

- I haven't built anything downtown, but there seems to be good community character there with a small beach town feel. People would want to live there and pay to live there.
- Something between the Lumberyard and Pacific Station (on east side would help)
- Figure out how much mass commercial/residential can work on lot.
- Some sites will not be mixed use – construction costs. Most likely to stay as commercial because of strong commercial corridor appeal and low opportunity cost delta.

Attachment E:

Summary Spreadsheet of the Proposed Implementation Programs

I. Discussion Draft: Proposed Housing Element Programs (21)

Program	Recommendation	Comments	Ongoing (3) Updated (7) New (11)
1. Adequate Sites			
Program 1A: Accommodate the City's Regional Housing Needs Assessment allocation	Required	<ul style="list-style-type: none"> Identify adequate sites to accommodate the RHNA allocation Rezone and/or amend development standards to accommodate the density for both residential only and mixed use sites Create new zoning districts that allow existing rights to remain while implementing adequate sites inventory; may be done as new, consolidated zones or as an overlay 	Updated
Program 1B: Create new design standards and guidelines as part of adoption of new zoning districts	Recommended	<ul style="list-style-type: none"> Applicable to the single family attached, multifamily and mixed use projects to ensure high quality development on rezoned sites This is important because a residential use with a minimum of 20 dwelling units per acre and maximum of 30 would be a permitted use; no discretionary permit would be required for the use; a discretionary permit is only needed for design review and most subdivision actions 	New
Program 1C: Promote the development of accessory housing units	Recommended	<ul style="list-style-type: none"> Modify development standards that act as a barrier to development of accessory housing units 	Updated

Program	Recommendation	Comments	Ongoing (3) Updated (7) New (11)
Program 1D: Ensure that adequate sites remain available throughout the planning period	Required	<ul style="list-style-type: none"> • State law requires findings when a site on the inventory is not developed with the number of housing units shown in the inventory to ensure that adequate sites remain to accommodate the City's RHNA; City must rezone another site(s) if inadequate sites remain • Continually update the adequate sites inventory as projects are approved 	New
Program 1E: Promote and streamline lot consolidation	Recommended	<ul style="list-style-type: none"> • Help identify potential lots with consolidation potential to create viable development projects • For sites that are a part of the inventory, make as many types of subdivision actions as administrative decisions as allowed under the Subdivision Map Act 	New
Program 1F: Energy conservation and energy efficiency opportunities	Required	<ul style="list-style-type: none"> • Actions the City is going to take to facilitate energy conservation • Apply appropriate policies from the City's Climate Action Plan 	New

2. Affordable Housing			
Program 2A: Continue and broaden inclusionary housing policies	Recommended	<ul style="list-style-type: none"> • Prepare a nexus study to determine the maximum supportable inclusionary housing requirement and supportable housing impact fees for rental and for-sale housing, and increase the inclusionary housing requirement, if justified • Consider options to on-site development of housing units, which could 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 of alternative housing types 	Updated
Program 2B: Facilitate affordable housing	Required	<ul style="list-style-type: none"> • Proactively support housing for extremely low income, and persons with disabilities (including developmental disabilities) as required by State law • Streamline the permitting process by conducting comprehensive CEQA review and clearance using a Program EIR for the Housing Element and related regulatory amendments set forth in these programs • Seek out funding sources, such as regional, state and federal grant programs • Utilize existing funding sources, such as CDBG • Subsidize off-site public improvement costs • Reduce or waive development fees • Write down land costs on City-owned land • Expedite entitling projects with affordable housing • Position projects competitively for future grant applications 	Updated

Program 2C: Utilize Section 8 housing choice vouchers	Recommended	<ul style="list-style-type: none"> • Section 8 program supports housing for extremely low income households; City Housing Authority has allocation of Section 8 vouchers for use in the City • Encourage property owners to accept vouchers 	Ongoing
Program 2D: Maximize housing affordability through market-based approaches	Consider	<ul style="list-style-type: none"> • Establish a maximum average unit size to ensure provision of some smaller units along with larger units to promote market-rate affordability; results in mixed income housing • Unbundle parking from the housing unit in areas near transit, allowing housing to be sold separately of parking • Set a mandatory minimum density on inventory sites to ensure sufficient housing units are built 	New
Program 2E: Establish infrastructure and public amenities financing tools	Consider	<ul style="list-style-type: none"> • These tools promote the feasibility of new development and can accelerate the provision of public infrastructure and amenities • Example financing tools include: <ul style="list-style-type: none"> ○ 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; consider undertaking a commercial linkage fee study 	New

3. Mitigation of Constraints			
<p>Program 3A: Update the density bonus ordinance</p>	<p>Required</p>	<ul style="list-style-type: none"> • Amend the Zoning Code to adopt density bonus regulations consistent with State law • May adopt a density bonus program that is more generous than State law to encourage achievement of City’s goals, policies and programs but must at a minimum implement State Density Bonus law • <i>[CONSIDER: Explore allowing developers to transfer density bonus units that would exceed three stories/maximum 30 dwelling units per acre density to another site as an alternative to providing the units on the site; City cannot require this, but it could be a voluntary option, since density bonus can be provided in excess of those permitted by State law]</i> • City cannot assume a certain percentage of projects will invoke density bonus and get RHNA credit for those units • City cannot prohibit density bonus in areas upzoned • Inclusionary housing units are satisfied with density bonus affordable units if criteria for both programs are met • City cannot pick and choose allowable waivers and incentives, but developer must demonstrate financial need for incentives and “physical infeasibility” for waivers 	<p>Updated</p>
<p>Program 3B: Establish parking standards appropriate for different kinds of housing</p>	<p>Required</p>	<ul style="list-style-type: none"> • Amend the Zoning Code with parking standards appropriate for affordable, mixed use and transit-oriented housing projects and to ensure that the parking standards do not constrain achieving the allowable housing density 	<p>New</p>

<p>Program 3C: Modify regulations that constrain the development of housing</p>	<p>Required</p>	<ul style="list-style-type: none"> • For mixed use projects, require ground floor commercial uses only at key locations based on context or planning objectives rather than as a blanket requirement to ensure projects are feasible and the desired community character are both achieved • To achieve a diversity of housing, allow for a variety of building and subdivision types; remove the separate lot or airspace ownership requirements in the North Highway 101 Specific Plan • Revise the design review findings to remove references to value depreciation 	<p>New</p>
<p>Program 3D: Accommodate specialized housing types</p>	<p>Required</p>	<ul style="list-style-type: none"> • Must identify one zone where emergency shelter housing will be permitted by right • Transitional and supportive housing meeting Government Code definitions must be treated as a residential use to be permitted in buildings of the type permitted in the zoning district (in single family homes in single family zoning districts, etc.) • Amend the Zoning Code to allow for single room occupancy housing (SROs) through a major use permit in the General Commercial zoning district • Employee housing for six or fewer employees must be treated as a single-family structure • Farmworker housing for 12 units or 36 beds must be considered an agricultural use to be similarly permitted in zones that permit (or conditionally permit) agricultural use 	<p>Updated</p>

4. Conservation of Existing Housing Stock			
Program 4A: Pursue opportunities to create safe and healthy housing	Recommended	<ul style="list-style-type: none"> Continue the Affordable Unit Policy whereby unpermitted housing units may be legalized if deed restricted to lower income residents, along with meeting life safety and building codes For unpermitted housing units not eligible or not opting into the AUP, fully bring up to land use and uniform codes 	Updated
Program 4B: Assist in rehabilitating rental housing	Recommended	<ul style="list-style-type: none"> Assist property owners in bringing substandard housing units up to codes There is no requirement to provide a rental rehabilitation program but if the need is there and the City has funding available, this is an effective approach to provide decent and affordable housing 	Ongoing
5. Equal Housing Opportunities			
Program 5A: Provide flexibility in reasonably accommodating housing for the disabled	Required	<ul style="list-style-type: none"> Must adopt a reasonable accommodation ordinance or formal policy for housing occupied by persons with disabilities, allowing modifications from standard zoning requirements when necessary and reasonable (e.g., wheelchair ramp within front yard setback) 	New
Program 5B: Promote fair housing	Required	<ul style="list-style-type: none"> The City is required to further fair housing through outreach and education; now, as a CDBG entitlement jurisdiction, the City offers fair housing services through a contractor 	Ongoing

6. At-Risk Housing			
Program 6A: Monitor publicly assisted housing projects	Required	<ul style="list-style-type: none"> The Housing Element is required to include a program to monitor and work to preserve affordable housing units that are at risk of converting to market rate housing The City is required to address the at-risk status of Su Casa Apartments (expiring 2025) and Regal Road Apartments (expiring 2024), which are funded by bonds and CDBG 	New
Program 6B: Extend term of affordability with in-lieu programs	Recommended	<ul style="list-style-type: none"> Allow inclusionary housing requirement to be met by purchasing and restricting at-risk housing units 	New

Attachment F:

**Summary of the Existing
Implementation Programs**

Adopted Housing Programs (1992)

Program	Recommendation	Comment
I. Zoning Code Existing Provisions		
a. Overall Land Use Plan Implementation	Continue – must update. Refer to Draft Program 1A	This should be restructured to address the City’s ability to meet the RHNA through the rezoned sites. Rezoning must be made pursuant to Government Code Section 65583.2(h), permitting owner-occupied and rental multi-family uses by-right, with a minimum density of at least 20 units per acre. Amendments are needed to eliminate mid-point densities in multi-family zones.
b. Accessory Apartments.	Continue. Refer to Draft Program 1C	Maintain existing program that allows accessory units (also known as second units or granny flats) by-right in all single-family residential zones. Consider modifying the second unit ordinance – relaxing development standards and deed restrictions.
c. Agricultural Worker Housing.	Continue – must update. Refer to Draft Program 3D	State law on agricultural worker housing has changed. Program to amend Zoning Ordinance to be consistent with Employee Housing Act. Employee housing for six or fewer employees must be treated as a single-family structure. Farmworker housing for 12 units or 36 beds must be considered an agricultural use to be similarly permitted in zones that permit (or conditionally permit) agricultural use.
d. Mobilehome/Trailer Parks.	Not required	This is expressing an existing zoning provision - the City continues to zoning provisions, which allows development of new mobile home parks. In February 2007 the City Council conducted a study of mobile home parks with the objective of developing a series of strategies and programs to encourage their conservation, rehabilitation, and ability to sustain long-term affordable housing. At the time, City Council considered a number of regulatory alternatives and determined not to pursue expanding mobile home zoning designations to other existing parks. No specific action is proposed and therefore does not need to be included as a Housing Element program.
e. Manufactured Housing.	Not required	This is expressing an existing zoning provision. The city continues to allow the placement of mobile homes and manufactured housing. No specific action is proposed and therefore does not need to be included as a Housing Element program.

Program	Recommendation	Comment
f. Community Care Facilities.	Not required	The City continues to allow community care facilities in the zoning code. Per SB 2 and SB 745, a new Housing Element program to address transitional/ supportive housing would also address this topic (refer to Draft Program 3D).
g. Small-Scale Care Facilities.	Not required	In early 2005, the City revised its ordinance and definitions to be consistent with State standards. Under the existing zoning code residential care facilities meeting Government Code definitions are treated as a residential use are permitted as similar residential uses in the same zones. No specific action is proposed and therefore does not need to be included as a Housing Element program.
h. Density Bonuses.	Continue – must update. Refer to Draft Program 3A	The City’s Density Bonus Ordinance must be revised to be consistent with State law.
II. Zoning Code - New Provisions		
a. Multifamily Off Street Parking Requirements.	Not required	Housing projects that are guaranteed to be affordable to low or very-low income households are allowed a reduced, one-space-per-unit parking requirement in some specific plan areas. The City does not need to review the off-street parking standards; however, as part of the rezoning program, the City should be addressing the development standards (including parking) to implement the new land use strategy (refer to Draft Program 3B).
b. Family-sized Multifamily Housing.	Not required	The rezoning program has built in a range of housing options. In general, the City will continue review of the zoning code for any disincentives for multi-family housing development.
c. Mobilehome/Trailer Park Overlay Zone.	Not required	The removal of mobile home parks is regulated by the State Department of Housing and Community Development. In addition, in February 2007 the City Council conducted a study of mobile home parks with the objective of developing a series of strategies and programs to encourage their conservation, rehabilitation, and ability to sustain long-term affordable housing. At the time, City Council considered a number of regulatory alternatives and determined not to pursue an overlay zone for mobile home parks. No specific action is proposed and therefore does not need to be included as a Housing Element program.

Program	Recommendation	Comment
d. Emergency/Transitional Shelters.	Continue – must update. Refer to Draft Program 3D	The Housing Element must contain a program to address the provision of emergency shelters, transitional housing, and supportive housing, consistent with SB 2 and SB 745.
III. County Housing Authority Programs		
a. Section 8 Existing Housing Payments Program.	Delete	Program expired. Almost exactly like the Housing Voucher Program below, except that through the Housing Voucher Program, rents charged by landlords could exceed HUD’s “fair market rate” rent levels. All funding was from the federal government; the City had no direct or indirect expenses. The program expired.
b. Housing Voucher Program.	Continue as modified. Refer to Draft Program 2C.	The City operates its own Housing Authority to provide Housing Choice Vouchers to residents. The Housing Element can include a program to promote Housing Voucher Program.
c. Section 17 Rental Rehabilitation Program.	Delete	This program encouraged the rehabilitation of existing rental dwelling units. Grants were given for property owners to upgrade existing substandard buildings. All funding was federal, through HUD. The County Housing Authority provided all administration. This program was not utilized in Encinitas and the program expired. Please note that the intent of this program is being addressed in the current City of Encinitas rehabilitation program, where a loan of \$10,000 can be awarded for multi-family homes. The loan is due at the end of the affordability period (and the interest is forgiven over a designated period).
d. Section 8 Moderate Housing Rehabilitation Program.	Delete	“Moderate” here refers to the degree of structural rehabilitation provided to a building, and not associated with moderate rent or income levels. The program guaranteed Section 8 rental payments to owners who rehabilitated units and then rented them to Section 8 households. A loan or grant was not involved. Funding was all federal, through HUD. County Housing Authority provided all administration. The program expired.
IV. CDBG-Related Programs Through County HCD		

Program	Recommendation	Comment
a. Residential Rehabilitation Program.	Continue as modified. Refer to Draft Program 4B	This program provided rehabilitation loans directly from HCD to qualified target households who are owner-occupants of existing units which are in need of physical rehabilitation. The City has become an entitlement jurisdiction to receive CDBG funds directly from HUD. In early 2009, the City Council approved its own City-administered residential rehabilitation program and opted out of the County program. Currently, the key funding source available for the rehabilitation program comes from Community Development Block Grants (CDBG). The program will be modified since Encinitas residents are not eligible to receive CDBG assistance through HCD or the County.
b. Interest Subsidy Program.	Not required	The City participates in the County HOME Consortium and City residents are eligible to apply for Down Payment and Closing Costs through the County.
c. Elderly/Handicapped Grant Program.	Delete	The City has become an entitlement jurisdiction to receive CDBG funds directly from HUD. Encinitas residents are not eligible to receive CDBG assistance through the County. Due to budget cuts, the County no longer offers such program.
d. Weatherization Program.	Delete	The City has become an entitlement jurisdiction to receive CDBG funds directly from HUD. Encinitas residents are not eligible to receive CDBG assistance through the County. Due to budget cuts, the County no longer offers such program.
e. Mobilehome/Deferred Loan Program.	Continue as modified. Refer to Draft Program 4B.	Very similar to the Residential Rehabilitation Program listed above. The City has become an entitlement jurisdiction to receive CDBG funds directly from HUD. In early 2009, the City Council approved its own City-administered residential rehabilitation program and opted out of the County program. Currently, the key funding source available for the rehabilitation program comes from Community Development Block Grants (CDBG). The program will be modified since Encinitas residents are not eligible to receive CDBG assistance through the County.
f. Mobilehome Occupant Assistance Program.	Delete	The City has become an entitlement jurisdiction to receive CDBG funds directly from HUD. Encinitas residents are not eligible to receive CDBG assistance through the County. Due to budget cuts, the County no longer offers such program.

Program	Recommendation	Comment
V. Programs to Maintain Existing Affordable Housing Arrangements		
a. Code Enforcement.	Not required	Code enforcement is a routine City service and not considered a specific Housing Element program unless specific actions are identified to improve housing conditions.
b. Condominium Conversions.	Not required	Continued implementation of an existing ordinance is not considered a specific Housing Element program unless the City seeks to amend the Condominium Conversion Ordinance.
c. Mobilehome/Trailer Park Housing.	Delete	This program recommends utilizing County CDBG funds as incentives to preserve mobilehome parks. The City is not eligible to receive CDBG funding through the County. Due to budget cuts, the County no longer offers such program.
d. Coastal Zone Housing Requirements.	Not required	This is a requirement of state law but does not need to be structured as a housing program unless the City is taking specific actions. However, the City's primary role in this program is to maintain records. The only action the City is taking is to identify funding sources for replacement housing, which is a general action for affordable housing and can be incorporated into an overall affordable housing development program.
e. Owner-Occupied Residential Rehabilitation Program.	Not required	This program proposes to utilize redevelopment funds to implement a residential rehabilitation program. Currently, the City does not have a consistent and adequate funding source for this program.
f. Rental Residential Rehabilitation Program.	Not required	This program proposes to utilize redevelopment funds to implement a residential rehabilitation program. Currently, the City does not have a consistent and adequate funding source for this program.
g. Assessment District Subsidies.	Continue as modified. Refer to Draft Program 2E.	This was listed as an "optional" program and it proposed to utilize redevelopment funds to subsidize assessments for infrastructure improvements for low and moderate income households. Although Redevelopment Funds are not a prospective funding source, under the intent of this program, neighborhoods in need of upgraded infrastructure or improvements could form or establish infrastructure and public amenities financing tools to raise the funds. Currently, the City does not have a consistent and adequate funding source for this program.

Program	Recommendation	Comment
h. Section 236 Housing Renewed Affordability.	Continue as modified. Refer to Draft Program 6A	The Housing Element is required to include a program to monitor and work to preserve affordable housing units that are at risk of converting to market rate housing. However, Section 236 projects were built in the 1960s and 1970s, and most have already converted to market rate housing during the 1990s and early part of 2000. For the new Housing Element, the “nearly” at-risk projects are Su Casa Apartments (expiring 2025) and Regal Road Apartments (expiring 2024), funded by bonds and CDBG.
i. Density-Bonus Housing Renewed Affordability.	Continue as modified. Refer to Draft Program 3A.	This City is required to adopt a density bonus ordinance consistent with State law.
VI. Programs to Create New Housing Opportunities		
a. New Condominium Unit Rental Allowance.	Delete	This program references a provision in the Government Code and is not considered a specific Housing Element program.
b. Equal Opportunity Housing Marketing.	Not required	This is a routine condition of project approval and is not considered a specific Housing Element program.
c. Inclusionary Housing Requirements.	Continue as modified. Refer to Draft Program 2A.	This is an ongoing program. The City can evaluate expanding the application of inclusionary housing to increase homeownership and rental opportunities for moderate-income households.
d. Coastal Zone Housing Requirements.	Not required	The program required that all new housing construction within the Coastal Zone makes findings and requirements that affordable new units be included. The citywide Inclusionary Housing requirements would satisfy the Coastal Zone requirements. The City’s primary role in this program is to maintain records. The only action the City is taking is to identify funding sources for replacement housing, which is a general action for affordable housing and can be incorporated into an overall affordable housing development program.
e. Specific Plans Mixed Use Development.	Delete	The rezone program would offer mixed use development opportunities in specific plan areas. The specific plans listed have since been created and portions of those plans implement opportunities to achieve mixed-use developments.

Program	Recommendation	Comment
f. Land Cost Write-Down Program.	Continue as modified. Refer to Draft Program 2B	Under this “optional” program, land would be acquired outright and sold for development with a requirement that units developed would be affordable and/or suitable for special needs households (guaranteed through restrictions). This program proposes to utilize redevelopment funds to write down land costs for affordable housing. Currently, the City does not have a consistent and adequate funding source for this program. However, the City may consider using an Affordable Housing Overlay on City-owned properties or may be incorporated into an overall affordable housing development program that outlines various incentives. Purchase agreements could be tailored to help subsidize the affordability of units.
g. Subsidizing Off-Site Improvement Costs.	Continue as modified. Refer to Draft Program 2B	This may be incorporated into an overall affordable housing development program that outlines various incentives.
h. Second Trust Deeds for First-time Buyers.	Not required	This program proposed to utilize redevelopment funds to implement this program. Currently, the City does not have a consistent and adequate funding source for this program. City residents are eligible to participate in the County’s HOME-funded Down Payment and Closing Costs program.
i. First-Time Buyer Property Rehabilitation.	Not required	This program proposes to utilize redevelopment funds to implement this program. Currently, the City does not have a consistent and adequate funding source for this program.
j. Agricultural Worker Housing Development Assistance.	Continue as modified. Refer to Draft Program 3D	<p>State law on agricultural worker housing has changed. Program to amend Zoning Ordinance to be consistent with Employee Housing Act. Employee housing for six or fewer employees must be treated as a single-family structure. Farmworker housing for 12 units or 36 beds must be considered an agricultural use to be similarly permitted in zones that permit (or conditionally permit) agricultural use.</p> <p>However, the City is not required to subsidize the construction of farmworker housing. The City can facilitate farmworker housing through an overall affordable housing program that outlines various incentives.</p>

Program	Recommendation	Comment
k. Transitional Housing/Emergency Shelter Development Assistance.	Continue as modified. Refer to Draft Program 3D	The Housing Element must contain a program to address the provision of emergency shelters, transitional housing, and supportive housing, consistent with SB2. However, the City is not required to subsidize the construction of emergency shelters or transitional housing. The City can facilitate the development of emergency shelters/transitional housing through an overall affordable housing program that outlines various incentives.
i. Self-Help Housing Program.	Not required	Self-help housing funding is extremely limited. The City can facilitate the development of affordable housing through an overall affordable housing program that outlines various incentives.
VII. Direct Household Support and Services		
a. City Jobs Center.	Not required	The City is not required to include supportive services in the Housing Element. However, the City can include a general program that outlines that types of services the City may consider funding.
b. Centralized Social Services Referral/ Outreach.	Not required	The City is not required to include supportive services in the Housing Element. However, the City can include a general program that outlines that types of services the City may consider funding.
c. Seniors Shared Housing Referral.	Not required	The City is not required to include supportive services in the Housing Element. However, the City can include a general program that outlines that types of services the City may consider funding.
d. Affirmative Housing Information Outreach Program.	Continue as modified. Refer to Draft Program 5B	The City is required to further fair housing. Now, as a CDBG entitlement jurisdiction, the City offers fair housing services through a contractor.
e. Child Care Programs.	Not required	The City is not required to include supportive services in the Housing Element. However, the City can include a general program that outlines that types of services the City may consider funding.
f. City-Funded Housing Vouchers.	Not required	This program proposes to utilize redevelopment funds to implement this program. Currently, the City does not have a consistent and adequate funding source for this program.
VIII. Other Housing Programs Implementation		

Program	Recommendation	Comment
a. Housing Development Fees.	Continue as modified. Refer to Draft Program 2B	Charging development fees is a routine development requirement in the City and is not considered a specific Housing Element program. However, if the City offers fee reductions for affordable housing, this can be incorporated into an overall affordable housing program that outlines various incentives.
b. Housing Energy Conservation.	Delete	Implementation of state building codes is not considered a specific Housing Element program.
c. Handicapped Housing Requirements.	Delete	Implementation of state building codes is not considered a specific Housing Element program.
IX. Housing Programs Administration		
a. City Housing Program Administration.	Delete	This program states that the City will implement its housing programs.