the Village Center context should include “clusters” of smaller buildings with interconnecting walkways.*

### 3. NEIGHBORHOOD CENTER DESIGN CONTEXT

The Neighborhood Center design context exists along centrally-located commercial centers on major arterials. This context is usually organized in the form of a “node” - where a major intersection serves as the destination, or in a linear “corridor.”

The Neighborhood Center context is envisioned as transforming from what is today one of strictly commercial land uses into more of a mixture of uses where residential units add to the vibrancy of the place and offer more sensitive transitions to surrounding single family neighborhoods. Improving walkability also is important. This context includes larger parcels of land, and therefore, larger buildings are more appropriate. Building height should remain in the range of two to three stories and buildings should orient to the street and public sidewalks. Uses may be vertically stacked or horizontally distributed. Parking should be subordinate. Internal pedestrian and auto connections are crucial to breaking up the size of very large parcels, as increased walkability is a primary desired element in this context. Connections to adjacent developments should also be provided to support walking and biking. Enhanced connections to transit is also important.



*New developments should include pedestrian and auto connections and parking should be subordinate.*



**LEGEND**

- |  |  |  |
|--|--|--|
|  Twin Home      |  Flat       |  Park             |
|  Carriage House |  Apartment  |  Existing Context |
|  Townhome       |  Commercial |  |

*A Neighborhood Center should include well-defined street edges with buildings in front. New internal lanes should enhance connectivity.*

New development in the Neighborhood Center context should:

- a. Have a strong orientation to major streets;
- b. Help establish a more pedestrian-friendly street edge;
- c. Include pedestrian and auto connections on sites with multiple buildings;
- d. Encourage internal circulation within projects;
- e. Connect to transit;
- f. Support walking and biking to and from nearby developments and neighborhoods;
- g. Provide parking that is accessible and easy to find, but subordinate to the primary buildings; and
- h. Incorporate a variety of building types and scales, including a mixture of residential building types and unit sizes.



*New developments should support walking and biking to and from nearby developments and neighborhoods.*



*New developments should have a strong orientation to major streets.*



# 30.36.230 DEVELOPMENT PROTOTYPES



## IN THIS SECTION:

A. NEIGHBORHOOD PROTOTYPES	28
B. HOUSING PROTOTYPES	32

### LEGEND

- Townhomes
- Flats
- Apartments
- Existing Context



## A. NEIGHBORHOOD PROTOTYPES

Each project should be designed to fit within one of the "Neighborhood Prototypes" that are envisioned for this Zone. Some of these are purely residential prototypes, which are allowed in each of R30, X30, and S30 Character Contexts; others are mixed use prototypes, which are allowed in X30 and S30 Character Contexts only. Examples of each prototype are shown in this section to illustrate intent. They are not actual development proposals.

### 1. ALL RESIDENTIAL NEIGHBORHOOD PROTOTYPES

Two purely residential neighborhood prototypes are appropriate for R30 sites: one applies to small lots, and the other applies to medium to large sized lots. In each case, the only use is residential. More intensive development is located along arterial streets. Sensitive transitions to surrounding single family neighborhoods are provided, using the smaller building forms of townhouses and carriage houses. The intent is to add housing choices within a project while responding to character and context.



On small sites, buildings should be appropriately scaled to the site and the surroundings. Above are two scenarios: one of lower intensity (top) with on-site surface parking and one of higher intensity (bottom) with tuck-under parking.

- ① Higher intensity residential along major street.
- ② Parking located behind buildings.
- ③ Lower scale residential along sensitive edge.



On large sites, a variety of building sizes and forms is appropriate. Smaller buildings are more appropriate adjacent to single family homes while larger buildings are more appropriate fronting major streets. Above are two project scenarios: one of lower intensity (top) and one of higher intensity (bottom), which includes some three-story buildings.

## 2. MIXED USE NEIGHBORHOOD PROTOTYPES

There are three general mixed use neighborhood prototypes identified for X30 sites, each relating to a Character Context, as described previously. Each prototype includes a variety of mixed use and residential building types. They also include sensitive transitions to existing single family neighborhoods, but overall are more intense than R30 sites due to the land use mix and parking requirements. The intent is to add housing choices while creating unique places that add to the vibrancy of existing neighborhoods. Commercial uses are located along arterial streets, away from sensitive edges. Lower scale residential buildings and landscaped parking areas serve as transitions to single family neighborhoods nearby.



### MAIN STREET:

*This neighborhood prototype relates to the X30-M and S30-M character and design contexts combinations. It shows how new mixed use infill can occur on “main streets” where lots are smaller and more constrained.*

*This neighborhood prototype envisions an entire block face redeveloping, which could be a single parcel or could require land assemblage or strategic project phasing.*

*Each scenario includes a mixed use building fronting the primary street with alley access to parking and other transitional uses (such as carriage houses) which add housing diversity to the project while sensitively transitioning to single family.*

- ① Pedestrian-oriented ground floor with high percentage of frontage
- ② Upper floors step back to provide private open space and reduce scale of building from sidewalk, and meets part of the Usable Open Space Requirement.
- ③ Public plaza is integral to the project and accessible and visible from street, and qualifies as Common Open Space.
- ④ Building is organized in modules to break up facade.
- ⑤ Primary entries are accentuated.
- ⑥ Smaller-scale housing types and parking used as transition to single-family neighborhoods.



## NEIGHBORHOOD CENTER:

*This neighborhood prototype relates to the X30-N and S30-N character and design contexts combinations. It illustrates how new mixed use infill development can occur on a large parcel.*

*This prototype envisions redevelopment of a shopping center into a vibrant mixed use neighborhood. It could be a single parcel or a group of parcels.*

*Each scenario includes a gradation from more intense uses along major streets to less intense uses near existing single family neighborhoods. Each scenario includes a mix of housing options as well as some commercial uses. Open space is also a primary feature.*

- ① Mixed use and higher-intense uses near major arterials.
- ② Medium to high percentage of building frontage on primary streets
- ③ Parks and plazas as primary features which qualify as Common Open Space.
- ④ Building is organized in modules to break up facade.
- ⑤ Parking is located behind buildings and interior to the site.
- ⑥ Primary pedestrian-oriented street is perpendicular to major arterials.
- ⑦ New streets increase connectivity and walkability.
- ⑧ Smaller-scale housing types and parking used as transition to single-family neighborhoods.



## VILLAGE CENTER:

*This neighborhood prototype relates to the X30-V and S30-V character and design contexts combinations. It demonstrates how new mixed use infill can occur in a “village-like” setting where lots are smaller and are more integrated into the existing fabric.*

*This development prototype envisions a variety of individual parcels redeveloping overtime around some existing buildings.*

*Each scenario includes mixed-use and multifamily buildings, fronting primary streets with various plazas and pedestrian passages connecting the various buildings. Carriage homes and townhouses are located along sensitive edges adjacent to existing single*

- ① Development divided into numerous smaller buildings.
- ② Connectivity between new and existing development is enhanced.
- ③ Public plazas and passages provided throughout. (These qualify as Common Open Space.)
- ④ Building is organized in modules to reduce perceived scale.
- ⑤ Smaller-scale housing types and landscaped parking creates a transition to single-family neighborhood.

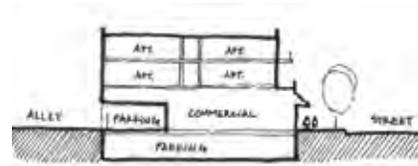
## B. HOUSING PROTOTYPES

Various “building” prototypes are appropriate in different contexts throughout the city. The variety of housing prototypes is to show that housing density requirements can be met through a spectrum of building types, from mixed use to single-family attached townhomes. The building design guidelines apply to these housing prototypes. Key features of these building types are summarized here.

### 1. MIXED USE RESIDENTIAL PROTOTYPE

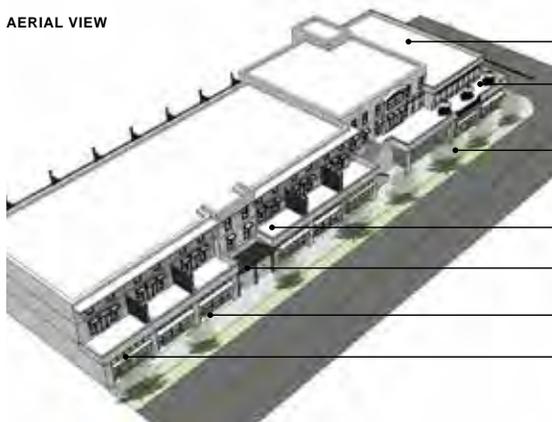
A Mixed Use Residential building includes commercial uses on the ground floor and residential uses on upper floors. It has a shared entrance and may have interior corridors.

Parking is provided in a surface lot or underground. Tuck-under parking can also be incorporated when site constraints make other parking options difficult.



*In a vertical mix, uses are stacked on top of each other, with commercial on the ground floor and housing above.*

AERIAL VIEW



- Building and roof form is varied
- Semi-public space above the ground floor is common in the Encinitas region
- Public “paseos”, or breezeways, allow penetration from one side of the site to the other
- Upper floors include apartments
- Shared entries are expressed on the facade
- Buildings are located at the sidewalk edge
- Commercial uses occupy the ground floor and contribute to a vibrant sidewalk experience with high transparency and active uses



*Uses may be mixed on a site horizontally rather than vertically.*

FRONT VIEW



*Mixed use buildings should be located at the sidewalk edge, but also incorporate varied massing, both vertically and horizontally. Small cafe patios and “paseos” are common.*

REAR VIEW

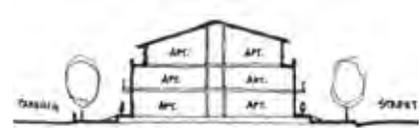


*Parking may be tucked under the residential units, underground, or in an adjacent surface lot.*

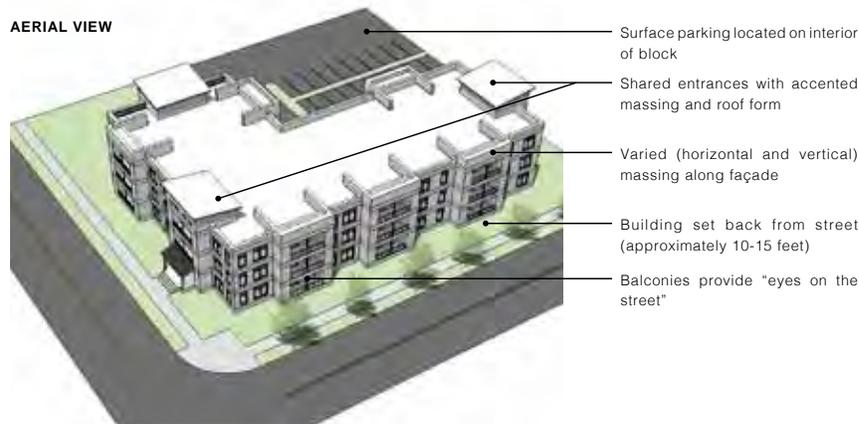
## 2. MULTIFAMILY APARTMENT PROTOTYPE

Apartments are multifamily units. Each unit is accessed via a common entrance and corridor. Some are single-loaded (apartments on one side, with a shared corridor on the other) or double-loaded (apartments on both sides, with a shared corridor in the middle.)

Parking is provided on-site in surface lots, or in higher density options, could include podium parking (partial sub-grade). Apartments have porches on the ground floor and balconies on upper floors and often include common amenities such as pools, courtyards with picnic areas and workout rooms.



*The two-story apartment prototype includes similar principles such as varied massing and roof form. It is surface parked.*



*A podium-style incorporates parking under the building, allowing for shared courtyards for residents to enjoy.*

FRONT VIEW

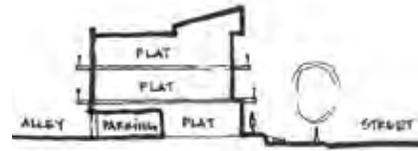


REAR VIEW

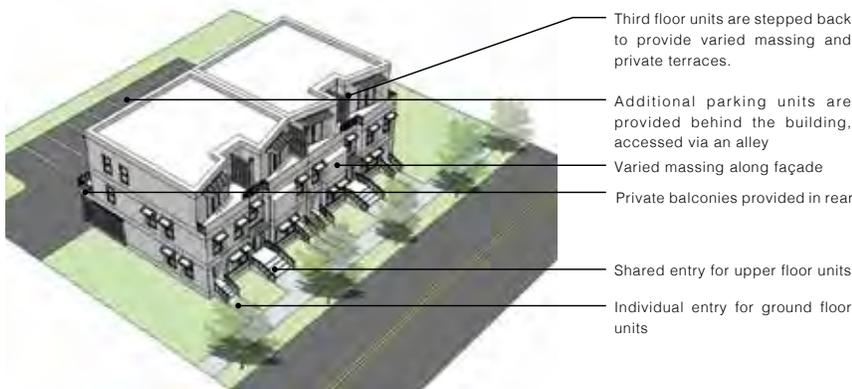


## 3. MULTIFAMILY FLAT PROTOTYPE

A Multifamily Flat includes apartment units stacked vertically without an internal corridor. They are also commonly referred to as “walk-up” units. Ground floor units include an individual entry while upper floors are accessed via a common stair core. Each building includes 4 to 6 units, depending on building height and unit size. Parking is “tucked” under the building for site efficiency. This prototype includes a wide range of unit sizes to accommodate mixed-income opportunities.



AERIAL VIEW



*A two-story flat module includes four total units with one tuck-under parking space per unit.*

FRONT VIEW



*Flats operate much like townhomes, but units are stacked on top of one another instead of side by side.*

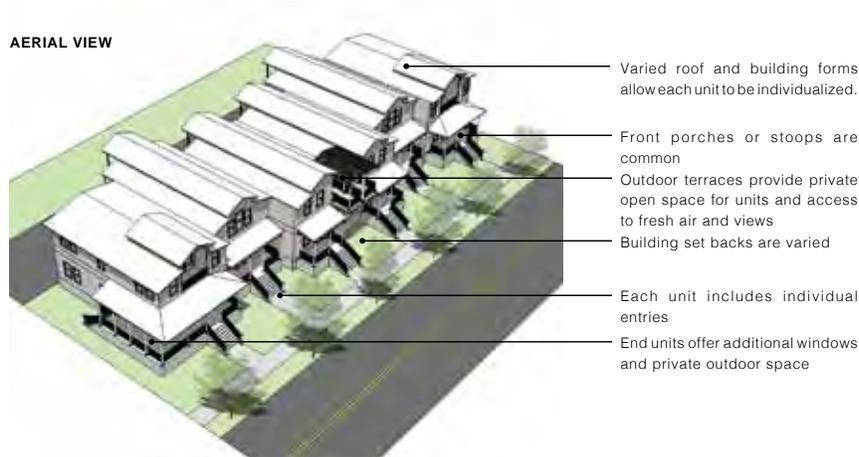
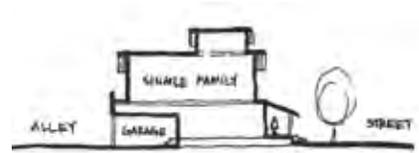
REAR VIEW



*The three-story flat includes four tuck-under parking spaces per every six units. Extra on-site surface parking may be required.*

## 4. TOWNHOME PROTOTYPE

A Townhome is a single family unit that is attached to others. End units have openings on three sides, while interior units have openings only in the front and back. Sometimes, a garage is accessed from an alley. It may be attached or detached with a small yard. The main entrance typically faces a public street and sidewalk and often includes a front porch or stoop.



*Three-story townhomes offer larger unit sizes (4 bedrooms), as desired for families in Encinitas, without the cost of a detached single family home.*



*Townhomes are single family homes that share a wall. Construction precautions are taken to mitigate sound transfer.*



*Individual (two-car) garages are integrated into the rear facade.*

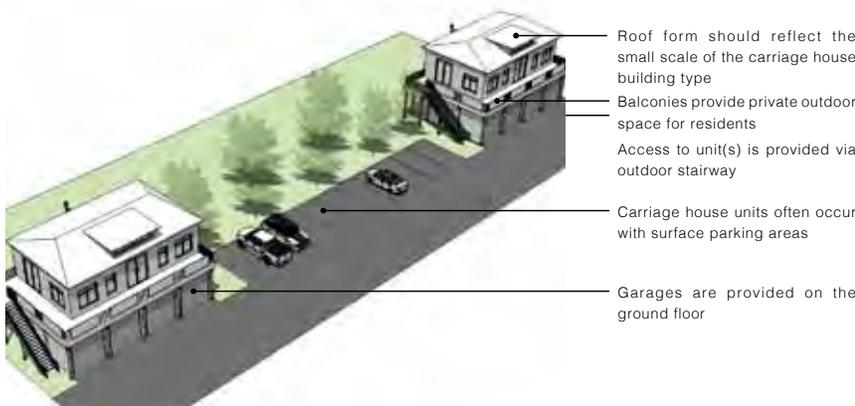


*A Townhome may include an integrated, enclosed garage, or a "carport" which can double as an outdoor patio.*

## 5. DUPLEX AND CARRIAGE HOUSE PROTOTYPE

A Carriage House is a 2nd floor (and occasionally 3rd floor) residence located above ground floor parking. Parking is provided either as “tuck-under” (partially enclosed) or in private garages (fully enclosed). Carriage houses provide a wider variety of unit types and sizes, and transition into existing single family neighborhoods. They are usually located along an alley or within an internal surface parking lot of a larger development.

CARRIAGE HOUSE AERIAL VIEW



*Carriage houses increase density and parking options on a site while providing a modest scale of development.*



*Carriage houses provide a modest scale for transitioning into single family neighborhoods.*

A Duplex building is similar to the Townhome type, but is limited to two units, which share a party wall. These also are ideal for transitions to existing single family neighborhoods.

DUPLEX AERIAL VIEW



*Carriage houses are accessed via an alley or driveway. They provide additional parking for supporting uses.*



Duplex Prototype

# 30.36.240 SITE DESIGN

## A. INTRODUCTION

This section addresses site design for individual parcels and for master plans containing multiple parcels. The primary objectives are to:

- Create a sense of place within each development;
- Maximize connectivity;
- Design the “edges” of a site to be assets to surrounding neighborhoods; and
- Make the best use of natural resources

Site design guidelines consider the placement and layout of buildings and other features on the property. Access and connectivity also are major considerations, both within an individual project, and as the project relates to the surrounding neighborhood. The arrangement of site design determines how close different physical elements are to one another, shaping how people perceive the built environment. This section also provides guidance for the design of sensitive transitions to provide coherence to the surrounding neighborhoods.

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### B. BUILDING PLACEMENT

Each multi-family and mixed-use building should be positioned in a way that creates a well-defined street frontage and conveys a sense of scale. Each new building should respect traditional development patterns where they are valued, as well as the designated Design Context. It should promote an active, walkable neighborhood by providing pedestrian interest at the street level. Finally, site design considers the needs of the end-user so that people can live and work in accessible, safe, well-designed and thoughtful structures.



Locate a building to respond to traditional development patterns in the design context.

#### 1. BUILD-TO AND SETBACKS

##### a. Locate a building to create a well-defined street frontage and minimize the visibility of parking areas.



- i. Position a building so that most of the primary street-facing façade is located within the build-to range.
- ii. Alternatives to Mixed-Use and build-to standards may be considered, using these guidelines, where the site configuration or topography limit the feasibility of locating buildings at the sidewalk edge.

##### b. Locate a building to respond to traditional development patterns in the design context.

- i. In the Main Street context a new building should:
  - » Align at the sidewalk edge with a high percentage of building wall within the build-to range.
  - » Provide a clearly defined street edge, composed of storefronts (for a mixed-use building) or stoops (for a purely residential building).
  - » This may be varied to a limited extent to allow for an expanded outdoor dining area, plaza or courtyard, but the predominant building line should be maintained.

#### NOTE:

The topics appear in the order in which they are addressed in a typical design sequence.



Locate a building to create a well-defined street frontage and minimize the visibility of parking areas.

- ii. In the Neighborhood Center context, maintain a defined street edge by:
  - » *Aligning at the sidewalk edge with a high percentage of building wall located within the build-to range for a mixed-use building.*
  - » *Aligning near the sidewalk edge with minimal setbacks for a multifamily residential building.*
- iii. In the Village Center context, buildings should be more dispersed and clustered. A new building should respond to this context by:
  - » *Allowing more variation in setbacks for pedestrian passages, sidewalk and cafe dining areas, small plazas and courtyards.*
  - » *In this context, the “interior” block environment is as important as the street side, or “exterior” block environment. Special attention should be given to building placement in order to promote a village-like atmosphere.*
  - » *Site design must be sensitive to the transitions between old and new development.*



Maintain a defined street edge. A new building should help define and enclose the streets.

**c. Locate a building to facilitate a safe environment by providing “eyes on the street.”**

- i. Locate building elements such as balconies, stoops, entries, and windows so they activate the public realm, and provide additional security for the entire neighborhood.
- ii. Private open space should be distinguishable from public areas, but is encouraged to blend into the public space.
  - » *Some examples for providing a distinguishable barrier, but blending into public space include, but are not limited to: railings, low wall, landscaping, or an elevated stoop or patio.*



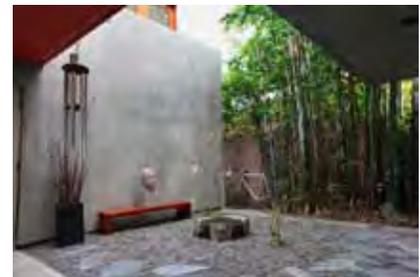
Locate a building to take advantage of micro-climatic opportunities for energy conservation.

## 2. ACCESS TO LIGHT AND AIR

**a. Locate a building to take advantage of micro-climatic opportunities for energy conservation.**



- i. Orient a building to be consistent with established development patterns, when they are a part of the desired features for the context.
- ii. Consider seasonal solar and wind exposure patterns when positioning a new building on its site.
  - » *For example, a building located near the coast should be oriented to take advantage of breezes whereas a building located inland should be oriented to take advantage of prevailing winds, and to provide shade in outdoor areas.*



Courtyards provide opportunities for micro-climates, and provide additional light, air, and shade to a project.

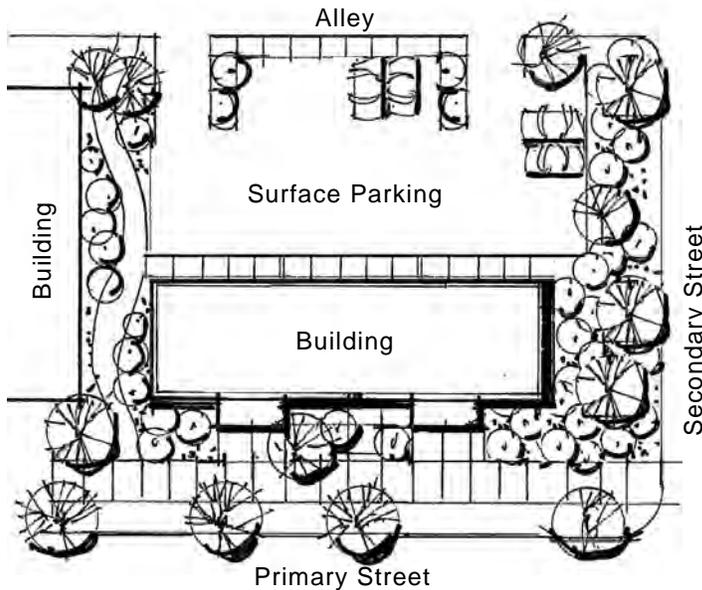
### C. PARKING DESIGN

*The visual impacts of parking within a development should be minimized and be buffered from public ways in order to promote a walkable neighborhood and support the traditional “natural” character of Encinitas. Each parking facility should contribute in a positive way to the neighborhood while avoiding negative impacts on traffic. When designing sites that include automotive parking, consider how the provision of parking can affect the use of more active modes of travel such as walking, bicycling and public transit.*

#### 1. SURFACE PARKING

##### a. Minimize the visual impact of surface parking.

- i. Locate a parking area to the interior of a site, behind a building, where feasible. This is especially important on a corner property where the street wall should have a sense of enclosure.
- ii. Also locate a parking lot away from abutting lower density residential zone districts or provide a buffer.



*Locate a parking area to the interior of a site, behind a building, where feasible.*

- b. Provide a visual buffer where a parking lot abuts a public sidewalk, path, or street. Parking in some areas may need to be adjacent to the street due to physical site constraints. If so, it must be visually buffered.**
  - i. Note that “buffering” does not mean fully screening the parking, but it does require creating a visual “filter” that softens the view of parked cars.
  - ii. A low site wall or art may be used as a buffer in combination with landscaping. Its materials should be compatible with those of the building and feature artistic design elements to the extent feasible.
  - iii. A planted buffer may also be used, and should include a combination of trees, shrubs and ground covers.
  - iv. Consider flexibility in the location of parking, based on adjacent, existing land uses that does not compromise design principles in achieving a pedestrian oriented development unless justified by physical constraints.



*A planted buffer with trees, shrubs and ground cover provides a buffer from a public sidewalk and street.*



*Provide a visual buffer where a parking lot abuts a public sidewalk.*

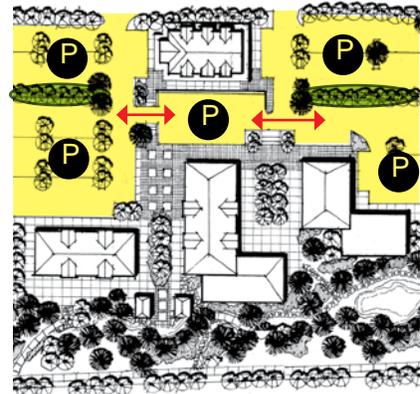


**c. Design a parking area to encourage walking, bicycling and using public transit.**

- i. Provide convenient pedestrian connections to a parking facility that lead to nearby services and transit.
- ii. If possible, provide multiple pedestrian access point facilities so users can walk as directly as possible to various destinations.
- iii. Bike parking should be provided and it should be integrated into the parking plan, not as an afterthought. It should be visible, inviting, well-lit, and easy to use.

**d. Design a parking lot to be human-scaled.**

- i. Configure surface parking as a set of interconnected, smaller “rooms” with landscape buffers, art, and/or artistic design elements.
- ii. A buffer that separates two parking modules should be a minimum of 8 feet in width.



*Configure surface parking as a set of interconnected, smaller “rooms” with landscape buffers.*



**e. Design a parking area to minimize on-site stormwater run-off.**

- i. Use permeable materials for portions of a surface parking lot in order to reduce on-site run-off. Permeable materials include:
  - » *Crushed stone/gravel with reinforced underlayment*
  - » *Dry-laid pavers*
  - » *Stone or brick pavers*
  - » *Gravel or grass-filled concrete block systems*
- ii. Utilize strategies that allow stormwater run-off to be filtered within the parking area.
  - » *Incorporate bioswales as part of the parking lot landscaping.*
  - » *Incorporate slotted curbs to allow stormwater to flow from the parking area into landscaped areas.*



*Incorporate bioswales as part of the parking lot landscaping.*



*Use permeable materials for portions of a surface parking lot in order to reduce on-site run-off.*

## 2. STRUCTURED PARKING

- a. A structured parking facility should provide a pedestrian-friendly ground floor and street edge.**
  - i. Include an active use at the sidewalk edge.
    - » *Active uses may include commercial space, or residential amenities such as an exercise room or recreation room.*
  - ii. On a secondary street, other methods of providing visual interest may be employed. In these locations, use architectural details, screening, landscaping, public art, wall sculpture or display cases at the street level to provide visual interest to pedestrians.
- b. Design structured parking to be integral to a building.**
  - i. Provide direct, enclosed access to residential units.
  - ii. Architecturally, the parking facility and primary structure should read as one, with similar materials, detail and design quality.
- c. Design access to parking to be easily identified.**
  - i. Incorporate signage to direct users from a public street into the parking facility.



*A structured parking facility should provide a pedestrian-friendly ground floor and street edge.*



*Screening, art, or artistic design elements may be used on secondary streets to provide visual interest.*



*Include an active use at the sidewalk edge.*



*A structured parking facility should provide a pedestrian-friendly ground floor and street edge.*



*Incorporate signage to direct users from a public street into the parking facility.*

### 3. BIKE PARKING

**a. Design bike parking to be safe, accessible and easy to use.**

- i. Locate bike parking at the ground level or to be easily accessible from the ground level via ramp or elevator.
- ii. Locate bike parking close to a building entrance.
- iii. Locate bike parking in a well-lit area.
- iv. Distribute some bike parking throughout a site to optimize rider convenience and use.
- v. Incorporate wayfinding signage to direct users to bike parking.
- vi. Provide covered parking, where feasible, to protect bikes.
- vii. For a large residential project, incorporate both short-term and long-term bike parking.
- viii. For places of employment, provide long-term bike storage, such as a bike locker, an indoor bike parking area or another secure form of parking.

**b. Design bike parking to be integral to the site.**

- i. Address bike parking placement and design at the onset of a project.
- ii. Place bike parking close to nearby bike routes.
- iii. Design bike parking to be an attractive amenity to the site. Consider artistic racks. Bicycle racks should combine the utility of security with the aesthetics of art.
- iv. Provide facilities that support recreational and transportation related exercise that also provides a function, like seating, waste management, map stands, secure bicycle storage, and drinking fountains.



*Design bike parking to be safe, accessible and easy to use.*



*Provide covered parking, where feasible, to protect bikes.*



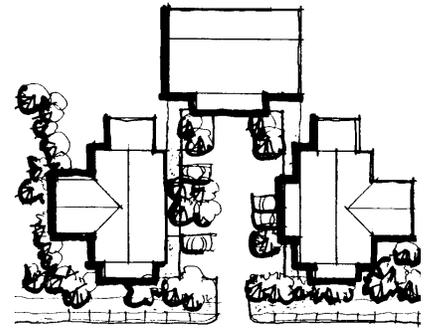
*For a large residential project, incorporate both short-term (for guests and quick trips) and long-term (residents' permanent bike parking storage) bike parking.*



*Design bike parking to be integral to the site design.*

### D. ACCESS & CONNECTIVITY

Site access and connectivity are important considerations when designing multifamily residential and commercial projects. While automobile access is very important, the primary intent is to promote walking and biking, as much as possible. Designing with active transportation in mind supports the goals and values of the community at-large and reinforces the outdoor lifestyle and character that is inherent to Encinitas.



Use shared driveways between properties to reduce the number of curb cuts when feasible.

### 1. AUTO ACCESS & CONNECTIVITY

#### a. Locate vehicle access where conflicts with pedestrian circulation will be minimized.

- i. Provide auto access from an alley, rather than the street, when feasible.
- ii. If alley access is not feasible use a secondary street.
- iii. Shared access or reciprocal access is preferred if it reduces conflict or stress points on the development site or within the public right-of-way.

#### b. Where a curb cut is to be installed, keep the width to a minimum.

- i. Use shared driveways between properties to reduce the number of curb cuts when feasible.
- ii. Align vehicular connections with access points on adjoining properties to enhance neighborhood connectivity.
- iii. Provide visible and clear pedestrian pathways where pedestrians and vehicle access overlaps.
- iv. Roadway drainage collected along curbs shall be directed into adjacent bioretention areas whenever possible.



Provide auto access from an alley, rather than the street, when feasible.



Locate vehicle access where conflicts with pedestrian circulation will be minimized.



Provide visible and clear pedestrian pathways where pedestrians and vehicle access overlaps.



### 2. PEDESTRIAN ACCESS & CONNECTIVITY

#### a. Enhance connectivity within a project and to adjacent properties.

- i. Provide pedestrian connections to established public walkways.
- ii. Locate walkways to animate the pedestrian network and connect people to outdoor spaces, factoring in the needs and abilities of people of all ages.
- iii. External stairs and short, landscaped ramps can help activate different levels from the street, and provide a sense of privacy for inhabitants for everyday use.



*Enhance connectivity within a project and to adjacent properties.*



#### b. Maximize pedestrian connections to site amenities and attractions.

- i. Design these to encourage and facilitate a safe walking experience, factoring in the needs and abilities of all ages.
- ii. Sidewalk widths should be expanded where trees, planter boxes, bike racks, fountains, artistic design elements, public art, etc. require additional space to use or appreciate them.
- iii. Minimize potential slip and/or trip hazards in walkway areas. Slip resistant walking surfaces, grab bars, and handrails should be used as appropriate to prevent these types of injuries from occurring. Use skateboard prevention on railings, as needed.



*Provide pedestrian connections to established public walkways.*



*Locate a new walkway to animate the pedestrian network and connect to outdoor spaces.*



*Maximize pedestrian connections to site amenities and attractions.*

- iv. Down-lighting should be used on walkways to create safe navigation and avoid direct glare.
  - v. Seating areas and/or informal seating areas (e.g. raised planters) should be provided along long walkways to accommodate respite.
  - vi. If needed, design visible, appealing and comfortable stairs or ramps in principal paths of travel.
  - vii. Design activity spaces to accommodate various groups and mobility/access needs. Consider the special safety and security requirements of activity spaces that serve small children and seniors, in addition to other building user groups.
- c. Provide a convenient pedestrian connection to transit, where feasible.**



*Provide convenient access from a development to nearby trails and bicycle routes.*

### 3. BICYCLE ACCESS & CONNECTIVITY

- a. Provide convenient access from a development to nearby trails and bicycle routes.**
- i. Provide wayfinding signage to direct users to nearby bike ways. Wayfinding signs should incorporate themes or artistic design elements.

### E. OPEN SPACE

*Open space within a project should be designed to enhance the adjacent public realm, as well as the private realm. Balancing indoor and outdoor space and responding to context also are important. Open space also should be designed so that livability is enhanced, connections to nature are maximized and impacts to regional stormwater systems are minimized.*

#### 1. LOCATION OF OPEN SPACE

##### a. Locate some open space in a project to enhance the public realm.

- i. Design the open space so that it can be accessed or at least observed by the public.
- ii. Consider the experience, purpose, and goals of an open space as it relates to the building type and user group.
  - » *A mixed use building with a commercial component on the ground floor may incorporate a semi-public open space(s) such as a small plaza or outdoor dining. A community gathering space may include space for visual and/or performing arts.*
  - » *A purely residential building may incorporate more private open space(s) such as a courtyard, mews, or a rooftop terrace.*

##### b. Provide amenities that will encourage physical activity.



- i. Provide shade, seating, public art and water fountains to promote their use.



*An external courtyard facing a street enhances the public realm while serving residents.*



*An internal courtyard provides space for residents to connect to nature.*

#### USABLE OPEN SPACE:

*Usable Open Space must be provided in each project. It must be configured such that it is functional as a place for active or passive use.*

*Usable Open space occurs in these general categories:*

- 1. Private open space, which is provided for a residential unit (such as a balcony or fenced yard)*
- 2. Common open space, which is shared by and accessible to the occupants of a development project (such as a courtyard, lawn or plaza)*

*Note that commercial open space, which is limited to paying customers (such as an outdoor dining area), may also be permitted in some areas, but does not count toward the Usable Open Space requirement.*



*A corner plaza with outdoor cafe seating and rooftop terraces provides layers of open space that is visible from the public realm.*

### 2. DESIGN & CHARACTER OF OPEN SPACE

**a. Design open space to be a positive asset to the project.**

- i. Orient balconies, decks and windows to the open space.
- ii. Coordinate hardscape materials with building materials.
- iii. Also coordinate the materials palette with adjoining properties.
- iv. Prioritize natural infrastructure.

**b. Direct a walkway through a plaza, courtyard or other outdoor use area to help animate the space.**

- i. Design courtyards, gardens, terraces, etc. to serve for outdoor spaces for children to play.
- ii. Design entrances to enhance the perception of these as complementary parts of one continuous space.
- iii. Well-managed artistic design elements, art, and other place-based features should be used to facilitate interest and sociable activity.



**c. Design site engineering features to serve as amenities.**

- i. When on-site stormwater detention is needed, design it to be actively used or observed by the public as an asset.
- ii. Also, design the feature such that it may be shared by adjoining properties when feasible.



*Design open space to be a positive asset to the project.*



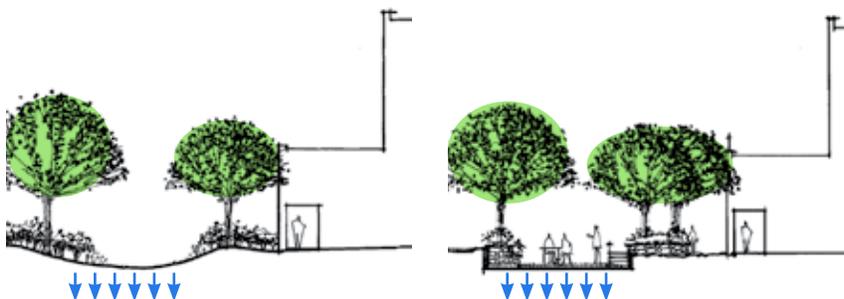
*Direct a walkway through a plaza, courtyard or other outdoor use area to help animate the space.*



*When on-site stormwater detention is needed design it to be actively used or observed by the public as an asset.*



*Design courtyards, gardens, terraces, etc. to serve for outdoor spaces for children to play.*



*A stormwater treatment area may be designed as a passive landscape feature (left) or an outdoor seating area with a permeable surface (right).*



*Orient balconies, decks and windows to the open space.*

### F. LANDSCAPING

*Plant materials that are indigenous, well-acclimated and noninvasive should be used wherever possible. Water conservation should be a major priority. Landscape design should help to establish a sense of visual continuity and human scale throughout a project and respond to the surrounding context.*

#### 1. WATER EFFICIENT LANDSCAPES

- a. **Where plant materials are to be used, employ indigenous species.**
  - i. Drought-tolerant plant species, native to the region and suitable to the climate should be used.
- b. **Employ hydrozoning techniques when feasible, to reduce the amount of irrigation needed.**
  - i. Cluster plants with similar irrigation needs together.
  - ii. Locate drought-tolerant species further away from plants that require heavier irrigation so that they are not over-watered.
- c. **Locate landscaping to take advantage of on-site stormwater.**
  - i. Direct downspouts or internal stormwater channels into landscaping surrounding a building, when feasible.
  - ii. Where on-site stormwater detainage is required, locate landscaping in the path of or surrounding the stormwater swales/basins.



*Where plant materials are to be used, employ indigenous species.*



*Drought-tolerant plant species, native to the region and suitable to the climate should be used.*



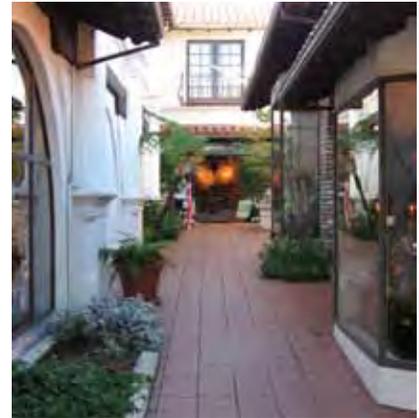
*Where on-site stormwater detainage is required, locate landscaping in the path of or surrounding the stormwater swales/basins.*



*Cluster plants with similar irrigation needs together.*

### 2. ENHANCED PLACEMAKING

- a. **Use a coordinated landscape palette to establish a sense of visual continuity in the design of a site.**
  - i. This applies throughout the property.
  - ii. Also coordinate plant selections with those already established on abutting properties.
- b. **Use landscaping features to enhance the quality of placemaking within an individual project or site.**
  - i. Shared common space such as community gardens or rooftop gardens contribute to the sense of place while providing natural amenity.



*Use a coordinated landscape palette to establish a sense of visual continuity in the design of a site.*

### 3. REDUCING PERCEIVED MASS OF BUILDINGS

- a. **Use landscaping to help reduce the perceived scale of a building.**
  - i. However, do not rely on landscaping alone to minimize building scale.
  - ii. Use it in conjunction with architectural devices that reduce scale, such as horizontal and vertical articulation.
  - iii. Some examples include, but are not limited to:
    - » *Perimeter building landscaping*
    - » *“Green” walls or vines*
    - » *Green roofs*



*Use landscaping to help reduce the perceived scale of a building.*



*Use a coordinated landscape palette to establish a sense of visual continuity in the design of a site.*



*Use landscaping in conjunction with architectural devices, to help reduce building scale.*

### G. STREETScape

*The streetscape is an area that typically exists along public sidewalks but also may include areas inside a property line that immediately abuts the public way or one that forms a component of a site plan. Streetscape amenities should be provided to enhance sidewalks and help convey neighborhood identity. These improvements should be coordinated, functional and durable in their design. Streetscapes also should be designed to create a positive experience and provide attractive transitions from the public realm to the private realm.*



*Design streetscapes and sidewalk widths to accommodate the anticipated density and traffic without feeling cramped or empty.*

#### 1. STREETScape ELEMENTS



##### a. Design the streetscape to be a positive experience, welcoming and accessible to everyone.

- i. The streetscape should be comfortable and safe.
  - » Provide opportunities for shade and respite during the day.
  - » Provide well-lit walkways to accommodate easy navigation at night.
- ii. Sidewalks need adequate continuity and connectivity and animated edges to facilitate pedestrian travel.
- iii. Better sidewalks require better design. Attention to landscaping, public art and other artistic design elements and other place-based features can improve facility appearance.
- iv. Support physical activity among all ages and abilities by making paths universally accessible and free of unnecessary encumbrances.
  - » Promote universal access and remove barriers to wheelchairs, strollers, rolling carts, etc., and install accessible ramps.
  - » Connect existing sidewalks to new project pathways.



*The streetscape should be designed to provide a smooth transition from the public realm to the private realm, creating a positive experience.*

- b. The streetscape should respect the design context and anticipated level of use.**
  - i. Coordinate streetscape elements to be compatible with the surrounding context and public right-of-way features.
  - ii. Design streetscapes and sidewalk widths to accommodate the anticipated density and traffic without feeling cramped or empty.
- c. Use furnishings that accommodate the needs and abilities of all ages.**
  - i. Locate furnishings near areas of active pedestrian use, such as major pedestrian routes, building entrances and outdoor gathering spaces.
    - » *All parts of the space should be accessible and usable, to the extent possible. Set boundaries to define seating areas.*
    - » *Locate furnishings so they will not impede pedestrian circulation.*
  - ii. Use furnishings that are proven to be durable for outdoor conditions in the Encinitas climate.
  - iii. Furnishings should support the function of the space.
    - » *Placement should frame desirable views and add character to space.*
    - » *Type should meet the user's essential needs.*
    - » *Furnishings can be artistic or designed with artistic elements.*
  - iv. Use different seating types and arrangements to create places for interaction and/or variegated experiences.
    - » *Seating areas should provide a mix of sun and shade.*
    - » *Some seating areas should provide arm rests and/or adjacent grab bars that can aid children and compensate for a reduced range of motion in seniors.*
- d. Design street lighting to be pedestrian-scaled.**
  - i. Fixtures shall be shielded to minimize light pollution of nighttime skies.



*Locate furnishings near areas of active pedestrian use, such as major pedestrian routes, building entrances and outdoor gathering spaces.*

### 2. SIDEWALK DINING

**a. Locate outdoor dining in a courtyard or plaza to activate the place.**

- i. Include public art, artistic design elements, and other aesthetic features to add character to a space.
- ii. Trees can be used to help break up spaces, provide shade, and create some implied separation.

**b. Locate an at-grade dining area to accommodate pedestrian traffic along the sidewalk.**

- i. Placing the dining area immediately adjacent to a building front is preferred, thus maintaining a public walkway along the curb side.
- ii. Maintain a clear path along the sidewalk for pedestrians; a width of 8 feet for this clear path is recommended.
- iii. A railing, detectable barrier, or similar edge treatment should be used to define the perimeter of a permanent outdoor dining area.
  - » *The railing or detectable barrier should be sturdy and made of durable materials.*

**c. Design an outdoor dining area to be an asset to a project.**

- i. Provide a selection of places to sit.
  - » *Some seating areas should provide arm rests and/or adjacent grab bars that can aid children and compensate for a reduced range of motion in seniors.*
- ii. Tables and chairs should be high-quality, durable, and designed for outdoor use.
- iii. Tables, chairs and other components of the outdoor dining area should not be permanently attached to the public right-of-way. Approved patio railings may be allowed to be temporarily attached to the surface of the public right-of-way.
- iv. If an outdoor dining area is located on a public sidewalk or other public right-of-way, floor coverings or raised platforms may not be used.



*A railing, detectable barrier, or similar edge treatment can be used to define the perimeter of a permanent outdoor dining area.*



*Locate outdoor dining in a courtyard or plaza when feasible.*



*Design an outdoor dining area to be an asset to the community.*

**H. TRANSITION AREAS**

*A multifamily or mixed-use project should provide a sensitive transition to established lower density residential neighborhoods. In addition to “buffering” these areas and shielding them from incompatible uses, designs should incorporate compatible uses and transitions in scale.*



*Carriage houses provide parking for larger residential prototypes while providing a sensitive transition to single family.*

**1. TRANSITIONS TO SINGLE FAMILY**

**a. Provide compatible uses along a transition edge.**

- i. Compatible uses include:
  - » *Low-scale multifamily residential building types such as townhomes, rowhomes, duplexes, or carriage homes.*
  - » *Low-intensity, neighborhood-serving commercial uses such as a daycare, dry cleaner, coffee shop, or live-work space.*
  - » *Passive uses such as pathways, pocket parks, or small parking areas.*
  - » *Avoid locating a use that generates nighttime traffic, such as a bar, in these areas.*



- Existing Single Family Neighborhood
- Townhomes as a transition
- Multifamily (Walk-Up) Flats as a transition in scale
- Apartments
- Mixed Use Residential

*In this large mixed-use project, townhomes serve as a transition in scale and density along the edge that abuts an established single family neighborhood.*

**b. Design the edge of a development to be an asset, as viewed from an abutting neighborhood.**

- i. Step down the height of a new building that will be in the transition area.
  - » *Recognize the adjacent, existing built environment with respect to scale, including adjacent unbuilt areas.*
  - » *Efforts should be made to respond to its unique design context and as-built residential scale and massing by providing similar scaled transitions.*
- ii. Provide ample landscaping along the transition line where site dimensions allow.
  - » *In the Village Center context, landscaping design should address views from the surrounding landscape.*



*Passive uses such as pathways and pocket parks provide for compatible transitions.*

### I. TOPOGRAPHY

*On a sloping parcel, design the site to respond to the natural topography and minimize negative impacts of cut and fill. Retaining walls should be terraced to minimize their visual impacts. Landscaping should be incorporated to enhance the design of sloping sites.*

#### 1. TOPOGRAPHY DESIGN

- a. Minimize the visual impacts of cut and fill on a site.**
  - i. Regrade the site as a stable, “natural” slope, when feasible.
  - ii. Terrace development on a steep slope, following the natural contours of the site and facilitate rounding and blending.
  - iii. Divide a large grade change into a series of benches and terraces.
- b. Design a retaining wall to minimize impacts on the natural character of the site.**
  - i. Terrace a retaining wall on a steep slope.
  - ii. Use high quality materials such as brick and stone.
  - iii. Integrate landscaping with the retaining wall.
- c. Design a building foundation to conform to the existing topography.**
  - i. Step the foundation to follow site contours, when feasible.
    - » *Use topography as an opportunity to do context appropriate site planning and building massing to minimize impacts and optimize topography (i.e. taller buildings in lower site locations).*
  - ii. Conceal exposed foundations with architectural screens and landscaping.



*Terrace a retaining wall on a steep slope to minimize the height of individual walls.*



*Integrate landscaping with the retaining wall.*



*Integrate landscaping into the retaining wall.*



*Terrace development on steep slopes, following the natural contours of the site.*



*Regrade the site as a stable, “natural” slope, when feasible.*

### J. DEVELOPMENT PHASING

*In some larger projects, development may occur in phases and may incorporate some existing buildings, at least in interim stages. Each phase should be planned to comply with the design guidelines, with the understanding that some pre-existing improvements may not fully comply at the outset. Where a project is to be executed in phases, an overall master plan must be provided, and achieving the housing objectives for the development must be assured.*

#### 1. PHASED IMPROVEMENTS

- a. **Plan incremental improvements to anticipate future phases of development.**
  - i. Locate new improvements to accommodate future vehicular and pedestrian connections and building placement, as illustrated in the “Intermediate Phase” below.
  - ii. Consideration of project approval may consider several distinct phases that would be implemented over a span of years, according to marking conditions. Planned amenities or community benefits provided on-site should be assigned to an early phase of construction and/or a comparable interim improvement in its place should be provided in its place until its phased implementation or construction.
- b. **Design incremental improvements to enhance the pedestrian environment of an existing development.**
  - i. Place improvements to enhance the pedestrian environment. For example, new buildings and public open space areas may be located to create a pedestrian gateway into the site.
  - ii. Plan for later pedestrian improvements, such as connections between the street and interior buildings, or to an adjacent neighborhood, when locating a new building or addition.



Existing Conditions

*An existing strip shopping center might redevelop over time into a mixed use neighborhood (see below).*



Intermediate Phase

*Multifamily and mixed-use buildings frame a new open space and internal streets.*



Final Phase

*When the final development is built out, the entire neighborhood should comply with the zoning standards and design guidelines.*

# 30.36.250 BUILDING DESIGN

## A. INTRODUCTION

This section addresses the design of buildings in this Zone. The primary objectives are to:

- Promote a street edge that is consistent with traditional patterns in the individual community
- Promote visual continuity along blocks
- Help define a street edge that establishes a sense of scale
- Maintain a scale of building that reflects the design traditions of the various communities that compose Encinitas
- Accommodate a moderate increase in density while maintaining compatibility with established neighborhoods
- Promote variation in massing and building form that reflects the design traditions of the different neighborhoods of Encinitas.

This section addresses ways to integrate new development into the existing urban fabric instead of damaging the existing fabric to accommodate new development. With that being said, there is a dynamic relationship among the design variables that are addressed in this section. In some cases certain guidelines will be more important than others, and the degree to which each guideline must be met will vary with each project.



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### Guideline Application:

*These guidelines apply to these building types:*

- » Apartment
- » Mixed use
- » Townhome
- » Stacked-Flats
- » Carriage House
- » Duplex

*Text in some individual guidelines note variations in how the guidelines may apply to these different building types.*



### B. STREET LEVEL INTEREST

*Each building should enhance the pedestrian environment. The primary intent is to create an active and engaging street edge by using a variety of visually interesting elements.*

#### 1. STREET LEVEL INTEREST

##### a. Develop the street level of a building to provide visual interest and a sense of human scale.

- i. Add visual interest through texture, finish and architectural detailing.
- ii. Use changes in material to express human scale while assuring that the overall composition of the building design remains intact and does not appear overly busy.
- iii. Apply materials in units, panels or modules that help convey a sense of scale.
- iv. Do not use large panelized products or other materials that result in extensive featureless surfaces.

##### b. Design the ground floor to engage the public realm and promote social interaction.

- i. Use architectural details, windows, display cases, doors, stoops, etc. to engage pedestrian traffic.
  - » *This is crucial for ground floor commercial uses.*
  - » *It is also very important for multifamily residential buildings.*
  - » *Use stoops and individual entries to provide street level interest for multifamily buildings.*
- ii. When stoops and individual entries are not possible, provide raised balconies on the ground floor and place shared amenities such as workout rooms, game rooms, and other social facilities where they will be visible.
- iii. For residential buildings, also design windows to provide privacy to residents.



*Design the ground floor to engage the public realm and promote social interaction.*



*Locate an at-grade dining area to accommodate pedestrian traffic along the sidewalk.*



*Design the ground floor to engage the public realm and promote social interaction.*

#### 2. SAFETY

##### a. Locate features on the street level facades that encourage interaction and thereby provide “eyes on the street.”

- i. Locate windows, doors, balconies, stoops and main entries on street-facing facades to promote monitoring of activity.
- ii. Provide places of interaction with small plazas and courtyards, cafe seating, balconies, porches and stoops.



*Locate features on the street facades that encourage interaction and thereby provide “eyes on the street.”*

### C. BUILDING ENTRY

*The primary entrance to a building should orient to a sidewalk, pedestrian way or plaza. Its entry should create a strong relationship between the private and public realms. A building entry should be clearly visible from the street and it should provide a sense of connection to the neighborhood.*

#### 1. PRIMARY ENTRY

**a. Provide a clear connection between the primary building entry and the street.**

- i. Design the primary entry to be human scaled and clearly identifiable from the street. Options include:
  - » *Using architectural details or a change in materials to highlight a building entry,*
  - » *Incorporating a stoop, porch or steps,*
  - » *Creating a landscaped or paved path that leads from the building entry to the street,*
  - » *Providing a sheltering element such as a canopy, awning, arcade or portico to signify the entrance location,*
  - » *Using variation in building form or massing to highlight a main entrance.*

**b. Orient the primary entrance of a building to face a primary street, an active plaza or pedestrian way.**

- i. Locate an entry to face a primary street, when feasible; in some cases, it may face a secondary street, when doing so would enhance the character of that street and the primary street is already activated with entrances of other buildings in the area.
- ii. In some cases, the front door itself may be positioned perpendicular to the street. In this case, the entry should still be clearly defined. This may be achieved by:
  - » *Incorporating a porch, stoop, or canopy for residential building types, or*
  - » *Providing a recessed entry, canopy or awning for commercial/mixed-use building types.*
  - » *Using other features that highlight an entrance may also be considered.*
- iii. Promote universal access for entry way-finding and entrance design. The location and visibility of a site address is also important.



*Provide a clear connection between the primary building entry and the street.*



*Use variation in massing and building height to highlight a main entrance.*



*Orient the primary entrance of a building to face a primary street, or an active plaza or pedestrian way.*



*In some cases the primary entrance may face a secondary street. In this case, the entry should be clearly defined.*



## D. BUILDING HEIGHT

*The height of a new building should be compatible with the height of other buildings in the area. Each building design should also incorporate variation in height.*

### 1. VARIATION IN BUILDING HEIGHT

#### a. Provide variation in building height in each project.

- i. For a large building (generally one occupying more than 100 feet in street frontage), provide a mixture of two and three story portions.
- ii. When a building is to be only two or three stories entirely, variation in building height should be accomplished by changing cornice and roof lines/forms.
  - » *Some breaks in the wall planes and “stepped back” design elements will help create open areas and changes to the roofline.*



*Provide variation in building height in each project.*



*A mixture of two and three stories is desired for large projects.*



*When a building is entirely two or three stories, variation in building height should be accomplished by changing cornice and roof lines/forms.*



*Some breaks in the wall planes and “stepped back” design elements will help create open areas and changes to the roofline.*



*The height of a new building should be compatible with the height of other buildings in the area.*

## 2. FLOOR-TO-FLOOR HEIGHTS

- a. **Design floor to floor heights to establish a sense of scale and respond to that of the surrounding context.**
  - i. The ground floor of a mixed use building should have ample height for storefront display.
  - ii. The ground floor of a multi-family building immediately facing a public sidewalk should be raised for added privacy and to allow for an enhanced entry.
  - iii. A ground floor should also be designed with consideration given to site topography. On sloping sites, step the first floor down to follow the slope.



*Design floor to floor heights to establish a sense of scale and respond to that of the surrounding context.*

## 3. UPPER FLOOR STEPBACKS

- a. **On a taller building, set back a portion of the upper floor to reflect the traditional low-scale character of Encinitas.**
  - i. This is especially important where a new, taller building is adjacent to a low-scale, one-story building.
  - ii. Provide a minimum of four feet in setback in order to be effective in reducing scale as seen from the street.
    - » *This area may be used for street balconies or upper story planter boxes or gardens.*



*The ground floor of a multi-family building immediately facing a public sidewalk should be raised for added privacy and to allow for an enhanced entry.*



*On a taller building, set back the upper floor to reflect the traditional low-scale character of Encinitas.*



*Provide a minimum of four feet in setback in order to be effective in reducing scale as seen from the street.*

### E. BUILDING MASS & SCALE

*A new building should appear similar in mass and scale to traditional buildings, including width and height. The perceived mass of a building should be reduced by dividing it into modules and expressing them in ways that cause them to appear to be a collection of smaller forms. Horizontal and vertical articulation also is important to establish an interesting façade and align important elements with established buildings of character. This method of “articulation” to reduce scale also benefits from the interaction with variations in materials and roof forms that can help convey the sense of a building being composed of smaller modules.*

#### 1. HORIZONTAL EXPRESSION

- a. **Provide horizontal expression at lower floor heights to establish a sense of scale.**
  - i. Use moldings, a change in material, or an offset in the wall plane to define the scale of lower floors in relation to the street.
  - ii. Align these features with similar ones along the street, where a distinct alignment pattern exists.
  - iii. Horizontal expressions of new buildings should reflect community character perspectives



*Use moldings, a change in material, or an offset in the wall plane to define the scale of lower floors in relation to the street.*



*Align features with similar ones along the street, where a distinct alignment pattern exists.*



*Provide horizontal expression at lower floor heights to establish a sense of scale.*



*A new building should appear similar in mass and scale to traditional buildings, including width and height.*

### 2. VERTICAL ARTICULATION

- a. **Provide vertical articulation in a larger building mass to establish a sense of scale.**
  - i. Use moldings, columns, and a change in material or offset in the wall plane to break up long surfaces and define vertical building modules.
  - ii. Organize modules to reflect widths of facades seen traditionally.
  - iii. Vary the roof profile and step down some portions of the façade to express the different modules.



*Provide vertical articulation in a larger building mass to establish a sense of scale.*

### 3. HUMAN SCALE

- a. **Establish a sense of human scale in each building design.**
  - i. For a large residential or mixed use project, break up the development into several smaller buildings.
  - ii. Use materials that convey scale in their proportion, detail and form. Materials applied in units, panels or modules help to convey a sense of scale, when they appear similar to those seen traditionally.
  - iii. Incorporate a base, middle and cap into building design where this is a pattern that is established along the street.



*Organize modules to reflect traditional lots widths or facade dimensions that are seen in the area.*



*Incorporate a base, middle and cap into building design where this is established along the street wall in adjacent buildings.*



*Use moldings, columns, and a change in material or offset in the wall plane to break up long surfaces and define vertical building modules.*



*Establish a sense of human scale in each building design.*

### F. ROOF DESIGN

*Roof forms should reflect traditional building patterns in each of the communities of Encinitas. Variations in roof forms within an individual project should be used to help reduce the perceived scale of buildings and contribute to visual interest along the street.*

#### 1. ROOF FORM VARIATION

**a. Vary roof forms to reduce perceived scale, to express individual building modules and to provide visual interest.**

- i. Use flat, hipped and gable roof forms. However, do not over articulate the roof as this can result in an overly busy building.
- ii. Vary the roof profile by stepping down some parts of the façade
- iii. Vary or change roof materials or elements to further reduce perceived scale.

**b. Continue traditional roof forms of the context.**

- i. Maintain the perceived line and orientation of roofs seen traditionally in the surrounding area.



*Vary roof forms to reduce perceived scale, to express individual building modules and to provide visual interest.*



*Continue traditional roof forms of the context.*

#### 2. REFLECT COMMUNITY CHARACTER IN ROOF FORMS

**a. Use roof forms that are compatible with the design context and the specific community within Encinitas.**

- i. In the Main Street context, flat roofs are the predominant pattern and this should be continued. Gable forms may be appropriate for accents.
- ii. In the Village Center context and near single family residential homes, pitched roofs should be the predominant form.
- iii. In the Neighborhood Center context, a blend of roof forms is acceptable, but pitched roofs should be used near single family homes for compatibility.
- iv. Roof forms also should reflect the design traditions of each community of Encinitas. For example:
  - » *Old Encinitas has more of a tradition of using flat, or low-sloping roofs.*
  - » *Leucadia contains a mixture of roof forms and is also more “eclectic” in overall character.*
  - » *Cardiff includes a blend, but pitched roofs are common, especially low-sloping 3:12 and similar pitches.*
  - » *New Encinitas contains a blend of flat and pitched roofs. Commercial buildings are usually flat roofs with some pitched accents and residential buildings are pitched.*
  - » *Olivenhain is decidedly rural in character, and therefore, pitched roofs are more compatible.*



*Vary the roof profile by stepping down some parts of the façade*



*Use roof forms that are compatible with the specific context and specific community within Encinitas.*

### 3. ENERGY GENERATION



**a. Design a building to take advantage of energy-generating opportunities.**

- i. Energy-producing devices, including solar collectors and wind turbines, are encouraged where they also respect the character of the context. Design these to be in character with the context.



**b. Minimize the visual impacts of energy devices on the character of the setting.**

- i. Mount equipment where it has the least visual impact on historic buildings and important view corridors.
- ii. Exposed hardware, frames and piping should have a matte finish, and be consistent with the color scheme of the primary structure.



*Minimize the visual impacts of energy devices on the character of the setting.*

## G. BUILDING MATERIALS

*High quality building materials should be used to provide a sense of human scale and create visual interest. Materials that are “authentic” and durable should be used. Materials also should be consistent with those predominant in the community.*

### 1. HIGH QUALITY MATERIALS

**a. New building materials should contribute to the visual continuity of the specific community’s character.**

- i. The material should be compatible with materials used most often in the context.
- ii. The use of synthetic stucco (such as EIFS) for large surface areas is inappropriate.
- iii. The use of highly reflective materials for large surface areas also is inappropriate.

**b. Use high quality materials to convey durability.**

- i. The material should be proven to be durable in the local Encinitas climate.
- ii. The material should maintain an intended finish over time or acquire a patina, when it is understood to be a desired outcome.
- iii. Materials at the ground level should withstand on-going contact with the public, sustaining impacts without compromising the appearance. (Note that some synthetic materials will not sustain this degree of frequent contact.)

**c. Use high quality materials to provide a sense of scale.**

- i. Use changes in material to express human scale while assuring that the overall composition of the building design remains intact and does not appear overly busy.
- ii. Apply materials in units, panels or modules that help to convey a sense of scale, and provide a sense of texture through shadow lines and other attributes which provide visual interest.
- iii. Do not use large panelized products or other materials that produce extensive featureless surfaces.
- iv. Use artistic design elements to create appealing and unique buildings.



**d. Use sustainable building materials whenever possible.**

- i. Such materials are:
  - » *Locally manufactured.*
  - » *Low maintenance.*
  - » *Materials with long life spans.*
  - » *Recycled materials.*



*New building materials should contribute to the visual continuity of the community character.*



*Use high quality materials to provide a sense of scale.*



*Use sustainable building materials whenever possible.*

### 2. RESPOND TO COMMUNITY FEATURES

**a. Building materials should reflect those in the specific community of Encinitas.**

- i. Materials in Old and New Encinitas should be compatible with the more traditional materials and colors commonly seen in those communities.
  - » *Finished stucco, brick and stone are examples.*
  - » *Architectural metals also are appropriate.*
- ii. Materials in Leucadia and Cardiff should be compatible with the more “eclectic” and beach-style materials and colors commonly seen in those communities.
  - » *Finished stucco and painted lap siding and board and batten siding are examples.*
- iii. Materials in Olivenhain should be compatible with the more rustic and rural materials and colors commonly seen in that community.
  - » *Stained wood siding and shingles are examples.*



*Genuine stucco, detailed to provide a sense of scale, is traditional in the communities of Old and New Encinitas.*



*The materials featured in this photo are acceptable in the Old and New Encinitas context.*



*It is acceptable to use materials such as painted lap siding and board and batten siding in the context of Leucadia and Cardiff.*



*Stucco and wood lap siding are traditional materials in the Coastal Context.*



*Rustic materials and finishes are part of the design traditions in Olivenhain.*

### H. WINDOWS

*The placement of windows is an important aspect of creating “eyes on the street” and providing an engaging and active streetscape. A high level of transparency should be provided on the street-facing facades of a building to create visual interest and maintain community character.*

#### 1. TRANSPARENCY

##### a. Design the location and extent of window arrangements to reflect the use of a building.

- i. Ground floors of mixed use buildings should be predominately transparent.
- ii. Ground floors of multifamily buildings should be less transparent than mixed-use buildings, but more transparent than upper floors.
- iii. Upper floors can be less transparent but are still required to have windows on all facades that are visible from the public way or from common outdoor use areas.
  - » *Windows for residential units should be designed to provide ample daylight into the space to reduce artificial lighting needs.*
- iv. Use exterior shading devices, such as overhangs or shade trees, to manage solar gain in summer months.



#### 2. PLACEMENT AND DESIGN

##### a. Windows should be of high quality materials and be designed to create visual interest.

- i. Window materials should be of high quality and able to withstand the local Encinitas climate.
- ii. Highly reflective glass is inappropriate in all community character areas.
- iii. Design windows to be inset where feasible to provide a shadow line and facade interest.
- iv. Design windows for opening to promote cross-ventilation where feasible.



*Windows should be of high quality materials and be designed to create visual interest.*



*Design the location and extent of window arrangements to reflect the use of a building.*

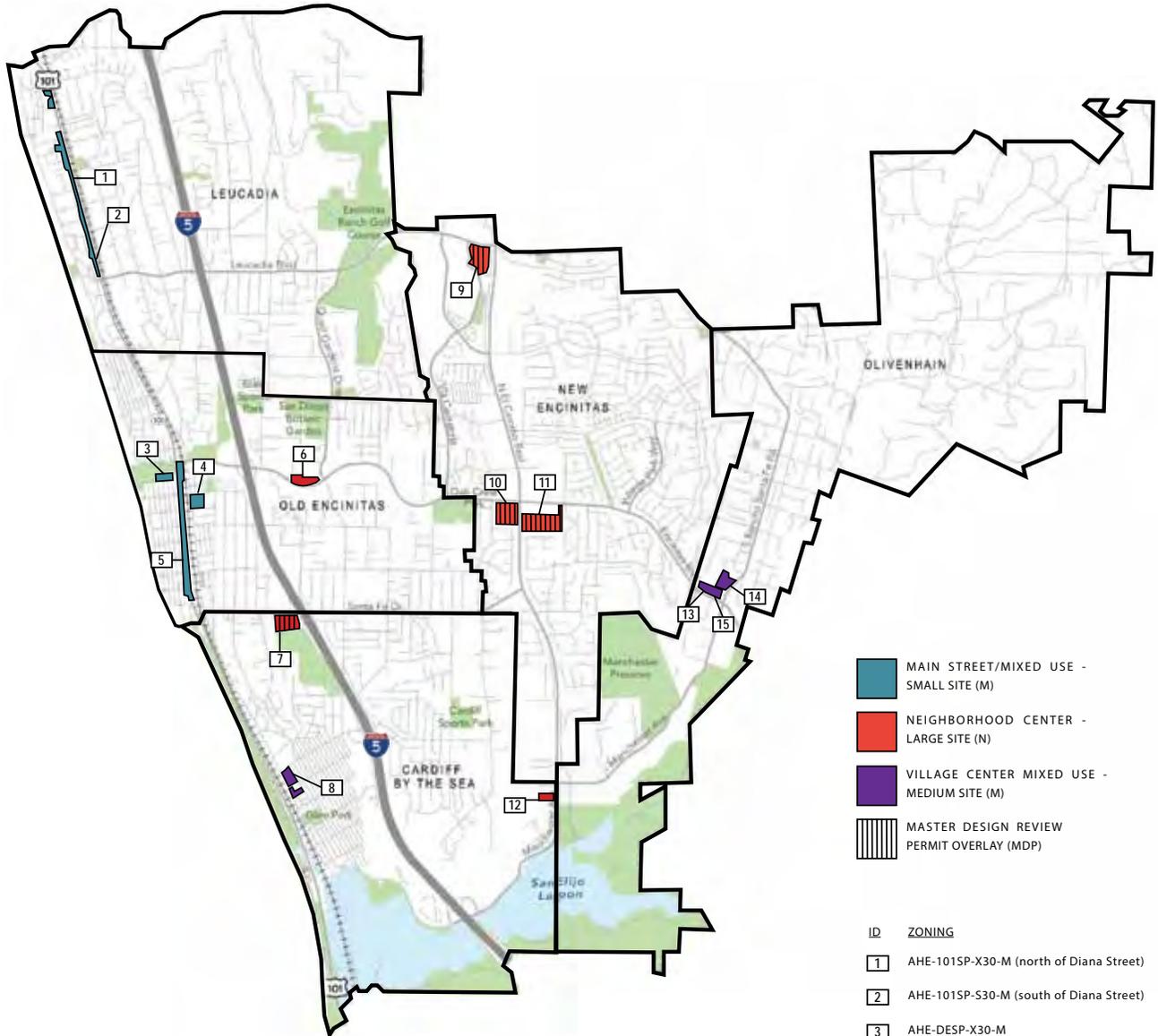


*Ground floors of mixed use buildings should be predominately transparent.*



*Ground floors of multifamily buildings should be less transparent than mixed-use buildings, but more transparent than upper floors.*

## I. Exhibit 2016-04-2 Sustainable Mixed Use Places Zoning Map



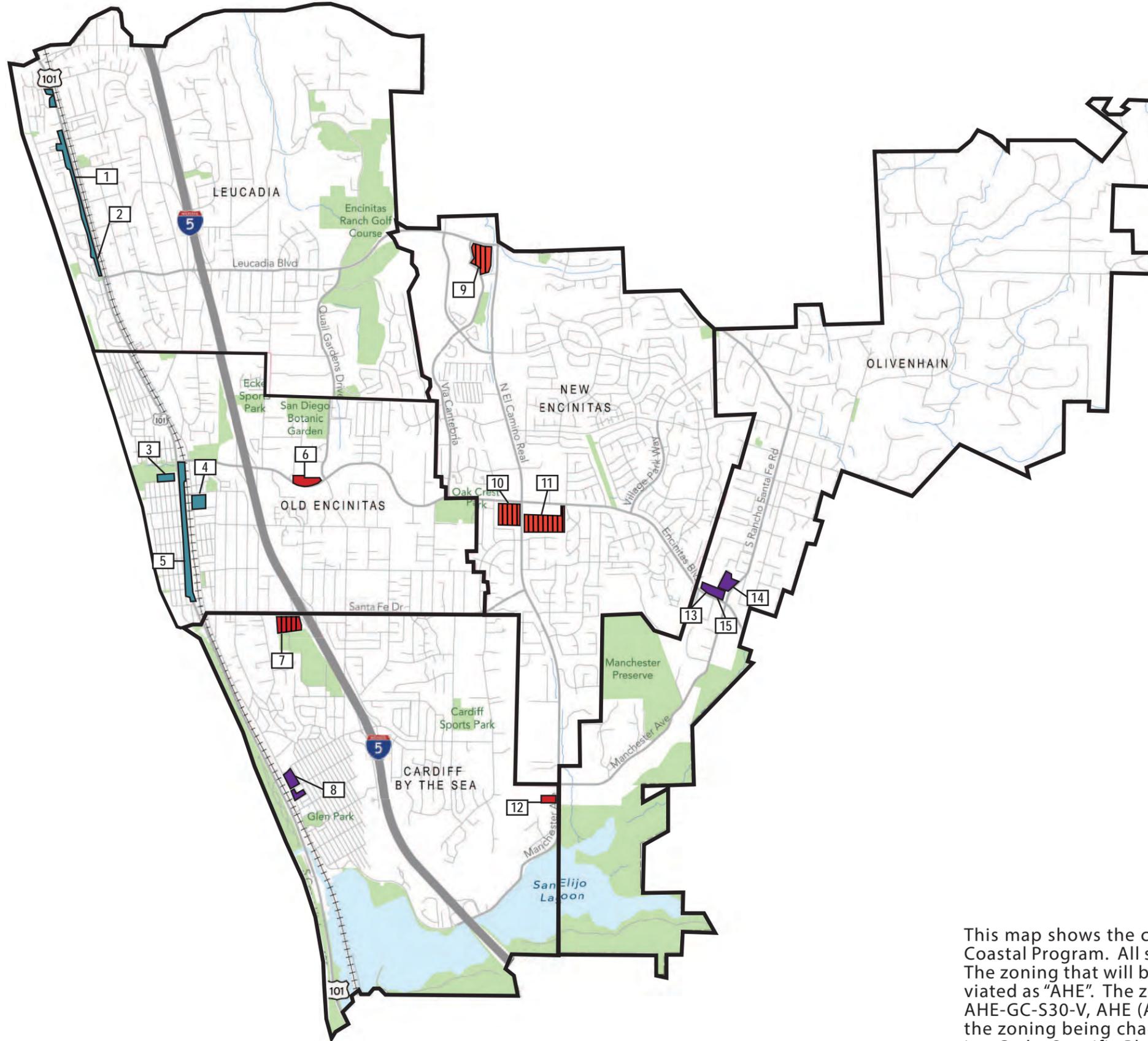
- MAIN STREET/MIXED USE - SMALL SITE (M)
- NEIGHBORHOOD CENTER - LARGE SITE (N)
- VILLAGE CENTER MIXED USE - MEDIUM SITE (M)
- MASTER DESIGN REVIEW PERMIT OVERLAY (MDP)

ID	ZONING
1	AHE-101SP-X30-M (north of Diana Street)
2	AHE-101SP-S30-M (south of Diana Street)
3	AHE-DESP-X30-M
4	AHE-DESP-X30-M
5	AHE-DESP-S30-M
6	AHE-OP-R30-N
7	AHE-GC-S30-N-MDP
8	AHE-CSP-S30-V
9	AHE-ERSP-S30-N-MDP
10	AHE-GC-S30-N-MDP
11	AHE-GC-S30-N-MDP
12	AHE-RR1-R30-N
13	AHE-OP-X30-V
14	AHE-RR2-R30-V
15	AHE-LC-X30-V

**Exhibit 2016-04-2**

**Zoning Map**

*The Official Zoning Map is amended as shown (incorporates the Sustainable Mixed Use Places housing strategy described in the Project's City Council agenda report dated June 15, 2016 and the Final Environmental Assessment/Environmental Impact Report), as attached hereto and made a part hereof. All sites will carry the At Home in Encinitas Zone (AHE), followed by the first generation land use and development standards and then the second generation land use and development standards and then the design context and in certain cases a Master Design Review Permit Overlay applies, as shown on the map, all of which is more particularly described in EMC Chapter 30.36 (Exhibit 2016-04-1). The entire, existing Official Zoning Map is on file with the Office of the City Clerk.*



- MAIN STREET/MIXED USE - SMALL SITE (M)
- NEIGHBORHOOD CENTER - LARGE SITE (N)
- VILLAGE CENTER MIXED USE - MEDIUM SITE (M)
- MASTER DESIGN REVIEW PERMIT OVERLAY (MDP)

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6	AHE-OP-R30-N
7	AHE-GC-S30-N-MDP
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9	AHE-ERSP-S30-N-MDP
10	AHE-GC-S30-N-MDP
11	AHE-GC-S30-N-MDP
12	AHE-RR1-R30-N
13	AHE-OP-X30-V
14	AHE-RR2-R30-V
15	AHE-LC-X30-V

This map shows the changes to the City's Zoning Map, which is also a part of the City's Local Coastal Program. All sites shown on this map will be re-zoned "At Home in Encinitas" as shown. The zoning that will be changed is found in the legend on this map. The new zoning is abbreviated as "AHE". The zoning being changed is in the second abbreviated term. For example, in AHE-GC-S30-V, AHE (At Home in Encinitas) is the new zoning and GC (General Commercial) is the zoning being changed. The abbreviations used are further described in the existing Zoning Code, Specific Plans and Zoning Map.

***Exhibit 2016-04-2 (continued)***

**Appendix to Zoning Map**

This appendix to the Official Zoning Map shows precisely the boundaries of the areas re-zoned to At Home in Encinitas.

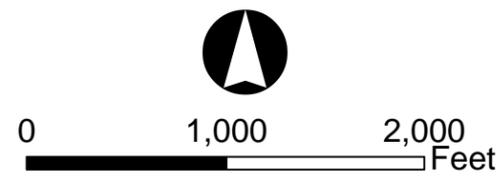
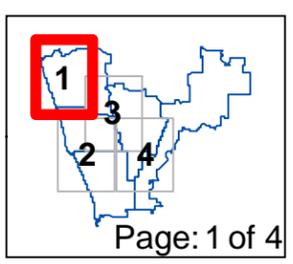


# Appendix to Official Zoning Map

Site Being Rezoned AHE  
 Tax Parcel



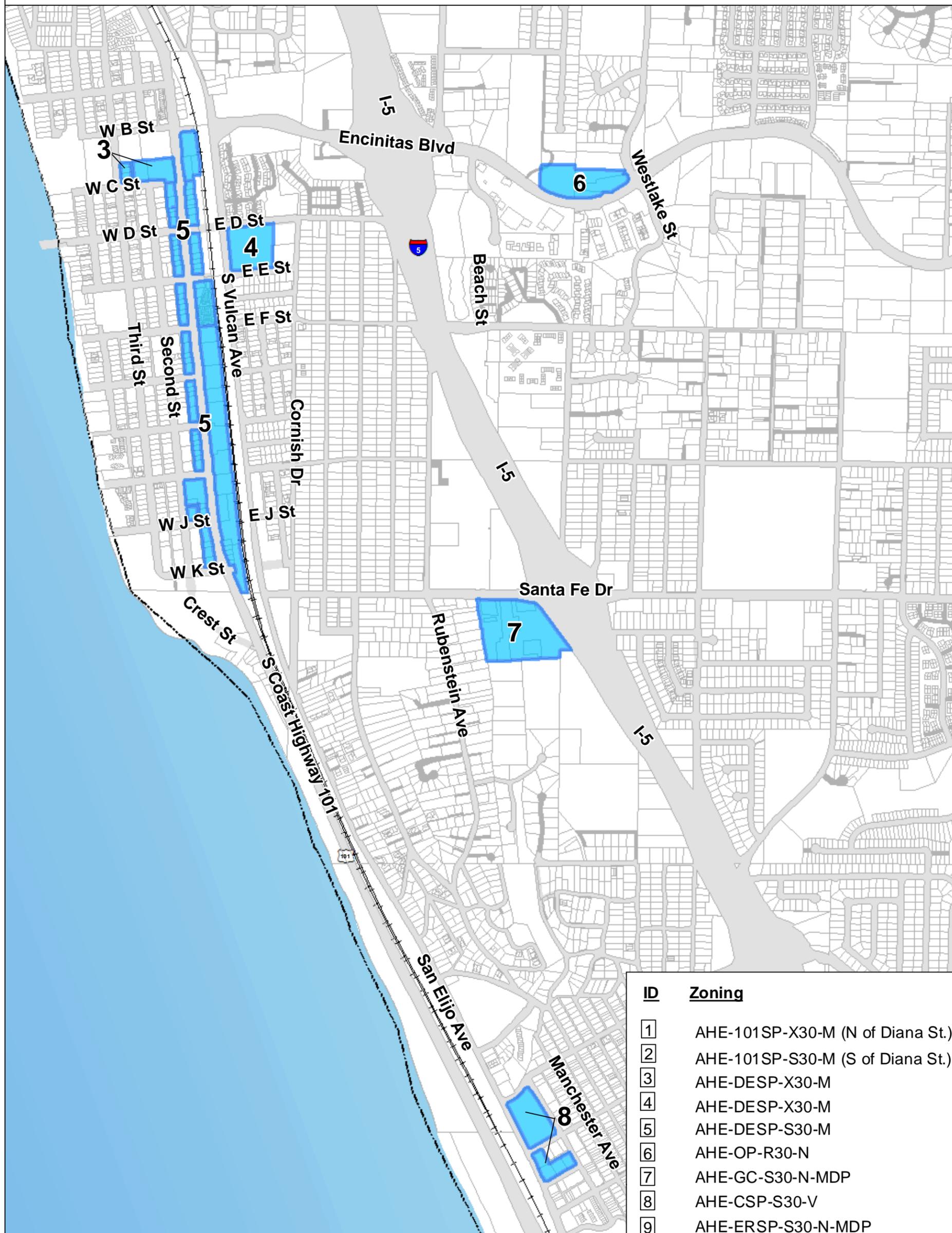
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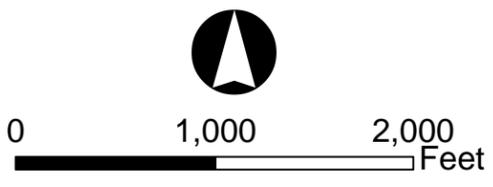
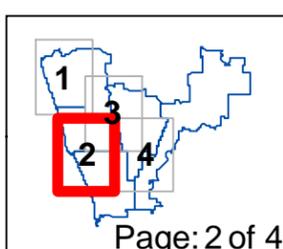


# Appendix to Official Zoning Map

Site Being Rezoned AHE  
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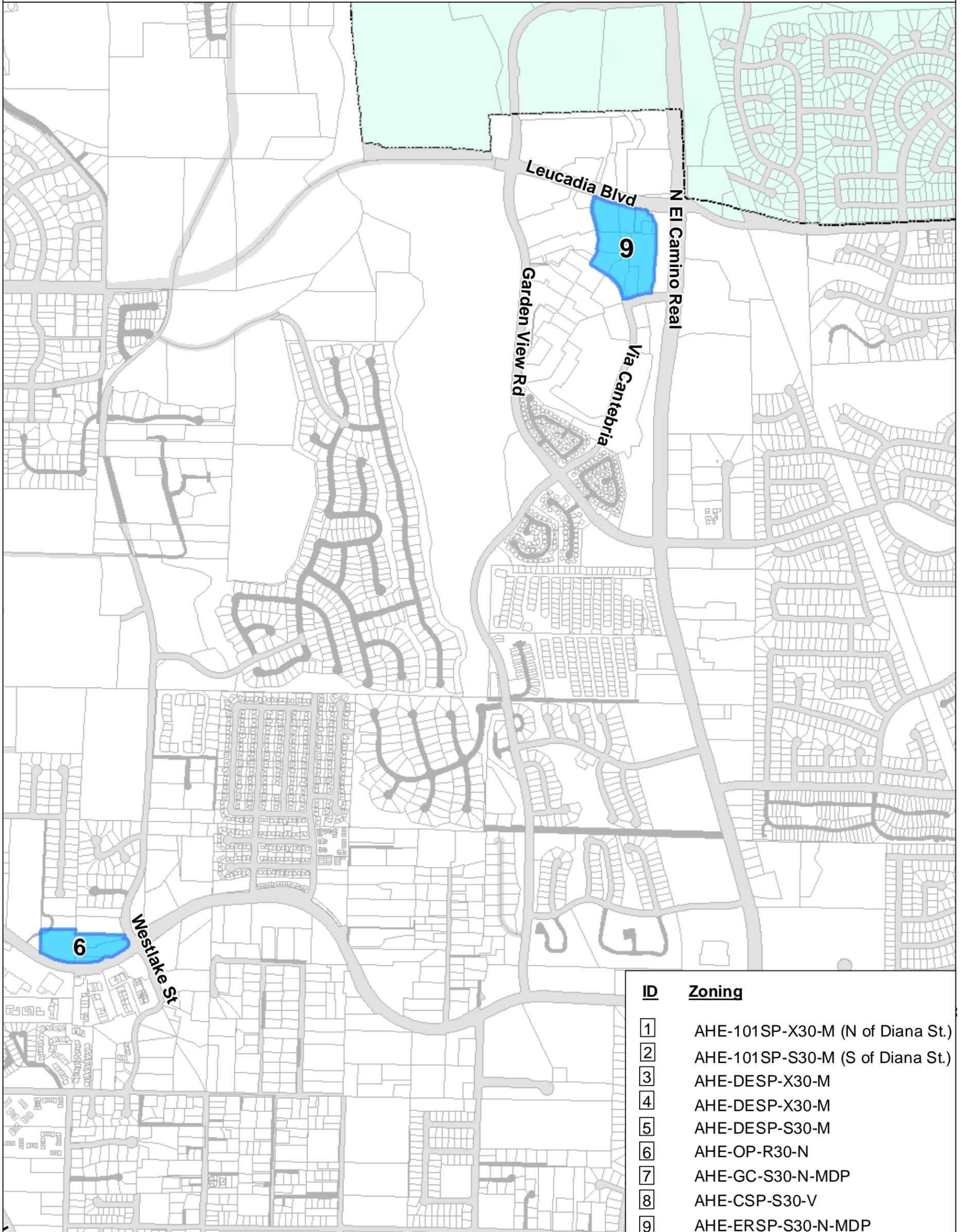
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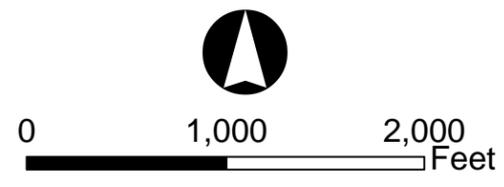
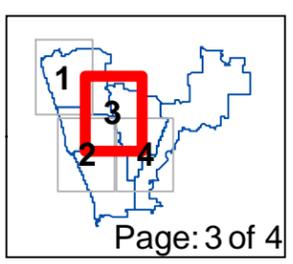


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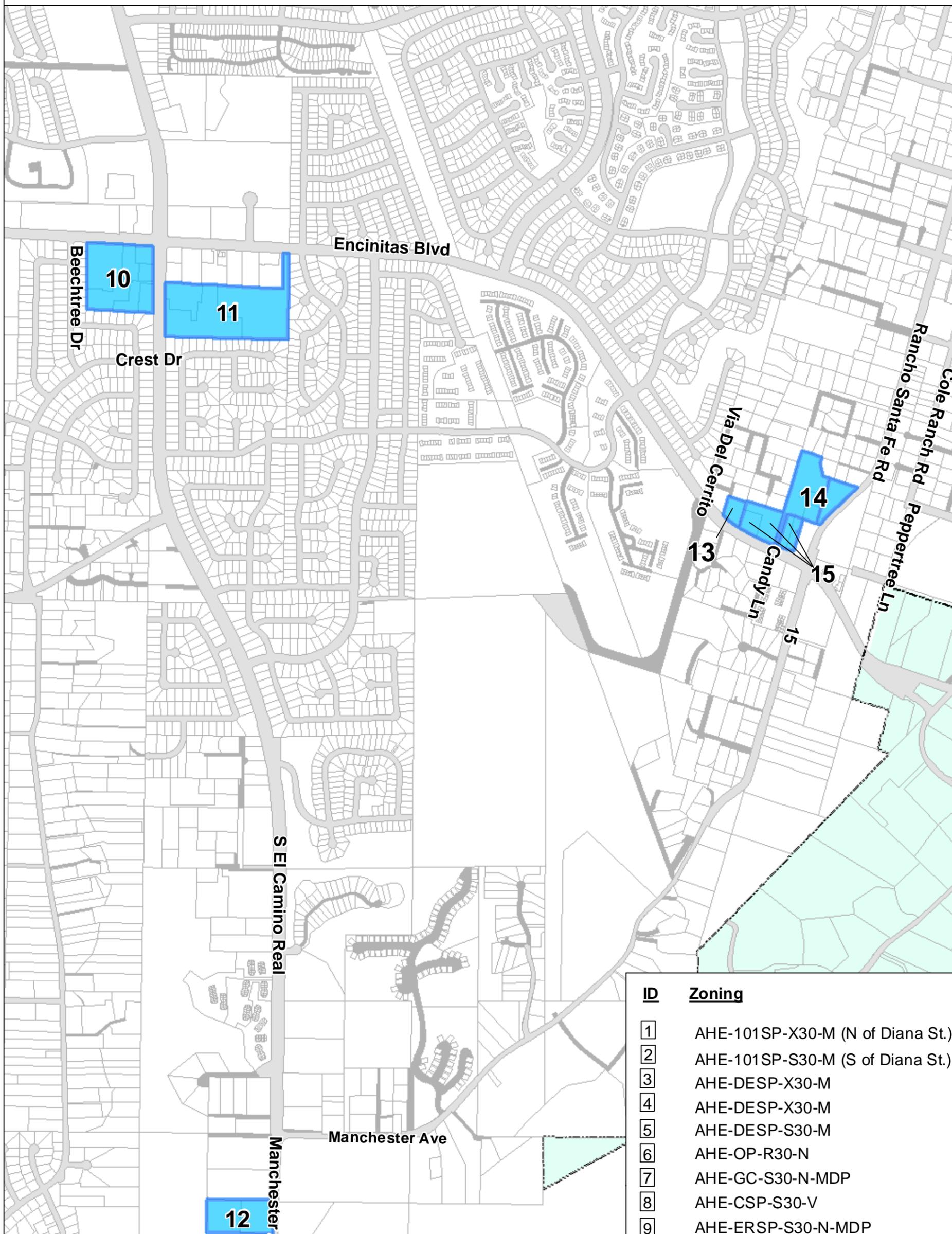




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 Site Being Rezoned AHE

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