

10/07/18 Letter to Encinitas Residents

RE: MEASURE U Encinitas' 2013-2021 Housing Element Update

In the rush to meet the deadline to get a Housing Element Update (HEU) on the November 2018 Ballot, the City of Encinitas has created a HEU that is out of compliance with the state code, with our Encinitas General Plan, with our own Housing Element Update, and with Prop A, specifically in regards to Site #2, the Cannon Property on the corner of Piraeus and Plato Streets (173 units proposed), and Site #AD31/19, the Myers Properties located along the edge of the I-5 freeway on Clark and Union Streets (163 units proposed).

I am quoting regulations that the City is not following:

1. Housing Requirements of CA Code Article 10.6d, which states:

“The legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider *economic, environmental, fiscal factors, and community goals as set forth in the general plan ...*.”

2. City of Encinitas Housing Element Introduction states:

“Encinitas must also plan to provide *the infrastructure* needed to maintain existing levels of service and *ensure that residential development will not degrade the local environment including the hillside areas, natural stream channels, and wetlands*. All of these areas are viewed by residents as resources worth preserving, and (that) the sites selected for housing *preserve* these (natural features). Another important goal of this element is *to ensure that the City embraces the distinct identity and character* of its five communities.” (Old Encinitas, New Encinitas, Leucadia, Cardiff, and Olivenhain.)

3. Encinitas General Plan Goal 9 of Land Use Element reads:

“**GOAL 9:** Preserve the existence of *present natural open spaces, slopes, bluffs, lagoon areas, and maintain the sense of spaciousness and semirural living within the I-5 View Corridor ...*.”

“**Goal 9 Response:** ... It (the Project) promotes infill development in key areas to preserve all other areas of land in the City, including *preserving existing single family neighborhoods* and the *protection of environmental and agricultural resources*. A number of these open space areas include sensitive habitats or are otherwise constrained due to topography, flooding, or other factors. ... *Future development would be subject to the view preservation policies of the Resource Management Element.*”

“**POLICY 9.1:** Encourage and *preserve low density residential zoning within the I-5 Corridor while preserving the best natural features* and avoiding the creation of a totally urbanized landscape Protect adjacent areas of Freeway corridor from *pollutants of noise, exhaust, and lights.*”

4. Environmentally Sensitive Areas as identified and reported in the *City of Encinitas Jurisdictional Runoff Management Program January 2017*

“Encinitas Creek drains the north central portion of the city and drains into Batiquitos Lagoon, designated as a *Critical Coastal Area* in the State of CA 2002 Critical Coastal Areas Strategic Plan.” (See Appendix H. I have highlighted Site #2 in red, which is already designated as environmentally sensitive, by the Dept. of Engineering of the City of Encinitas, January 2017.)

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5. Proposition A

On July 21, 2013, the initiative became effective and enforceable city-wide (properties inside and outside of the Coastal Zone). Proposition A restricts the height of any structure to the *lower of two stories or 30 feet*. In cases where existing codes specify a different maximum height standard, *the more restrictive standard applies*. *Any structure planned higher is to go before the people to vote to approve or not to approve*.

Concerning Issues With Site #2, Cannon Property

- Rezoning of our semirural area of RR/2 units per acre to 30 units per acre, adding 173 units in a single family neighborhood.
- Rezoning height from 30' or 2 stories up to 42'. Builders want 33' (flat) to 37' (peaked) roofs with 5' more for appendices! That's as tall as a 4 story flat roof house.
- Environmentally sensitive area. (See Appendix H.)
- Degrades the I-5 View Corridor by disturbing the bluffs, upzoning, and building heights of 3 to 4 stories.
- Instability – 4 documented landslides, one of which called for closure of Piraeus St. for a few weeks.
- No sidewalks on Piraeus or Plato (necessary for safe walking to Capri School or bus stops).
- Narrow, winding streets in the adjoining areas, which cannot manage the increased traffic.
- Closeness to I-5 and resulting exposure to pollutants.
- Capri Elementary School is already impacted. Some children in the neighborhood have to go to Paul Ecke School on the west side of the freeway! (The 173 units from Site #2 and 163 from Site #AD31/19 feed into Capri School.) No addressing the need for an additional school.
- No entrance to Leucadia Blvd. or I-5 S directly from Piraeus going south, thus necessitating driving through narrow neighborhood streets to get there.
- Limited parking spaces planned; some units get only 1 or 1.25 spaces!
- Closest public transportation (bus stops) are over a mile away.
- No stores within miles.

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Additional Information

Housing and Community Development (State Department) Deputy Director letter to City of Encinitas dated July, 5 2018:

“Alternately, additional vacant sites may be added to the inventory. For example, the L-7 site (634 Quail Gardens Lane), which was previously removed from the inventory could be added back. L-7 is a city-owned site, which represents a promising opportunity to promote the development of affordable housing.” *Even the State Housing and Development Department thinks using that lot is a good idea!*

City Council vs Residents?

Many residents are sick over this plan as it stands. Smaller sites spread evenly over the community, as required, would have less impact on each neighborhood. That would be welcomed by residents, and also more welcoming to new residents. Of our 5 neighborhoods, Leucadia is taking the burden of **44%** of new housing units.

Our City Council has heard over a hundred residents speak out against this plan, especially the most egregious sites, #2 and #AD31/19. Many photos depicting the unsuitableness of the sites were presented. Council has even been shown photos of a Fire engine not being able to get through the 22' wide roads with cars parked on both sides, and yet Council says the site is still suitable for this project!

We still have L-7 that the city owns outright, just sitting there for 20 years. There are accusations of builders trying to get the city to swap L-7 for their properties. What's with that?! L-7 was originally purchased by the City to use as a park!

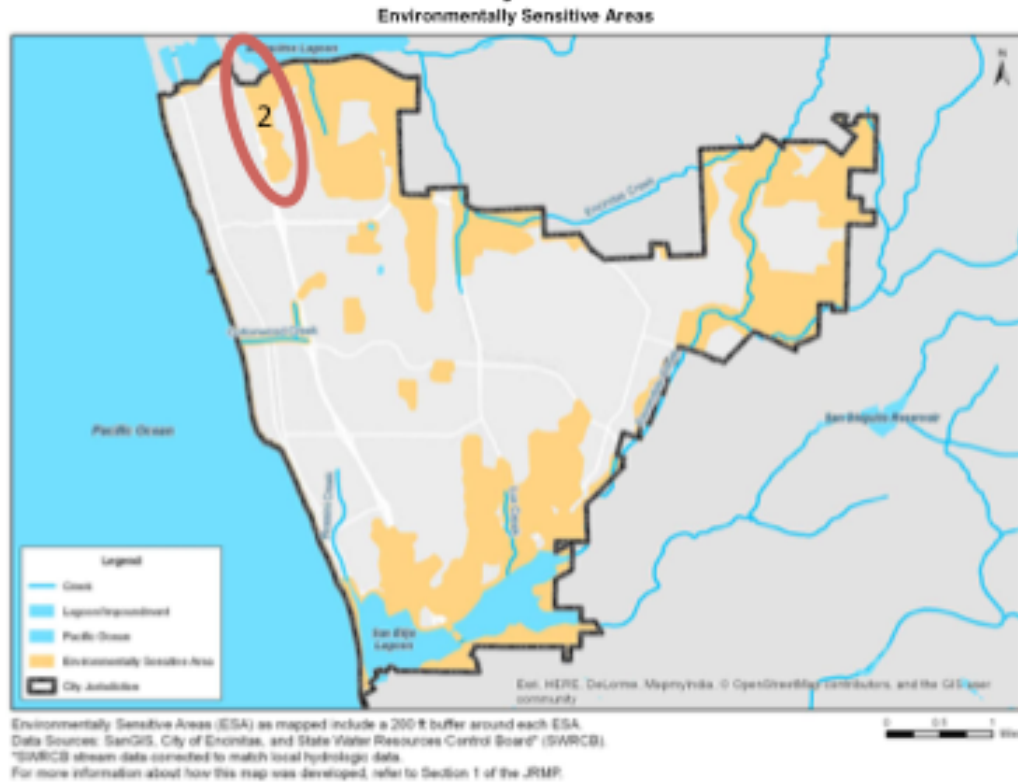
What protection for our city do we residents have, if City Council can pick and choose parts of the state code or our General Plan that they want to comply with? And then they make an amendment to alter our General Plan to comply with their new plan.

Summary

- Sites #2 and #AD31/19 are not in compliance with all state and city regulations.
- Sites #2 and #AD31/19 are adjacent to I-5.
- Site #2 is close to Batiquitos Lagoon, an environmentally protected area.
- Site #2 encompasses an identified environmentally sensitive area.
- Sites #2 and #AD31/19 do not have the necessary infrastructure to support such upzoning. Infrastructure is being ignored.
- This plan does not protect our environment. Not the bluffs, not the I-5 Corridor, not the residents living in that corridor a hundred feet or less away. No protection against noise, pollution, or unhealthy air for the unfortunate residents who would live there!
- It does not address the already impacted local elementary school.
- It does not preserve the identity and character of our 5 communities.
- This plan does not spread out the sites evenly throughout the five neighborhoods (See Appendix I.)

APPENDIX H

Environmentally Sensitive Areas



Yellow shows the environmentally sensitive areas. The red circle encompasses Site#2.

APPENDIX I

Inequity of Units Among the 5 Neighborhoods

Neighborhoods	# of Units	% of Units
Cardiff	91	6%
Leucadia	665	44%
Old Encinitas	484	32%
New Encinitas	115	8%
Olivenhain	149	10%
Total	1,504	100%

Measure "U" Housing Units by Neighborhoods

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Please take a closer look at Encinitas' HEU Plan, and insist that the City be in compliance with state codes, with our General Plan, with the City's own Housing Element, and with Proposition A. Demand that the City remove Sites #2 and #AD31/19, and use city owned property L-7. Encinitas would still be able to meet our quota for housing units, and at the same time not overburden the impact on Leucadia, nor on any other neighborhood. Even better, let's demand more sites with less density, thus further reducing the negative impact on all! **Do all this by sending a message and voting NO on MEASURE U!**

Thank you.

Diane Thompson